

**A Study Of the  
Living and Working Conditions of  
Contract Construction Workers -  
The IIT Kanpur Case Study**

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# Table Of Contents

1. Acknowledgement
2. Methodology
3. Story of Chattisgarh workers
4. The Kanpur worker
5. The child at Gulba garden
6. The Engineer
7. Observations
  - a) Health hazards construction workers are exposed to while at work.
  - b) Awareness levels about the health hazards
  - c) Mode of payment to workers
  - d) Some facts about migrant workers
8. Analysis
  - a) Effect of place of origin of workers on their lives in IIT
  - b) Working & Living conditions of company workers as compared to the other workers.
  - c) Attitude of IIT towards construction workers.
  - d) What the contractor had to say (*an excerpt*)
  - e) The Penalties that the Director of IIT-K might be facing as the principal employer of construction workers.
  - f) Treatment of woman worker at IIT-K
  - g) What attracts the workers to work at IIT-K?
  - h) The kind of treatment at work that the workers preferred.
  - i) Construction workers and their attitude to their lives.
9. Afterward
10. References

*This Project is dedicated to all the Contract Workers that we came into contact with. They welcomed us into their lives even though we were strangers. They had the infinite capacity to keep all their grief inside and only show a smile. They gave us a chance to be with them, even though they knew that we couldn't help them. They deserve the true credit for this project.*

## Methodology

At the outset of the project we had decided that we would conduct a few preliminary interviews with workers, and then design a questionnaire on the basis of which we would conduct a survey. The obvious advantage of this seemed to be the strength of numbers – with numerical data to back our observations, our conclusions would carry more weight. With this in mind, we began talking to workers.

But with every worker came a different kind of story. And every worker did not have enough time to cover every aspect of our project – living conditions, working conditions, laws followed and broken and personal history. So we decided to simply talk to the workers, and let it take us where it would.

After a meeting with the labor lawyer, we began to have an idea about how pathetic the conditions of the workers were. We felt that our project should accomplish something – shake the IITK authorities by the shoulders and make them wake up to worker welfare. But we realized that while talking to workers it was better not to arouse any false hopes by promising things we were not sure we'd be able to manage. So we would tell the workers frankly that we would try our best to get something done to improve their conditions, but the only thing we could say for sure was that we would get back to them and tell them if we had been able to accomplish anything.

The Chhatisgarhi workers were easy to approach – we met them at the CC site. They were eager to talk to us and welcomed us into their homes. We met 6 adults from their group on 3 occasions – once at their house, another time at a canteen over tea and the third time at their own house again. We had hoped that through them, we would be able to meet some more Chhatisgarhi workers at the Hall IV site, but it turned out that they did not really know anyone outside their immediate group.

We directly approached the local Kanpur workers on their site on a Sunday when the contractor was not around. We held the discussion over lunch and tea. They too were very open and wanted to help as much as they could.

Going to the worker's residence, sitting down with them outside their houses and chatting with them informally, helped create an atmosphere of mutual trust. What we think counted most was that we were talking to the workers away from the construction site; so they did not have to worry about the contractor coming to know they had talked to us. It was surprising how many of them were keen that we not write down anything on paper, while they had no restriction as to what we asked.

We now needed an avenue into Gulba Garden – where over 150 workers from Bihar and Orissa were living. This took a lot of time – as we had to arrange a meeting outside the dwelling. We had come to know that workers lived here along with the contractor. So if



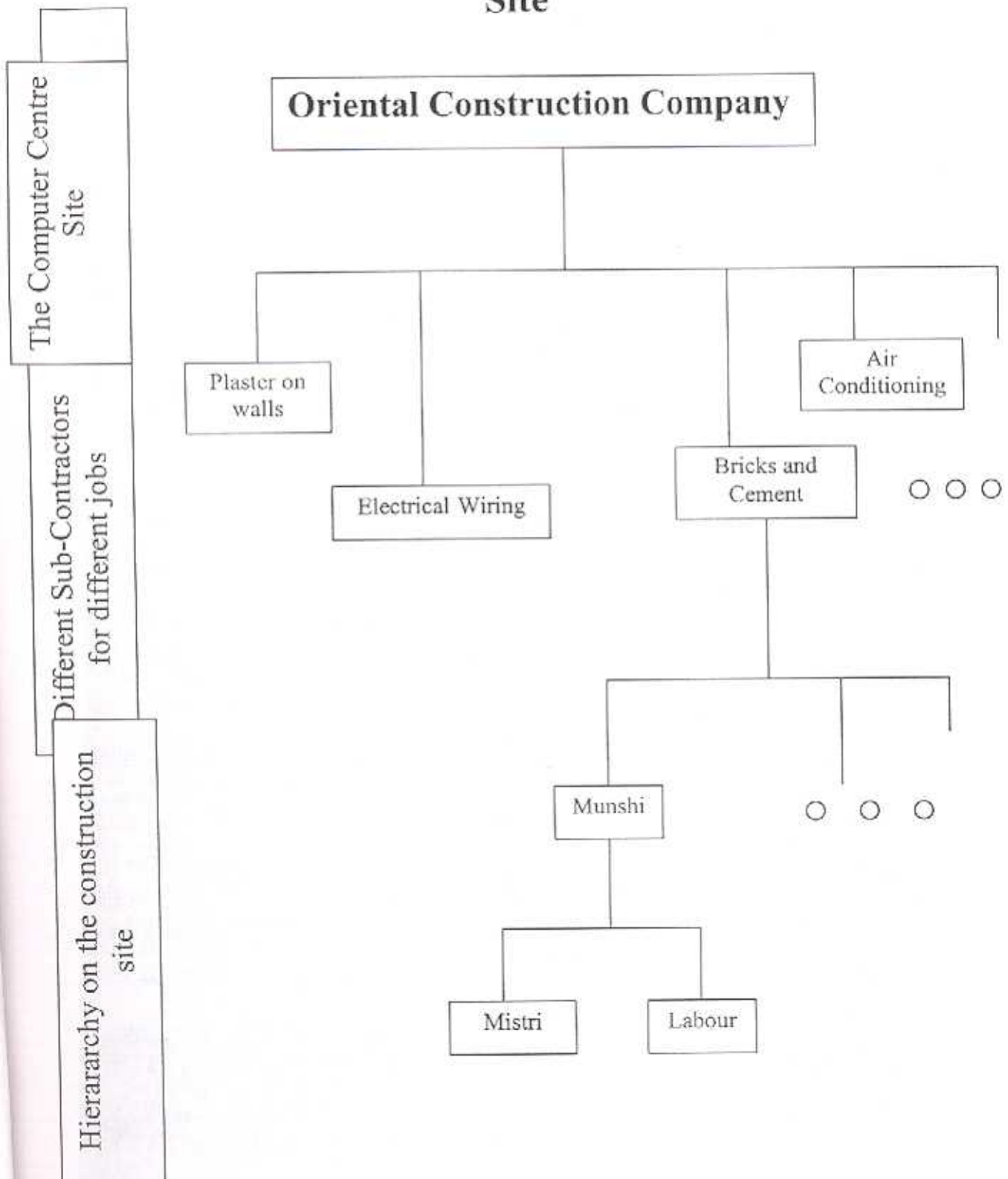
we had gone there directly, workers would probably have been warned against talking to us. We tried to contact workers through their children, whom we thought would be attending the Vivekananda classes at SAC, but as it turned out, the Gardens lie too far away for the workers living there to send their children to these classes. Through Dr. Varman, we got in touch with Nirmalji, a worker in Samiti, who knew a number of people at Gulba Garden and tried to arrange a meeting with some workers he knew. After a few abortive attempts, we finally met a few workers. They were open with us as well.

We had now decided to visit sites after work was over in order to avoid the contractors. At Hall IV, we met with resistance. It was more of bad luck, as it so happened that the first person we interviewed was the watchman put there by the contractor to keep a close watch on the workers. Another problem we encountered was the language barrier, since a couple of workers were not comfortable with Hindi. Though we did try to solve this problem by interviewing such workers in the presence of some other worker comfortable with both *Hindi* and their native language. The presence of the contractor's man nearby definitely caused the workers to answer perfunctorily and guardedly.

At the GH site, the resistance came from the workers themselves. We met company workers there. They seemed wary of us while we explained our work – we were careful to mention no bias against or for the contractor while we introduced ourselves, but they were suspicious anyway. After we had got through the preliminary questions about where they were from, one of them piped up asking us why exactly we were there. They then told us that they found it strange that we had chosen such an unusual time to visit them (it was half past 9) and that they preferred if we visited them in the presence of their engineer. We were surprised by the hostility. These workers did not even show curiosity about us like most of the others had.

