

# **“PRAYAS”**

## **WORKSHOP**

Date : 09-02-2010 and Date : 12-02-2010

- **PREFACE :**

Since last three years Prayas - Centre for Labour Research and Action has been working with migrant workers of unorganised sectors and formed “Int Bhattha Majur Union”. The workers particularly from U.P., Chattisgadh, Rajasthan, Madhya Pradesh, Gujarat and Maharashtra come to Gujarat to work for six months in brick kiln. These workers face various types of exploitation and atrocities during their owrk. The Int. Bhattha Majur Union has worked during last three years.

- **PURPOSE OF WORKSHOP :**

The work of present year is peculiar in our experieunce with workers of brick kiln. We find different features of the brick kiln workers this year. This workshop was organised with background of group discussion on the process, experience, success and setback of movement and to proceed with new planning in future.

- **WELCOME :**

Shri Sudhirbhai Katiyal inaugerated the workshop with his welcoming speech for activist friends who came in workshop. The meeting observed two minutes silence to pay homage to grandfather of Shri Rajubhai Vasava.

Shdhirbhai sought suggestions from staff on how to conduct the workshop.

The followings are suggestion given from staff members which were discussed in workshop.

(1) Scenario of hartal.

- (A) Prior to hartal.
- (B) During hartal.
- (C) Post hartal situation.
- (2) Analysis / review of hartal.
- (3) Strategy of hartal.
- (4) Achievement - Success / failures.
- (5) What was gained / lost ?
- (6) Mistakes committed / right steps taken.
- (7) Strong weak aspects of the hartal.
- (8) Reason of strike.
- (9) Leadership - Unin and efforts.
- (10) Action Plan.
- (11) Political Ideology

- **CONDITION PRIOR HARTAL :**

Before workers from U.P., Rajasthan and Chhattisgarh arrived in Gujarat, Prayas team organised people's contact, membership, campaigning, workshop and rural meetings by field work in three states. Particularly in Marwar, the process was intensive. Union office was opened for three months in Medana City. Mass contact and rural meetings were organised at Mathura, at villages of Agra and Seranpur of U.P. members campaign in Raybareli and one day **DWARANER** of Jalaiya workers were organised. In Chhattisgarh too, scattered field work and workshop were organised. As rain was scarce during previous monsoon and markets were gripped in recession, the workers came to brick kiln of Guj. before Diwali. The demand sheet was prepared for labour wages of brick kiln worker.

Pamphlets of demand sheet were distributed by approaching many brick kiln owners during diwali and till 13th January and before strike.

The memorandum of demands of the workers was given to more than 300 brick kiln owners in person. Memorandum was sent by RPAD to the association of brick kiln owners. Before strike, on every Friday workers were explained strategy of strike in market of Adalaj, Sanand Bavala, Dholka, Kakoshi, Uvarsad etc.

- **STRATEGY :**

- (1) A strike across the Guj. Simutaneously.
- (2) Concentration on Adalaj area.
- (3) Time of Strike.
- (4) Problem of Kharchi.
- (5) Place of Shelter for workers.
- (6) Bonded labour.
- (7) Media / Advocacy.

There was an all out efforts to make simultaneous strike on 14th January in all the brick kilns across Gujarat. The pamphlets were distributed in Mehsana, Adalaj, Uvarsad, Vadodara, Dholka, Bavla, Sanand, Sathiyara etc. areas in large number. Previous strike in Adalaj was very weak. Adalaj is considered to be stronghold of brick kiln owner in Guj. who decide labour wages. So union had divorted it's strength in this area to make the strike more successful and succeded up to certain extent.

Efforts were made to associate the Khadkan Nikasi and Jalaiya workers with Patal workers. As 14th January was traditionally the any of strike for Marwari workers, the strike was declared on this day.

During the strike many kiln owners, stop paying kharchi to the workers. An alternate arrangement was planned in advance in theis regard. And the Labour Commissioner was compelled to issue and order siving direction to kiln owners to pay Kharchi immediatly. At many places the kiln owners were persuded on phone or intimidated to pay kharchi. Relief camps were also organised for the workers who are not given kharchi but workers could not arrive at camp.

Usually the workers live in premises of kiln so it is difficult for workers to face threats and atrocities committed by owners.

Union team was not capable to approach all the kilns across the Guj. as condition of these workers is as good as bounded labourers, they become helpless when they have to face both conditions. either to sustain or make strike.

- **ADVOCACY :**

No one in union team competent enough or was given responsibility for advocacy on strike and wage rise process.

- **MEDIA :**

As the media is dominated by capitalists and so-called upper caste it did not show any interest to cover problems of Dalits or backward class workers. The electronic media gave a little space to this issue.

- **SUPPORT FROM LOCAL ACTIVISTS :**

The local Dalit activists gave a good support to union in Patan, Siddhpur, Adalaj, Ahmedabad, Dholka, Bavla and Sanand areas. So the Int. Bhattha Mazur Union felt ease in process. The public meeting in Adalaj, a strongly of kiln owners got a good response. In chivada we got a private place too for meeting.

