

WOMEN WORKERS' SAFETY AND LEGISLATION :
A CASE OF BRICK KILNS

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Several steps have been taken in recent years to initiate programmes for working women's welfare and to provide them with adequate opportunities for their development; socially, economically and legally. A number of studies have been made on the problems of dual responsibilities among working women (Hate, Kalapani, Sethi, & Dwaraki). A few studies have been conducted on the working conditions, job-satisfaction and trade unionization among the women workers too. However, most of the studies have paid attention on the problems of women working in organized sectors and not much attention has been paid to the conditions of the women working at the informal sector or unorganized sector such as construction industry. This study has concentrated on the problems of women workers of Brick-Kilns which are part of construction industries and which come under the unorganised sector.

What kind of working condition do the women have? Do they have proper safety regulation since making bricks is a hazardous job? Are they happy with their wage-rates etc? Do they perceive any kind of change in safety regulation

since the amendments of Industrial Dispute Acts? The author has tried to probe the above questions in the present study.

The present study is just exploratory in nature and has tried to make observations based on empirical findings. The primary data were collected in two phases; one during the year 1983-84 and another in 1985-86. Since the nature of study involved intensive as well as extensive information, it was decided to conduct personal interviews with the women working at the various kilns of Uttar Pradesh. A structured interview - schedule was used to record the responses at the time of interviews and few select cases were chosen for depth studies and they were interviewed at their homes too. In all 300 samples were chosen from six different brick-kilns (of Uttar Pradesh).

Analysis of data collected from the study is being presented in the following paragraphs.

Findings :

Sukhia Kori owned a thatched house in a village in Gorakhpur district, U.P. One day, a labour contractor's tout approached him and promised her some jobs in a brick-kiln in Kanpur. He also promised Rs. 10 a day as wages. Lured by the prospect of a good job and life in a big city. Sukhia sold her house and came to Kanpur alongwith her family.

Now she works as 'patheran' in a Kanpur brick-kiln. She toils from 7 o'clock in the morning to 5 or 6 o'clock in the evening. For this 11 hours of work she is paid Rs. 5 a day, which is not even enough for two square meals. She has four children.

Once Sukhia tried to remind Munshiji (the contractor's tout) that she was promised Rs. 10 per day. The Munshi replied curtly "you can leave the job". But soon Sukhia realised she was helplessly trapped when her employers informed her that as Rs. 500 was spent on the journey to Kanpur, she could not leave till the money had been recovered.

There are 94 brick-kilns in Kanpur city and each, on an average, employs about 100 to 150 workers. Sukhia's case is not an exception but a rule in the brick-industries. The normal recruitment in these kilns is through labour contractors. The labour contractors send their touts to poverty-stricken villages to recruit labourers. These touts plant a rosy picture of urban living and high wages usually to farm workers living below subsistence level, who get hired by the hopes of a better life and a good salary. Only later do they come to realise the big gap between the promise and the reality.

Almost all the labourers owned mud houses in their villages which gave them a sense of independence and a

semblance of privacy. But in the city even a mud-hut for one's own family is counted as a luxury. As Sukhia, a labourer from Basti district said, "We have to cook, eat, bath in the open. We do not have any privacy. We don't even get a private place for nature's call. We are leading a life like animals". But, people like Sukhia and Surati have come too far to go back now. They came to the city either after selling whatever property they possessed or pawning it for a meagre amount.

The brick-kiln industries are highly labour intensive - labour amounts for about 70 per cent of the total cost of the industry. The large majority of labourers in these industries of Kanpur come either from eastern U.P. from places like Basti, Gorakhpur, Ballia etc., or from the Santhal Pargana districts of Bihar such as Ranchi, Hazaribagh, Chaibasa etc. Very often these labourers belong to the lower caste groups of Scheduled Castes, Scheduled Tribes.

The work-sites of the brick-kiln shift constantly for want of raw materials. Moreover, the kilns do not function during the monsoon. These two factors lend a "casual character" to the workers of brick-industries enhancing all their other insecurities.

Wage Payment

The wage payment system in the brick-industry is tilted in the employers' favour. The labourers are hired on a contract for a full season's work i.e. from October to June each year. Their wages are fixed on the basis of their daily hourly input. But the full payment is normally given only at the end of the season. In between the owners advance small amounts which is known as "khuraki" so that the workers can pay for their weekly rations. At the end of the season the contractors calculate the total amount payable to the workers and deduct the already advanced money. In this game of calculations the contractors or the sub-contractors play their own tricks. They never pay the full amount due to the workers. Since most of the workers come from villages, they are illiterate, they consequently do not grasp they are being cheated.

The workers' wages are always very close to subsistence level, consequently they are forced to take loans from their employers for urgent expenditures like marriages, medicines for illness etc., which they can never pay off. Thus, they get trapped in the vicious circle of borrowing, paying off and reborrowing money from their employers. The end result is the workers can never rid themselves of indebtedness to

their employers and thus they are forced to work at the same kiln or with the same employers, even against their wishes. Sometimes the labourers are forced to mortgage their family members to the employers when they go on some extraordinary leave. This trend brings about a situation near to bonded labour--which is supposedly abolished today.

Work Place

The physical conditions of the work-places at the brick-kilns are very unhealthy. For example, a mistri (who bakes the kutchra bricks) works in a small room of six feet containing the oven. This room normally does not have any windows. Due to lack of proper ventilation, the workers inhale the smoke for hours at a stretch. Consequently, all those workers who work as mistris for two consecutive seasons start suffering from incurable diseases.

No Compensations

Frequently workers have to work in the open, exposed in winter to the blistering cold and in summer they have to work under the scorching sun and heat. What is worse the workers of brick-industries are entitled to neither any medical facilities nor any compensation. In other factories, a worker's family is offered compensation if she died while working or at least paid the amount required for treatment.

But in brick-industries such medical provisions are non-existent.

Some time ago, Ram Sarup, a mistri in a brick-kiln died after his clothes caught fire while he was baking some kutcha bricks. But no compensation was paid to his family. Phoolmati had a sun-stroke and was confined to bed for three months. All that he got was rebukes from her employers for being absent from work for such a long period; she got no reimbursement for her medical bills nor was she paid the money for this period.

The brick-industry is, of course, governed by various laws aimed at protecting the labourer, but the workers, being illiterate and unorganised, was unaware of their rights. The absence of trade-unionism among the workers of the brick-industries makes them vulnerable to illegal exploitation by their employers.

CONCLUSION

The chaotic situation in brick-industries can be explained in two ways. First, the owners do not require any special qualifications to enter into the industry and their main objective is to make money. Their first aim is to keep their tender quotation as low as possible and this

they do by exploiting labourers. Secondly, the workers do not have any capacity for collective bargaining thus, they are unable to seek any legal protection even when their employers violate laws.

Added to these problems are the difficulties the workers face in getting food grains and other essential supplies at controlled rates. Since they do not stay at one place, they are unable to get any ration-card made. They have to buy their requirements from open markets at a higher rate. This adversely affects their diet, resulting in a low life-expectancy.

Brick-kiln workers have to organise and be made aware of their legal rights and privileges. The labour departments of the State governments have to be vigilant in checking the malpractices or violations of laws by the owners of the kilns. Also, the trade unions have to take note of the deplorable working and living-conditions of the brick-kiln workers-- who are unable to make an organised effort on their own.