Another part of this project was to interview the contractor, so as to get the complete picture. One of our options was to challenge him by telling him what the law states and asking them to explain himself, but this would have put him on defensive and not served any real purpose. So we decided to approach him and get as much out of him by pretending that we were more interested in getting data for our project and that we were unaware of what was stated in the laws. We interviewed him last so that his warning workers not to talk to students would not affect our work.

## The Typical Structure of the Organization at the Site





## The Chhatisgarhi workers

We started interviewing workers on the CC site where (facts about budget, area covered, no of computers to be housed etc). At 2 pm, we explained to the site engineer and IWD representative that we were doing a project on construction workers in IIT and needed a general idea about the kind of work they did. The company's engineer, who had been here at IIT for the span of the construction seemed unhesitant about us talking to them and even asked us to find out why workers were so unmotivated. The other guy seemed a little resistant but covered it up, allowing us to talk to the workers for about 10 minutes just before they restarted work after lunch.

We met a group of Chhatisgarhi workers who lived together on campus and arranged a meeting with them at their place of living, as the *munshi* who had been watching us carefully grew more and more impatient.

That night, we met the workers at their 'house'. They were living in a grassy area on campus in a group of 10 adults and 6 minors. The house consisted of a cement floor (cement had been stolen from the site), thatched walls and a roof, with one side exposed for entry. 16 people were living on an area of 13x7 feet. They had a *chulha* and 2 cots.

### Chapter V Section 40 Contract Labor Central Rules

#### 41. Rest-rooms

- (1) In every place wherein contract labor is required to halt at night in connection with the working of the establishment to which the Act applies and in which employment of contract labor is likely to continue for 3 months or more the contractor shall provide and maintain rest-rooms or other suitable alternative accommodation within fifteen days of the coming into force of the rules in the case of existing establishments and within 15 days of the commencement of the employment of contract labor in new establishments.
- (2) If the amenity referred to in sub-rule (1) is not provided by the contractor within the period prescribed, the principal employer shall provide the same within a period of 15 days of the expiry of the period laid down in the said sub-rule.
- (3) Separate rooms shall be provided for women employees.
- (4) Effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting.
- (5) The rest room or rooms or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 1.1 sq. metre for each person making use of the rest room.
- (6) The rest room or rooms or other suitable alternative accommodation shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.
- (7) The rest room or other suitable alternative accommodation shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.



Chapter VI Section 34 Building and other Construction Workers Act, 1996

- (1) The employer shall provide, free of charges and within the work site or as near to it as possible, temporary living accommodation to all building workers employed by him for such period as the building or other construction work is in progress.
- (2) The temporary accommodation provided under sub-section (1) shall have separate cooking, bathing, washing and lavatory facilities.

We talked to the women while waiting for Ravi and Ajai to come back with the 'groceries' from the gate. These consisted of rice, dal and flour mainly. The women told us they had come from their respective districts in search of work as their lands back home had dried up.

*Their story:*

Ravi was born to a poor family in Durg Zila, Chhatisgarh. When he was 6, his mother passed away of an unexplained illness and he went to live at his maternal uncle's house in the nearby village. At 8, he began to work for the *bhaiyas* of the village, looking after their buffaloes while they grazed - in exchange for 2 meals a day. He would occasionally be given an old torn shirt to wear, and saw days when all he had to consume was starch water from people's kitchens where rice was being cooked. He was sent to school and had barely completed 7<sup>th</sup> standard when he left his hometown and started working on construction sites.

Ajai and his brother were brought up in abject poverty. They have lived in ragged clothes and have had days when they would have to make *bhaji* out of *dub*, an edible grass. Ajai started working after dropping out of school.

It so happened that last year, Ravi landed at Kanpur. He came without knowing anyone beforehand, and without a middleman. On coming here, he scouted for work and found out about the VH site at IIT Kanpur. He sent message back to his district and called his friend Ajai here as well. Here, they worked under a contractor called Anand Ahuja for a year. They would work from 8 am to 6 pm with a one-hour lunch break at 1 pm. For the average unskilled worker, the day (on both the VH and CC sites) starts with the men loading 50 kg cement *boris* on to the backs of women who carry them up to the floors where the construction is being done. In the course of the day, the workers may do different kinds of work like making the cement *masala*, lifting trolleys, carrying bricks etc. A regular complaint of the workers is that the *munshi* makes them do too many different kinds of work and in this way makes them work much more than they would have had they been given one specific work.

Building and Other Construction Workers Central Rules: Section 38.

*An employer shall ensure at a construction site of a building or other construction work that no building worker lifts by hand or carries over-head or over his back or shoulders any material, article, tool or appliances exceeding in weight the maximum limits set out in the following table:*



Person	Maximum Weight Load
Adult – man	55 kg
Adult – woman	30 kg
Adolescent – male	30 kg
Adolescent – female	20 kg

### **Wages:**

The minimum wage as fixed by the Indian Govt. (this year?) is Rs. 72.80 per day. The Chhatisgarhi workers have never been paid more than Rs. 60 per day on any site they have ever worked on. Since the main reason that they migrate for work is that they can sustain their families back home, the money they save at the end of each month is crucial. Under Anand Ahuja, both men and women workers were paid a low rate of Rs. 55 per day, but they were happy because they were paid very regularly. Because of the timely payments, they were able to send back money home. Anand Ahuja also was very cooperative in times of emergencies.

On the CC site where they work now, the workers are paid *khuraki* instead of a salary. The *khuraki* is the bare minimum they need to survive – Rs. 200 a week. The balance of their salary is to be paid at the end of 6 months or a year. *Khuraki* hardly covers their expenses. When they complain to the contractor about this, the contractor claims that the company itself does not make its payments to him on time.

There has been an incident wherein a 'petty' contractor paid workers *khuraki* and then ran away with their money. 20 people lost Rs. 30,000 totally. The main contractor then gave each worker Rs. 3,000.

### ***Contract Labor Act Chapter VI***

*64. No wage period will exceed one month*

*65. The wages of every person employed as contract labor in an establishment or by a contractor where less than one thousand such persons are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of the tenth day after the last day of the wage period in respect of which the wages are payable.*

### **Living and Working Conditions:**

The contractor Anand Ahuja provided the workers bricks for their homes and even lighting. He arranged drinking water and had toilets built for them on the site. He was very cooperative with the workers '*Woh hamari mushkilein samajhta tha.*' (He understood our problems). A common practice followed by a number of contractors, including the one Ravi and his friends are working under now, is to make the workers mix more *masala* towards the end of the day so that they are forced to stay at the site longer and finish up more work. Anand Ahuja would instead, at the beginning of the day tell the workers how much work was to be finished that day and would let them handle it at their own pace. He wouldn't bother them if they decided to take a few less or more breaks for water or rest. The *munshi* at the CC site picks on workers when he finds them not working. He asks them to not stray from their work behind his back. He tells them to take their breaks in front of him. He can get rough with his words sometimes, but later



comes and smoothen things over by asking them to understand his position- '*aisa karoge to kaise chalega?*' (How will things go on if you do these things?)

There are no latrines on the CC site. People relieve themselves in the bushes right next to the CC.

#### Contract Labor Act, 1970

Section 51 Latrines shall be provided in every establishment coming within the scope of the Act on the following scale, namely-

a) Where females are employed, there shall be at least one latrine for every 25 females;

b) Where males are employed, there shall be at least one latrine for every 25 males

Provided that where the number of males or females exceeds 100, it shall be sufficient if there is one latrine for every 25 males or females, as the case may be, up to the first 100, and one for every 50 thereafter.

52. Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings.

53. Where persons of both sexes are employed there shall be displayed outside each block of latrine and urinal a notice in the language understood by the majority of workers 'For Men Only' or 'For Women Only', as the case may be.

The notice shall also bear the figure of a man or a woman, as the case may be.

#### Chapter V Section 40 Contract Labor Central Rules

(1) The facilities of wholesome drinking water, a sufficient number of latrines and urinals, washing facilities, shall be provided by the contractor in the case of the existing establishments within seven days of the commencement of the employment of contract labor therein.

(2) If any of the facilities mentioned in sub-rule (1) is not provided by the contractor within the period prescribed the same shall be provided by the principal employer within 7 days of the expiry of the period laid down in the said sub-rule.

According to the workers, Anand Ahuja would leave the workers on time, whereas on the CC site, work can go on to 7-7:30 without overtime.



### *Illness:*

Ravi was once ill because of fever. He requested Anand Ahuja to lend him Rs. 1000. This was done immediately and the contractor subtracted amounts from his salary over a period of time to even the loan.

The workers cannot afford to be examined whenever they suffer a fever or a cold – it is only when things reach an intolerable peak that they decide to bear a doctor's fees. The workers we met frequent a Bengali doctor who practices at the gate.

It so happened while Ravi was working on the VH site that he was asked by the *munshi* to move a certain electrical appliance. Ravi had heard him a few minutes ago saying that the appliance was leaking, so when the *munshi* asked him to move it, Ravi thought he must have been joking then.

Ravi suffered an electric shock of 240 volts for almost a minute before the workers around him realized what was happening and switched off the main supply. The *munshi*, for some reason of his own, had purposely tried to harm Ravi. In a state of unconsciousness, Ravi was taken to the Bengali doctor at the gate, where he was treated. He was given Rs. 1500 by the contractor for his treatment and put in Rs. 500 on his own. He still does not know why the *munshi* tried to kill him and whether the contractor ever came to know about what the *munshi* did.

Ajai told us of an incident wherein a worker almost died of an electric shock and the *munshi* at the site ordered the other workers to throw his body into a nearby shed. Luckily, some friends of his came to know about him and rescued him from the shed and got him treated before it was too late. There have been cases where people have not been as lucky. We came to know about an incident concerning a worker over whom an entire wall came crashing down fatally, and all the contractor asked the site workers to do was to kindly transport his body away from the site.

#### Building and Other Construction Workers Central Rules: Section 224

(1) A medical examination shall be carried out by a construction medical officer.

(2) The duties and responsibilities of such construction medical officer shall be as given below, namely: -

- (a) Medical examination of building workers
- (b) First-aid care including emergency medical treatment
- (c) Notification of occupational diseases to the concerned authorities in accordance with these rules
- (d) Immunization services
- (e) Medical upkeep and maintenance
- (f) Health education including advisory services on family planning, personal hygiene, environment sanitation and safety
- (g) Referral services

#### Building and Other Construction Workers Central Rules: Section 225

The employer shall ensure at a construction site of a building or other construction work involving hazardous processes specified under Schedule-LX annexed to these rules that -



- (h) An occupational health center, mobile or static, is provided and maintained in good order at such site
- (i) Services and facilities as per the scale laid down in Schedule-X, annexed to these rules are provided at the occupational health center referred to in clause (a)

### *Daily Routine and Home life:*

The workers wake up at 5 or 6 in the morning. They bathe and have their tea subsequently. By 7:30 they have left for work. With a few intermittent rests, they work till 1 when they have their lunch break. They spend this time on the site itself having their lunch and catching short naps. At 2 they resume work and finish on most days by 7 pm on the CC site (6 pm on the VH site).

#### Building and Other Construction Workers Central Rules: Section 234

- (1) No building worker employed in building or other construction work shall be required to or allowed to work for more than nine hours a day or 48 hours a week.
- (2) No building worker employed building or other construction work shall be required to or allowed to work continuously for more than 5 hours unless he had an interval of rest of not less than half an hour.
- (3) The working day of a building worker employed in building or other construction work shall be so arranged that inclusive of the intervals of rest, if any, shall not spread over more than 12 hours on any day.

On Sundays they usually go to the market and do repair works at home. They relax and sometimes meet up with fellow Chhatisgarhis in the city. They do not have too many acquaintances on campus.

Of the 5 women in the Chhatisgarhi 'household' 4 work on the CC site. Most of the work at home is done by the women and the men recognize this and appreciate them for it. Though most of the men can cook, they leave it to the women, who do many other household duties after coming back tired from work. 2 are nursing mothers.

A single person's diet mainly consists of rice (250-500g) and 4-7 *rotis* with Dal and vegetable. They say they eat a lot because of their work involving so much labor.

These workers and their families are deeply concerned about their future. One man has a daughter eligible for marriage. He had tears in his eyes when he described how difficult it was for him to even buy a watch, much less arrange a wedding. The workers were worried about how they would spend the winters. They have very few clothes, and a makeshift *chulha*. Apart from concerns about themselves, they have to work out a means of sending money back home.

Their hope was that the Hall IV contract would go to Anand Ahuja and they would work for him again, but now that he hasn't got the contract, they are planning to move somewhere else.

When asked if there was anything in IIT Kanpur that made things better for them in any way, their answer was the security here. As they live on campus, they do not have to worry about thieves and gangsters who could harm their family and possessions. Another plus point is the Bhakti Vivekananda Samiti school which their children frequent while they were here. It should be noted that both these merits are simply byproducts of IITK's main activities, and not facilities that the institute extends to the workers it is the principal employer of.



## The Kanpur Worker

He was dressed in a torn shirt and rough, gray worn out trousers. It was 2:00 p.m. and he was digging a trench at the new Girls Hostel site, while two of his friends sat nearby. The trench was about one and three-fourths of a meter and lacked any protection.

Building and Construction Workers' Rules [128]:

Trenches. - The employer shall ensure at a construction site of a building or other construction work that a trench or excavation is protected against the falling of a person by suitable measures if the depth of such a trench or excavation exceeds one and a half meters.

It was the smile on his face that captivated me first. I greeted him, and at first he frowned, wondering about the business that I had with him. I told him that I was there to understand his story, and at once the smile was back where it had been. "Yes! Why won't I tell you everything!" I asked if he could meet me the next day (because he was working right then) and he told me that he would be glad to. I assumed that he lived nearby but I asked him nonetheless. He told me that he lived 10 kms away! He cycled everyday to work in the morning, and went back in the evening.

The next day, we met over lunch and I asked him a number of questions.

### *How are wages paid?*

There are two registers kept on the payment day - one where the worker checks the payment according to the contractor, and the other on which he signs. The second one is presumably the one that contains the actual payment applicable because it has the official stamp and the workers have to sign on the stamp. He was being paid 60 rupees per day and he knew the wage applicable to be 74. How did that affect his work? He shrugged, smiled and said that he couldn't do anything about it. He said that the *munshi* would disburse the wage and at times the contractor would do it. And no, neither was there any notice put up about wage payments nor was any representative from IIT Kanpur present.

Chapter VI Section 70:

Wages shall be paid without any deduction of any kind except those specified by the Central Government by general or special order in this behalf or permissible under the Payment of Wages Act, 1936.

71. A notice showing the wage period and the place and time of disbursement of wages shall be displayed at the place of work and a copy sent by the contractor to the principal employer under acknowledgement.

72. The principal employer shall ensure the presence of his authorized representative at the place a time of disbursement of wages by the contractor to the workmen.



73. The authorized representative of the principal employer shall record under his signature a certificate at the end of the entries in the Register of Wages in the following form\*

*How does the representative sign the form then?*

A lot of underhand dealing goes on. The contractor asks the worker to mix 6 *boris* of sand in one *bori* of cement instead of what he is supposed to (for a strong wall, i.e. 3 *boris* of sand in one *bori* of cement.) Suppose the contractor saves Rs. 10,000 because of this. Now the IIT Kanpur representative (called Supervisor) asks for his share, or it is (implicitly) understood that he will not sign the wage paper. (See Annex 1)

And that is not all that goes on. The contractor knows when the inspector will come on a round. The more rebellious workers are sent home that day and only the stooges remain. They are told to state their income as 70 or 72 per day, and as a reward they are given Rs. 65 for the day instead of the usual 60 or 55.

*Does the official ask anything other than the income?*

No. Just the income and that is it. The official can soon be found drinking cold drinks in the contractor's office! Also there are things going on during inspection. The IITK representative engineer will come and look at a newly built wall with piping that is leaking. He would ask the contractor to tie up the pipe with cloth so that the seepage through the wall stops temporarily. The wall is then passed. It does not matter if it leaks after that. The hall 3 walls can be seen to be leaking. It's all a problem of bad cement-sand mixture, faulty piping, and of course corruption.

*How does it affect your work?*

If the contractor makes us steal from IIT Kanpur, he considers it fine, but if we steal from the contractor there is a big problem. There was a time when we were supposed to do a tough job, which required the cement to set slowly. The Engineer found that mixing sugar in the cement caused it to set very slowly. He would buy two *boris* of cement on one day, and would find one '*bori*' gone the next day. He soon caught us drinking that sugar mixed in water. And look at what I was told to do the other day. There was this newly built wall that we had made at the GH site. It had been passed by the Inspector from IIT. The contractor came and told us to break it down! We did that, and he then wrote a complaint to IIT that the wall that had been passed by them had fallen down and so he should be paid again to repair it! The complaint was passed, and the wall was rebuilt.

*Have you filled up the form shown, while registering, and do you fill up the form shown\* while getting the wages?*

No.

### *What is this system of Contractors? How many have you worked under?*

Each company that is in charge of a site divides work between contractors. The work is essentially divided into 'chuna', 'piping', 'brick and cement' work, etc. there are 'petty' contractors and bigger contractors. 'Petty' contractors are smaller and relatively lesser-known contractors. There are bigger contractors that have been with IIT for over 15 years. There are Mohanlal and D.P. Banerjee, and Khanna. Sanjay Khanna started off with a tea stall ('*chay pakodi ki dukan*'). Right now I am working under D.P. Banerjee's subcontractor – Prabhat. They were different because of the different works that they did. They were also different because of the amount and regularity of their payment and also the expectations they had from the workers. Mohanlal delayed his payment by over a month at a time. Khanna was worse, and he often delayed his payments by 4-5 months. His main advantage was that he didn't expect too much work, whereas Mohanlal did not allow us to work if we arrived at 8:15 instead of 8:00.

### *What about wages? What if the contractor doesn't pay them?*

I am working for D.P. Banerjee right now. If he doesn't have the wage on one day, he makes an excuse of illness and doesn't come that day. He borrows the money and gets it for us the next day – without fail ('*woh kuchh bhi karega par paise bina nahin aayega*'). He is scared. If he doesn't bring the money, we would *gherao* him and threaten him. We are Kanpur workers after all. The problem is that if you come from outside Kanpur then you don't have support, and you are alone. Then the contractor can boss over you. My contractor pays me 60 rupees a day and pays it twice a month – on the 7<sup>th</sup> and the 22<sup>nd</sup>. And there is overtime which is 10 rupees per hour for me. I have a friend who is a *mistri* and he gets 75 rupees a day and 15 rupees overtime per hour. He would get more had he been to an ITI and had a certificate.

[Chapter VI, 29(1)] where any building worker is required to work on any day in excess of the number of hours constituting a normal working day, he shall be entitled to wages at twice the rate of his ordinary rate of wages.

### *What lies in the future?*

I am learning from my friend, the *mistri*. I will pick up his trade and earn more.

### *What about accidents?*

'*Humara to kaam hi aisa hai!*' (Our work involves risk by its very nature). There was a time when I was in the repairing of a house at Type 3. The ladder broke and I fell 10 feet. The contractor got a rough bandage put on me, and told me that if I wanted a proper plaster, I would have to get it myself. I could not work for 45 days – the contractor called it rest. But he didn't pay for that time.

I have also worked on steep roofs without any support. There are times when I have slipped and have saved myself at the nick of time.



**Building and Construction Workers' Rules [169] Work on steep roof:** The employer shall ensure at a construction site of a building or other construction work that all practicable measures are provided to protect the building workers against sliding when carrying out work on steep roofs.

**Building and Construction Workers' Rules [172] Ladders and Step-ladders:** The employer shall ensure at a construction site of a building or other construction work that –

- (a) every ladder or step-ladder used in building or other construction work is of good construction, made of sound material and of adequate strength.

There was also a time when a stone fell from three storeys high and hit a worker on the head. His head split and started to bleed. We took him to the contractor for first aid, but the contractor didn't have any. The Company office had a first aid box that was very good. It had some powder that I don't know the name of. It also had scissors, band-aid and dettol. We stopped the bleeding and took him to the Bengali doctor at the gate. He became all right after some time.

**Building and Construction Workers' Rules [Schedule-III]:  
Contents of a First Aid Box**

- 1) A sufficient number of eye wash bottles filled with distilled water or suitable liquid clearly indicated by a distinctive sign which shall be visible at all times.
- 2) 4% xylocaine eye drops, and boric acid eye drops and soda bicarbonate eye drops.
- 3) 24 small sterilized dressings
- 4) 12 medium size sterilized dressings
- 5) 12 large size dressings
- 6) 12 large size sterilized burn dressing
- 7) 12 (15 cm) packets of sterilized cotton wool
- 8) (200 ml) bottle of certimide solution (1%) or suitable antiseptic solution
- 9) One (200 ml) bottle of mercurochrome (2%) solution in water
- 10) One (120 ml) bottle of sal-volatile having the doses and mode of administration indicated on the label
- 11) One pair of scissors
- 12) One roll of adhesive plaster (6cm x 1m)
- 13) 2 rolls of adhesive plaster (2cm x 1m)
- 14) 12 pieces of sterilized eye pads in separate sealed packets
- 15) A bottle containing hundred tablets (each of 325mg) of aspirin or any other analgesic
- 16) 12 roller bandages 10 cm wide
- 17) 12 roller bandages 15 cm wide
- 18) 1 tourniquet
- 19) A supply of suitable splints
- 20) 3 packets of safety pins



- 21) Kidney tray
- 22) A snake bite lancet
- 23) One (30 ml) bottle containing potassium permanganate crystals
- 24) One copy of first-aid leaflet issued by the Directorate-General
- 25) 6 triangular bandages
- 26) 2 pairs of suitable, sterilized, latex hand gloves

**[CRA Chapter V] 61. Availability of First-aid Box**

the First-aid box shall be kept in charge of a separate responsible person who shall always be readily available during the working hours of the establishment.

**[CRA Chapter V] 62. Trained person as incharge of First-aid Box**

A person in charge of the First-aid box shall be a person trained in First-aid treatment, in establishments where the number of contract labor employed is 150 or more.

There are other times when I start to cough a lot. I work with a '*chaini*' and hammer all day some days, and the sharp particles get into my eyes at times. There are other times when I am supposed to put cement behind a pipe that is next to a wall. After 4 hours of putting cement inside the crevices, my hands start to bleed, and if I work anymore, I would be unable to work for the next week. Someone else takes over and I rest my hands. They do not give us gloves for this, although I have seen the company workers use them.

There was another time when I really fell sick. I was working out here itself, at the construction site for the new wing at Hall II. It was the monsoons at that time, and that weekend had been particularly bad. After working on the roof for 2 days in the soaking rain, I started having a fever. It became so bad that I started to burn all over. I couldn't move, and felt that all the blood inside me was boiling like *chai*. I left all thoughts of the contractor and came and lay in front of a room in one of the wings. The student in that room came back and saw me. When he came to know that I was sick, he immediately took me to the Health Centre, and on his own accord, got my treatment done. That day he saved my life. Later on D.P. Banerjee (my contractor at the time) came to see me and the first thing he said in his 'sweet' voice, was that I should have gone to see him first. How could I go and see him when I was burning with that temperature? And I know what he would have done. He would have given me 50 rupees to go to the temple and give it to the gods. He would have then gone ahead and cut those 50 rupees from my earnings.

## The child at Gulba Garden

Off the IITK campus is a large area where contract laborers working on the construction sites in IIT Kanpur are allowed to build their houses and live during the course of their IITK sojourn. The huts are partially below ground level, causing them to seem like caves. A single tap is shared by more than 100 people for their washing, bathing, cleaning clothes etc. The people living in this 'settlement' are mainly from Bihar and Orissa.

On a Sunday morning here, we met Sanjeev, 16. He was sitting among ten inebriated men who were playing cards, waiting for his friends to start a cricket match. He was interested in us when we approached him. "*Haan, haan puchiye jo puchna chahein, hum darte hai kya ?*" (Yeah fine, ask me what you want to, I'm not scared)

Sanjeev was born the sixth child in his family at Begusaral, Bihar. He was sent to a school till the 2<sup>nd</sup> grade – the school in his locality did not have any teachers for the grades after that. Sanjeev started working at construction sites at Begusaral, carrying water to workers while they worked. He was paid Rs. 10 a day. He became a helper to the *mistri* when he grew older, and this increased his pay. When his relatives decided to migrate for work, his parents sent him along with them, hoping he would be able to earn more elsewhere. Sanjeev has worked in Delhi and has been in Kanpur the last 2 months, working on the CC site.

*He fakes his age in front of inquiring inspectors. It's difficult not to be convinced by this belligerent young boy. He is paid less than adults. And is not happy with his work. "Gandi jagah di hui hai rehne ko, tankha bhi time se nahin milti – kum hoti hai... humein nahin rehna yahan – hum ja rahein hain"* (They have given us such a bad place to stay, they don't give us salary on time – it's less.... I don't want to stay here anymore – I'm going back)

Back where? To what? Sanjeev plans to go back home to his family. He will help on other people's fields for money. Why not continue on construction sites? "*Contractor bura mil jaata hai to kuchch nahin kar paate. Koi paise chori kar ke bhag jaata hai, nahin to kum paise deta hai. Inse ladne se bhi zyada nikal nahin paata. Ghar par kisi se rate fix karo to woh milega. Aur yeh kaam bahut bekar hai.*"

"If you get a bad contractor then you can't do anything. Someone can steal your money and run away, or they'll pay you less. You can't get your money by fighting either. At least if you fix a rate with someone at home they stick to it. And this work is useless."



## The Engineer's Story

I was given big dreams when I was growing up. And I tried to live up to them. I studied hard – didn't top the class but did better than average in some subjects at least. My mother was really happy when I got through MNR Allahabad. My dad told me not to take the Civil Engineering branch. 'It doesn't have a future', he said. But I wanted to see big buildings being built, and I wanted to build them. So I went for Civil Engineering. After four years comes the time when every student decides his future. They don't know it, but they do (decide their future). My friends were looking at the success that computers would give them. But a part of me had survived the courses that they had tried to push down my throat. I still wanted Civil Engineering. Not many companies offered work in my field. In fact hardly any came that offered non-software Civil Engineering work. So I had to apply on my own. I went to my first construction company. The 'Seth's' man took my application and looked me down to up. He asked me whether I wanted any *chai* and since I was too nervous to drink it without spilling it, I said no as politely as I could. Soon enough the 'Seth' called me inside. He made me sit down and inspected my clothes and general appearance. I thought I had done a good job of dressing up for the meeting, but a look of disappointment came on his face. He looked at me and without asking me any questions started to talk.

'You have just come out of school right?'

I corrected him and told him that I had passed out from one of the better Universities of the country.

'Have you done any work before?'

The thing that struck me was his rough voice. He made no pretense of being polite. He had his legs on the table in front of him and he was smoking a cigarette as he kept his head rested on the cushion behind him.

'Tell me, what does your father do?'

I told him that I was from a good family, and that my father was a clerk in the Bank of Punjab.

'Can you shout?'

I was surprised at the question. A smile appeared on his face.

'Can you give *galas*?'

I was stunned. His smile grew wider.

'Can you stay angry throughout the day, and never smile?'

He looked at me for a while, and the next few words that he spoke, introduced me to the reality of the kind of work I would be taking up from now on. My well ironed clothes and well groomed hair appeared in contrast to the words and invectives that were thrown shamelessly into the room.

'Do you think that you will be able to get an ounce of work out of those guys if you say – Can you lift that brick please? What will you say? Can you mix that cement please? Can you come on time in the morning please? Please do not waste your time. Get to work please? Oh! You are sick! Shall I get you some warm water? Shall I leave all my work and take you to the hospital? Oh you are tired! Why don't you take some rest and I will



do your work for you. *Please!* By the last 'please' he had twisted his face with his anger and shouted out the words.

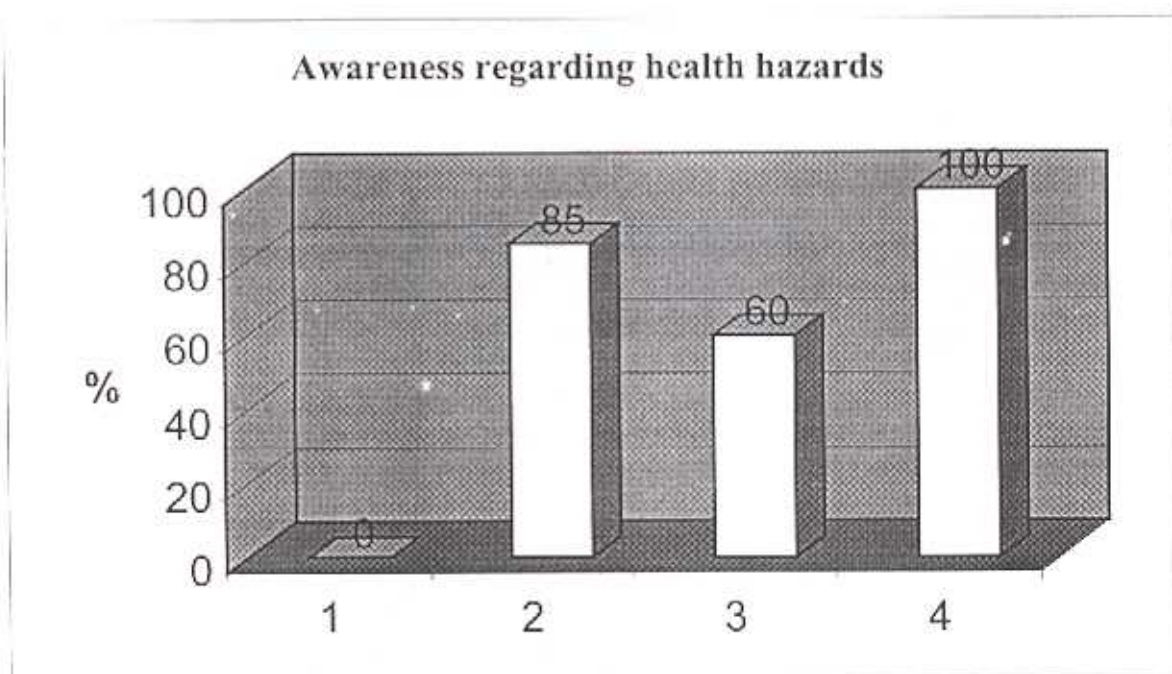
I understood. I was embarrassed for my lack of world-knowledge. I wanted to work at a place where the right dealing with the people that I would be getting the work out of, would matter just as much (and maybe more) than my knowledge of constructing the buildings. The 'Seth' made no bones about the fact that I was 'too soft', and still a fresh face – too easy a guy to roll over. And they wouldn't wait to do that, the 'Seth' assured me. They were 'kaam chor'. He told me of an instant when he had given the worker a day off because he complained of ear pains while using the drilling machine. The worker begged for the day's pay to be given to him, and he had agreed. Later he had come to know that the worker had gone to drink. After that he had never given anyone even an hour off with pay! He taught me not to smile and laugh with them, and told me that that would be the biggest mistake I could make. He told me that they were the best actors that you could find, and they would pretend that the world was coming to an end in order to get a rupee out of you. They would *gherao* you and demand money if they were locals that is why he told me that he always went for outsiders. They were a lot more sincere about their work. He also told me that I wouldn't get any work there because I had a lot to learn.

I came out of his room, knowing that I didn't get the job because I had thought it to be too simple. I had ignored the people aspect, and I was determined not to make the same mistake again. My next interview at IIT Kanpur was much better. Though they didn't ask me the questions that 'Seth' asked me, I knew that the 'Seth' was what a man of this world should be like' and I was determined not to ignore his advice in the future

## A) The health hazards construction workers are exposed to while at work and home:

1. *Silicosis* is permanent lung damage caused by breathing dust containing extremely fine particles of crystalline silica. Crystalline silica is found in materials such as concrete, masonry and rock. When these materials are made into a fine dust and suspended in the air, breathing in these fine particles can produce lung damage. Silicosis can be totally disabling and may lead to death. Initially there may be no symptoms but prolonged exposure may lead to difficulty in breathing and cough. Other symptoms include fever, weight loss, and night sweats.

*Awareness Levels among construction workers and hazards they are most afraid of*



1. *Silicosis*
2. *Respiratory problems (cough etc.)*
3. *Back Pain*
4. *Snake Bite*

*We found that none of the workers have any knowledge of Silicosis and how fatal that disease can be. Fear of snakebite is on top of their minds. Most of them have learned to live with back pains and respiratory problems and accept it as inevitable.*

Since concrete and masonry are primary building materials, there are numerous ways for construction workers to be exposed. Some of them are:

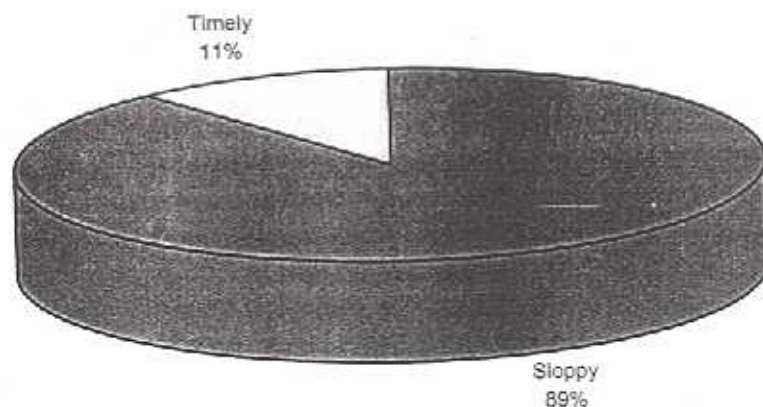


- Abrasive blasting of concrete.
- Crushing, loading, hauling, and dumping rock.
- Chipping, hammering, drilling, sawing, and grinding concrete or masonry.
- Demolition of concrete and masonry structures.
- Dry sweeping or pressurized air blowing of concrete or sand dust.

The key to silicosis prevention is to prevent dust from being in the air. This can be ensured if laws which state that *"An employer shall prevent concentration of dust, gases or fumes by providing suitable means to control their concentration within the permissible limit"*, are strictly enforced.

2. The *lower back is the most frequently injured body part* amongst construction laborers and is the most frequent source of pain complaints. Low back problems frequently command the use of health care and result in lost work time.
3. *Falls, electrocutions, being struck by objects, and motor vehicle crashes* are a couple of occupational health hazards which result in fatalities of around 11 – 24 per 100,000 per year.
4. *Snake Bites*. It is said that 70 % of snakes are not poisonous. But there have been deaths reported (two of them in the last two months). Snake sitings are also very common, and snakes have been found to get inside the dwellings of the workers because the dwellings are built on a *kaccha* floor at the level of the earth, and the dwellings are usually in 'long grass' areas.

#### Medical Intervention in case of Accidents

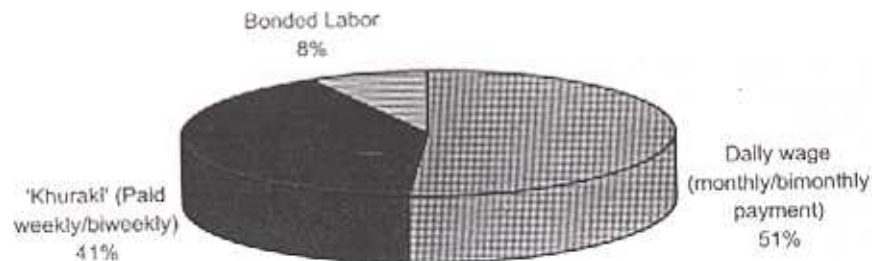


*Out of the nine samples that we have for this question, eight responded that they had had little or no attention from the contractor, and one stated that at least a*

temporary bandage was quickly put by the contractor for his fractured hand. There are cases of lack of empathy (as shown when a stone fell on a worker's head) to disregard for basic humanity (the case when a worker nearly died and his unconscious body was thrown away by the contractor's men). Even IITK Authorities have shown apathy. (An accident occurred at the site of the Auditorium some 10 years ago. The worker slipped and died. Mohanlal, the contractor at the time, was banned from the campus. But he is working again at the GH site now.)

## B) Mode Of Payments to workers

### Types of Payments

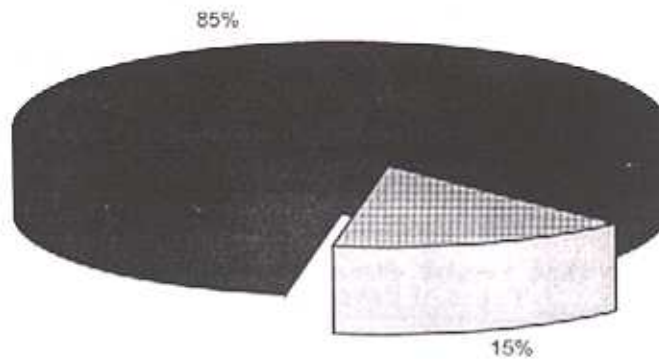


The sample interviewed showed that the migrant workers were likely to be given *khuraki*, whereas the local workers fell under the 'daily wage' category. We didn't meet the bonded laborers\* but heard of three of them who were working in the campus.



### C) Some facts about migrant workers:

Migrant workers who have brought their immediate family (wife, children) along with them



*\*Bonded Labor:* The worker's family is usually given a certain sum in return for the worker staying for a fixed duration at the work site without leaving. The bonded laborer is given food or an equivalent amount of money to look after his day to day existence.

The majority of workers have brought along their families with them. This is mainly due to the fact that:

- Their villages do not have much to offer them in terms of employment and it makes sense to have only one house rather than increase expenditure by maintaining a house in Kanpur and another in their native village.
- Another reason for above trend was that they felt secure knowing that their loved ones were near them.

## Analysis

### *Effect of place of origin of workers on their life in IIT*

- The growing number of migrant workers (from Chattisgarh etc) competing for jobs in Kanpur is pushing wages down and has led to a significant deterioration in working conditions. This is essentially a result of the fact that these migrant workers, who come to Kanpur looking for greener pastures, end up becoming completely dependent on the contractor for their survival. Hence they are open to exploitation by the contractor.
- The Kanpur based construction workers on the other hand, are willing to stand up against any exploitation by the contractor. This is due to the fact that they are aware of other opportunities available to them and hence are not at the mercy of any one contractor. This is also the main reason of these workers earning higher wages for similar work, even under the same contractor as compared to the Chattisgarh workers.
- Another fact that did come out of our research, though we can't substantiate it with facts, is that there exists a network of these contractors with some people in the villages of Chattisgarh. Their modus operandi is that these contractor's men buy these workers by paying them some amount of money and then bring them here with the condition that they would only be paid money sufficient for their day to day survival. In other words, the presence of bonded labor among these workers can't be ruled out.

### *Working and living conditions of company workers as compared to the other workers*

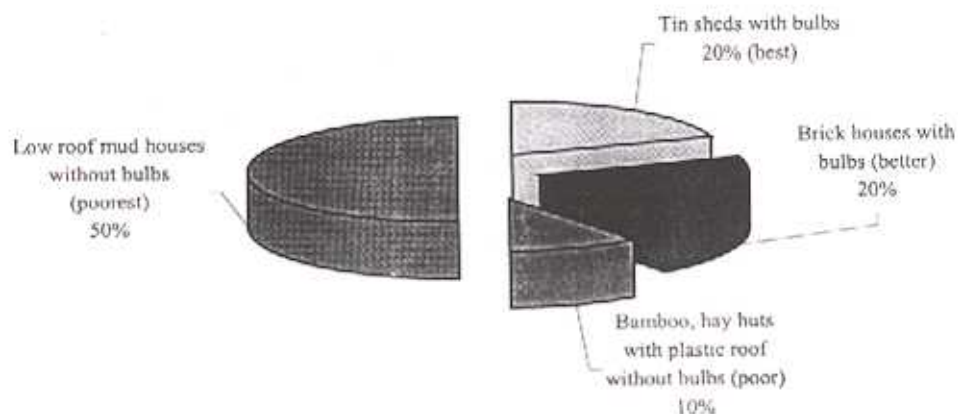
The company at the Hall IV site brought about 40 workers from Delhi. Accommodation for them was arranged at the site itself with a number of cells being set up for them. Each cell sized 12 x 8 feet houses 3-4 adults. It has tin sheet walls and the floor is *kuchcha*. Compared to the Chhatisgarhi workers who live in crowded and unprotected huts, these workers are very comfortable.

- The company workers we met at the Hall IV site had been with the company for at least 8 months – the company's oldest worker had been there for a year and a half.
- Company workers, being more trusted by the company, are paid higher wages than normal workers, even if their level of skill is the same. The normal workers are not hostile towards them because of this – they accept it as reality.



- Because they are so comfortable with the company, company workers are very reticent about their working and living conditions and do not talk

#### Worker percentage at Different Dwellings

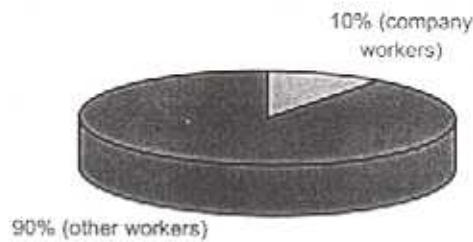


*The company worker had the better dwelling of all, whereas the dwelling built on IIT Land and Gulba Gardens was the worst. Most dwelling had electrical connections, although most contractors did not give bulbs. The bamboos and hay for the Chhattisgarh workers was stolen. Most houses leaked during rains, and did not protect against snakes. Most houses were also built in between long grass, and were in secluded spots, leading to further danger from animals.*

about their problems, if they have any. They openly showed suspicion of our motives for investigating them, going to the length of asking us to visit them in the daytime when their engineer would be around. Contrast this to the Chhattisgarhi workers who themselves called us over to their place and told us everything we asked them.

- The company workers are more secure about their jobs and are more arrogant than their Chhattisgarhi counterparts. They seemed economically more comfortable. One had a radio. They said they were very happy with the work, the hours, the overtime... and had no cause for complaint.
- Both categories had similar backgrounds and reasons for joining construction sites as contract laborers. Like the Chhattisgarhi workers, the Rajasthani workers of the company also had become construction workers because of failing agricultural produce. There were some company workers from Delhi who joined construction because they could not find any better work.
- We found one evening that the company workers were watching a movie on a rented television set. The company engineer had arranged this for them. The Chhattisgarhi workers cannot imagine watching movies or having any other such entertainment.

Percentage of Company vs other workers at the G.H. site



*Company workers moved with the original company and differed with respect to other workers with regard to the type of work (putting the tiles on the outside of GH walls), the wages, the safety equipment (gloves, etc.) and the type of dwelling.*

### ***Attitude of IIT towards construction workers***

- IIT being the principal employer has the responsibility of ensuring that the laws concerning building construction workers (their wages, safety on site etc) are adhered to by the contractor. As a result of the ongoing dispute as to whether the construction workers as a result of working in IIT come under national laws or the state laws (since the place of work is in U.P.), IIT seems to have washed its hands off its responsibilities towards the construction workers.
- On its part IIT did take the initiative to give the contract of construction of new CC and GH to a bigger construction company (Oriental) with the hope that this might prevent the exploitation of workers. A commendable effort but not well executed. 'Oriental' on its part has given sub-contracts to local contractors and hence the same contractors who have been exploiting the workers are back in business.
- IIT does not ensure that the contractor registers the worker. Consequently there are a lot of workers that would not be able to initiate legal proceeding for higher wages, etc. even if they wanted to. (See Annex for form). IIT goes to the extent that it does not register the contractors even (See Annex) and claims that it is up to the company to take care of its contractors. IIT is thus, neglecting its duties as the principal employer\*.

[CLA Chapter VII] 29. Registers and other records to be maintained

- (1) every principal employer and every contractor shall maintain such registers and records giving such particulars of contract labor employed, the nature of work performed by the contract labor, the rates of wages paid to the contract labor and such other particulars in such form as may be prescribed.



(2) Every principal employer and every contractor shall keep exhibited in such manner as may be prescribed within the premises of the establishment where the contract labor is employed, notices in the prescribed form (see Annex) containing particulars about the hours of work, nature of duty and such other information as may be prescribed.

- IIT also doesn't fulfill its responsibility for payment of wages. Usually, there is no representative of IIT present while the wages are being disbursed.

[CLA Chapter V] 21. (2) Responsibility of Payment of Wages – every principal employer shall nominate a representative duly authorized by him to be present at the time of disbursement of wages by the contractor and it shall be the duty of such representative to certify the amounts paid as wages.

Also, in cases of late payment by contractors (as in the case of the delay of over a month in the payment of Chattisgarhi workers working at the CC site), IIT Kanpur has shown no initiative to pay the wages or to question the contractor.

[CLA Chapter V] 21. (4)  
In case the contractor fails to make the payment of wages within the prescribed period or makes short payment, then the principal employer shall be liable to make payment of wages in full or the unpaid balance due as the case may be, to the contract labor.

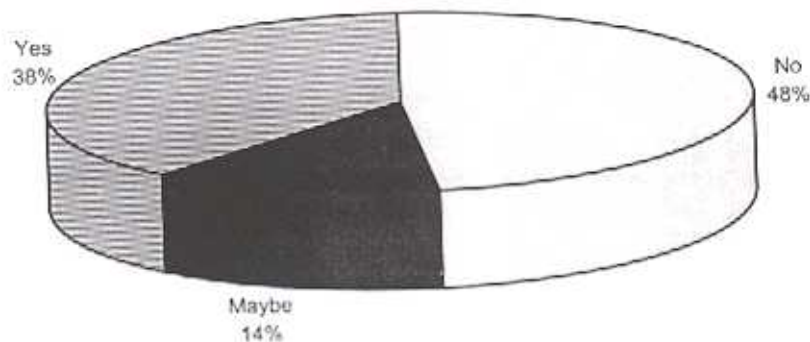
The above in effect means that even *khuraki* is not allowed to be given by the contractor, and the principal employer is responsible should such a mode of payment be in force.

### *What the Contractor had to say*

We met Mr. P. S. Roy, the in-charge at the CC site. He is working for Oriental Construction Company.

- When asked what wages the workers get, Mr. Roy said he was not sure, as it was the responsibility of the sub-contractors but "I think it is around Rs.70 per day for unskilled laborer and a skilled laborer earns around Rs.100-110 per day."
- As to overtime: "Overtime depends on the number of extra hours these workers put in and is usually Rs 70 for 8 hours i.e., around Rs. 9 per hour." According to the law, overtime is double the hourly wage, which would put overtime at Rs. 18 per hour. The workers we talked to all said they were paid Rs. 6-9 overtime.

Do you think the Contractor is honest?



*Most workers said that the contractors could be dishonest in collusion with IITK authorities. Some said that the contractor had to be dishonest because IITK Inspection Authorities forced them to be. They had to bribe, etc. to get their work done. Most of the workers that said 'Yes' were either new or were the company workers or were living with munshis who were close to the contractor.*

- When questioned as to whether workers ever used protective gear like helmets, the in-charge answered that they do when there is overhead construction going on, and as now there was no such work, helmets were not being used.
- On being asked as to whether there was a standing arrangement the site had with some hospital or doctors to provide medical care in case of emergencies, Mr. Roy replied that they had never had any accident on this site and that they did have a first-aid box to take care of cuts and wounds etc. When we further questioned him as to what would be done if an accident did occur, he casually replied that he supposed one could get permission from IWD to get treatment in the IIT Health Center.
- He mentioned that the visit by an IIT engineer to see how the work is progressing does happen but only when the contractor invites him. This would mean that any rules being violated by the contractor would never come to the notice of IIT engineer.

***The Penalties that the Director (!) of IIT Kanpur might be facing as the Principal Employer (along with the contractors)***

- IIT Kanpur has been escaping inspection because it claims to be unsure of which law it comes under – the State or Central Rules regarding Contract Labor. Let us look at the section of CLA that the Director (as the sole representative of IIT Kanpur as the principal employer) –



[CRA Chapter VI] 22. (1) **Obstructions**

Whoever obstructs an inspector in the discharge of his duties under this Act or refuses or willfully neglects to afford the inspector any reasonable facility for making any inspection, examination, inquiry or investigation authorized by or under this Act... shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or both.

[CRA Chapter VI] 23. **Contravention of provisions regarding employment of contract labor**

Whoever contravenes any provisions of this Act or of any rules made thereunder prohibiting, restricting or regulating the employment of contract labor, or contravenes any condition of a license granted under this Act, shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both, and in case of a continuing contravention with an additional fine which may extend to one hundred rupees for every day during which such contravention continues after conviction for the first such contravention.

*The treatment of the woman worker at IIT Kanpur*

- We could not come across any instances of untoward nature (like eve teasing etc.) on the construction site and on the living sites. There were instances of abuse when the workers that we talked to lived and worked in the city. One of the prime reasons they were working at IIT Kanpur was because the campus was safe for both women and children.
- There was very little privacy accorded to the women. There weren't separate toilets, and women had bath in the open with a long cloth wrapped around themselves. There have been instances of IIT Kanpur students standing on rooftops and staring at them having a bath.

[CRA Chapter V] 51. **Latrines and Urinals**

Latrines shall be provided in every establishment coming within the scope of the Act, namely—

- (a) where females are employed, there shall be at least one latrine for every 25 females.

[CRA Chapter V] 54. **Number of Urinals**

There shall be at least one urinal for female workers up to 50 employed at a time.



- The women enjoyed equality of work – which was both good and bad. They got equal employment opportunities. There were instances of women older than 50 years of age, working the full time. We also found that they got equal pay. However, they were expected to lift weight equal to what men were lifting, and they occasionally lifted 50 kgs\* in one day.  
There is a catch however. While they might be employed almost as frequently as the men are, women constitute the lowest rung of unskilled labor. While men might learn and become *mistri*, and go on to become *munshi*, the women remain unskilled laborers throughout their lives.
- At the dwellings, women did all the cooking and cleaning. They had to get up before the men, and they slept after the men had slept. It was a harder life for them, and many of the men with them accepted that fact.
- At the living place, the women were treated in a more traditional manner (they were discouraged from venturing outside the house, etc.), leading to the conclusion that the right to employment at the workplace was due to financial considerations only.

\*One bag of cement is approximately 50 kgs.

### *What attracts the workers to work at the IIT?*

- A safer living condition was the main point that came up. The workers and their families are occasionally threatened by *gundas* in the city. At IIT Kanpur they appreciated the security. They did not mind that they were not allowed to enter the halls or that they couldn't stray far from their huts.
- There are two types of contractors – petty contractors and bigger contractors. IIT employed both types. The big contractors gave constant work and were unlikely to run away. The smaller 'petty' contractors employed at IIT were essentially under either the company or the bigger contractors. In either case instances of the contractor running away with money belonging to the workers are rare. The size and permanent nature of the institution give a stabilizing nature to the environment.
- A lot of workers had a long history of work at the IIT, and once one work finished, they looked for another work in the institute itself.
- IIT had long projects, many of which lasted over 9 months. There was a certain constancy of work to be had out here.
- There are a number of houses, both at IIT and at Nankari. A lot of constant maintenance and construction work keeps on going on. Workers might get involved in such construction work without the interference of a contractor. They might fix their wages to even Rs. 80 at times. Such workers can literally be picked up near Panki. They stand there almost all day, and rates can be fixed with them right there.
- There were some Samiti workers that were involved in construction work. They had their children studying in the school being run by Vivekananda Samiti. They



also had semi-pucca houses and were well settled in the campus. Even then some of them went beyond the campus to find work during times of shortage of work.

### *The kind of treatment at work that the workers preferred*

- The workers thought it better that work be given to them once and for all, and they be allowed to do the work at the pace they wanted. Instead what they felt being done was that they were 'pushed' from one work to another and yet another, with intervals of rest being treated as wasted time.
- The workers felt that they should be dismissed from work right at five. Many contractors followed the practice of giving extra work/work that would take long to finish, at 4:30 so that the workers had to stay for an extra half-hour, or at times one hour. They were not paid any overtime for this duration.
- The workers took promises seriously, and they remembered promises such as extra pay for extra hard work.
- They liked timely payment and were even drawn to contractors that gave regular wages, in spite of the fact that they were 5 rupees lower than the rest. This was especially true of the workers from outside the city and nearby areas who needed to send money back to families in areas of low productivity (and in cases drought).

### *Construction workers and their attitude to their lives*

- For the migrant workers, who have come to Kanpur with the sole aim to work towards a better life, life is tough especially in the initial days when they try to adjust to alien surroundings. They are unable to look for alternatives other than the one they have been brought here for because they can't risk offending their contractor since there is no job guarantee and their life at present is nothing more than hand to mouth existence. To compound their problems, they have come here after selling their plots in the villages or because of the fact that their plots were not big enough to sustain their full family. Thus with option to go back to their native village already closed, their expectations from the future are not very high. All they pray for is not to fall sick and be well enough to go to work the next day.
- A few workers (generally the younger ones) expressed their dream of learning the skills of *mistri* from their friends and gradually start earning more. This is an indication that all have not given up and there are workers who are trying hard to improve their standard of living.

## Afterward

Through this project we have talked of the Construction worker, discussed the distinctions between the construction workers because of their places of origin, talked about the laws that related to the Contract Worker, looked into his relationship with IIT Kanpur and the contractors, and provided a microscope with which you could peep into the lives of some of the people that have built this project. But there is something more obvious than all this study; something obvious that was confirmed when we talked to these people. It is the tragedy of the word 'Contract'. Interpreted euphemistically, it represents employment for the duration of the project, efficiency in working, a 'responsible' workforce, a management based human resource effort and so on. In reality it means one or all of the following

- Lacking of surety of the answer to the question – 'where is tomorrow's bread coming from'.
- 'Do what I say, otherwise I'll kick you out' attitude of the Management.
- No knowledge of old age, and a 'crossing the bridge when the time comes' attitude at best.
- Looking at disease, laziness and relaxation as wasted income.
- Tension and Trauma through *each and every day of life*.

According to the 1991 census data construction workers accounted for 5.54 million out of 285.93 million workers out of which 5.12 million were men. 0.42 women. 1993-94 Survey shows some rise in male and female workers. From public sector to Private Sector, from capital intensive to labor intensive construction industry does contract and sub-contract to get its work executed. This aspect of the construction industry has a direct bearing on the working conditions, social security skill development and health and safety of the workers engaged in this industry.

When we look at whom to blame, the contractor, the principal employer, the laws or the worker himself, we come up with no easy answers. While we may have a better understanding of the Contract Worker and the forces that affect his life, we also realize that if we were to live his life, we would give up in a day.

*Note: A divisional bench of the Supreme Court in 1995 held that the contract labor system is an "unfair labor practice" and thus recommended to the central and state governments to take necessary steps for its abolition*



## References

### Web Sites

- [http://www.nyu.edu/education/erbi/oi\\_res.htm](http://www.nyu.edu/education/erbi/oi_res.htm)
- <http://www.bacweb.org/safety/Silicosis.htm>

### Books

- The Contract Labor (Regulation and Abolition) Act, 1970
- National Campaign Committee for central legislation on construction labor, Copies of Acts 27 and 28 of 1996 and Rules & Regulations concerning Building and other construction workers.
- Reports by Labor Commissioner (U.P.) on –
  1. Contract Labor
  2. Bonded Labor
  3. Minimum Wage Act

I wish your sample was bigger. At times, your analysis seems to be based on thin evidence. Also you could have organized it better.

Rahuf

(A)

# FORM XII

[See Rule 74]

## Register of Contractors

1. Name and address of the Principal Employer.
2. Name and address of the establishment.

Serial No.	Name and address of contractor	Nature of work on contract	Location of contract work	Period of contract		Maximum number of workmen employed by contractor
				from	to	
1	2	3	4	5	6	7

# FORM XIII

[See Rule 75]

## Register of workmen employed by contractor

Name and address of contractor.....  
Name and location of work.....  
Name and address of establishment in/under which contract is carried.....  
Name and address of Principal Employer.....

1. Name and surname of workman	Age and sex	Father's/Husband's name	Nature of employment/designation	Permanent home address of workman (village and tehsil) Taluk and district
2	3	4	5	6

Local address	Date of commencement of employment	Signature or thumb-impression of workman	Date of termination of employment	Reasons for termination	Remarks
7	8	9	10	11	12



# FORM XIV

[See Rule 76]

## Employment Card

Name and address of contractor	Name and address of establishment in/under which contract is carried on
Nature of work and location of work	Name and address of principal employer
1. Name of the workman	
2. Serial No. in the register of workmen employed.	
3. Nature of employment/designation.	
4. Wage rate with particulars of unit, in case of piece-work.	
5. Wage period.	
6. Tenure of employment.	
7. Remarks.	Signature of Contractor.

# FORM XV

[See Rule 77]

## Service Certificate

Name and address of contractor	Name and address of establishment in/under which contract is carried on
Nature and location of work	Name and address of Principal Employer
Name and address of workman	
Age or date of birth, identification marks.	
Father's/Husband's Name	

Sl. No.	Total period for which employed		Nature of work done	Rate of wage with particulars of unit in case of piece work	Remarks
	From	To			
1	2	3	4	5	6

Signature.

# FORM XVII

[See Rule 78(2)(a)]

## Register of Wages

Name and address of Contractor  
 Name and location of work.....

Name and address of Establish-  
 ment in/under which contract  
 is carried on.....

Name and address of Principal  
 Employer .....

Wage period monthly

Serial No.	Name of workman	Serial No. in the register of workmen	Designation/ Nature of work done	No. of days worked	Units of work done
1	2	3	4	5	6

Daily rate of wages/ piece-rate	Total	Amount of wages earned			
		Other cash payments (nature of payment to be indicated)	Overtime	Dearness allowance	Basic wages
7	8	9	10	11	12

Deduction, if any (indicate nature)	Net amount paid	Signature or thumb- impression of workman	Initial of con- tractor or his representative
13	14	15	16



# FORM XVIII

[See Rule 78(2)(a)]

## Form of Register of Wages-cum Muster-roll

Name and address of contractor  
.....  
Nature and location of work :  
.....  
Name and address of establishment in/under which contract is carried on :  
.....  
Name and address of Principal Employer :  
.....  
Wage period: Weekly/Fortnightly  
From : ..... to : .....

Serial No.	Serial No. in register of workmen	Name of employee	Designation/ Nature of work	Daily attendance/ Units marked ..... 12, 15
1	2	3	4	5

Total attendance units of work done	Daily rate of wages, Piece-rate, Amount of wages earned	Basic wages	Dearness allowance	Overtime
6	7	8	9	10

Other cash payments (nature of payments to be indicated)	Total	Deduction, if any, (indicate nature)	Net amount paid	Signature/thumb- impression of workman	Initials of contractor or his representative
11	12	13	14	15	16

# FORM XIX

[See Rule 78(2)(b)]

## Wage Slip

Name and address of contractor .....	Father's/Husband's name of the workman .....
Name and location of work .....	For the week/ Fortnight/ Month ending .....

1. No. of days worked.
2. No. of units in case of piece-rate workers.
3. Rate of daily wages/piece-rate.
4. Amount of overtime wages.
5. Gross wages payable.
6. Deductions, if any.
7. Net amount of wages paid.

*Initials of the Contractor or his representative.*

72. The principal employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the contractor to workmen and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorised representative.

73. The authorised representative of the principal employer shall record under his signature a certificate at the end of the entries in the Register of Wages or the <sup>21</sup>[Register of Wage-cum-Muster Roll], as the case may be, in the following form:

"Certified that the amount shown in column No. .... has been paid to the workman concerned in my presence on ..... at ....."