- **SUCCESSSES :**

- (1) A strike became possible in large area.
- (2) At first time the Khadkan / Nakaji workers associated in strike.
- (3) The union became familiar in Govt. administration (The union made active the Govt. administration)
- (4) The issue - bonded labour in Adalaj Keshav Prajapati Bhattha - came into light.
- (5) Total 42 cases were registered related to bonded labour.
- (6) The owners could be pressurised.
- (7) The workers of Gujarat Marwar, U.P. and Chhhattisgarh unitedly participated in strike.
- (8) The strike became most successful in Adalaj, the strong hold of kiln owners.

The strike got vast publicity in Gujarat workers belonging to Gujarat, U.P., Chhattisgarh and Marwar associated in strike with union at Vadodara, Kakoshi, Radhanpur, Patan, Aslali, Dholaka, Sanand, Radhu etc. Eventhough the Gujarati workers had been already earned labour wage of more then Rs. 350, they joined with strike at first time.

Te Vanazara workers of Khadakan Nikasi made zerox copies of pamphlets at own cost and distributed in Mehmdavad area. They also got wage rise of Rs. 20/- to 30/-.

The frequent representation on critical issue of brick kiln workers made cfompelled the Govt. administration to be sensitized towards those issues. Rally of the workers, meetins, legal battle etc. efforts kept the Labour Commissioner, Labour Officers Police administration on their toes. The owners also recognised the strength of the Int. Bhattha Majur Union. The owners gave importance towards issues raised by the union. Now they realise the existance of union.

Till 10th February, 2010 total 42 cases were registered across the Guj. of having bonded labourers. All the workers became free from detention of two owners after hard efforts of the union.

The Adalaj Keshav Prajapati Bhattha case became very contrversal. The bonded labourers belonging to chhattisgarh were rescued from detention of this kiln owner. Those workers stayed in Adalaj Police Station for twelve days. The PSI, Labour officer and DSP Played negative role in this case.

The case became headache for the administration. The Guj. daily gave publicity to this issue and the Govt. became compel to take action to relieve those workers.

The Kiln owners in Adalaj area made all efforts to give setback to the strike. They colluded with Govt. and intimidate the workers the kiln owners had attached on Shantilal and other union activists. Eventhough the strike got good response and became success. In certain countries, where such bonded labour is practised only direct humble or coercive negotiation with owners brings possitive result. They make free the workers without interference of the Govt.

In these three years the public meetings in Adalaj area got good success at first time. Maheshbhai, Rameshbhai Thakor and Pravinbhai enthusiastically supported the meetings.

- **SETBACKS :**

- (1) Marwari workers were strong but workers from U.P. and Bilaspur were not as much.
- (2) Union can not be strengthened.
- (3) During the strike, expected public meetings were not be organised.
- (4) Less of spirit of team work.
- (5) Lack of media advocacy.
- (6) Want of membership campaign.
- (7) Lack of proceeding with the Govt.
- (8) New areas could not be concentrated.
- (9) Want of leadership within workers.
- (10) Maha Padva / courting arrest - task not accomplished.

The said lacks came into light in work review of the present year. The socio-economic condition of brick kiln workers is different in Rajasthan - Marwar and U.P., Bilaspur due to geographical situation. As Marwar was concentrated but U.P. and Chhattisgarh were not as much, the owner workers (U.P., Chhattisgarh) were not much strong then Marwari workers.

The workers came from different state, culture and atmosphere so they could not be well organised. The committees of Marwar and Chhattisgarh were not so active too. During strike every area of Gujarat could not be covered with expected meetings. As the Govt. did not give permission for public meeting due to pressure of brick kiln owners. More workers could not be aware on strike.

This owners created rumors and misled workers. The strike could not be strengthened because brick kiln owners approached police and police prevented us from canvassing for strike. As police imposed section 144 of IPC, Public meetings could not be organised.

In tight schedule during strike, union activists could not attend their meal time too. They were busy in arrangement of strike till 1 to 2 hour at night. Overloaded work, responsibilities, more functioning and other hurdles caused to lack of co-ordination in team work.

No one person from team was given responsibility for media publicity. We failed to make the people aware with the strike. As every team member was busy to make the strike successful, they could not pay much attention to raise membership.

We missed some legal proceedings like correspondance, visits, representation etc. with the Govt. Departments.

We mainly concerntrated upon Adalaj area, so we could not pay much attention to Vadodara or Radhanpur etc. or we did not from even other team for those area. We had some yound workers but we failed to encourage then to take intiative during strike. After all they come to brick kiln for earning. Labour is only way to earn for thenselves. As leadership is risky factor for them, they come forward in strike with certain extent.

Sudhirbhai frequently told for picketing or courting arrest but team was not agree and it was not done. More workers did not come in relief camp. Due to police atrocity on workers, Mahapadav programme could not be taken place.

- **COMMITTED MISTAKES :**

(1) Demand sheet was not practical. It was prepared without seeking opinion of the workers.

(2) Demand sheet was not prepared in time. It was drafted without considering market wage and given to the owners late.

(3) Strategy in respect to carry on strike was not clear.

(4) We did not give legal fight to owners.

(5) We did not properly consulted advocates for legal procedure.

- Labour right is co-related with Dalit and human right. We had to lodge IPL in this context. Eventhough the advocate was consulted before drafting demand sheet, field workers missed to reflect market labour wage in demand sheet. They are not enough mature to think about such supportive aspects. Kiln owners found the wage very excessive and impossible. So the owners did not even ready to negotiate with union. Demand sheet was given late. No legal follow-up was proceeded against Labour Commissioner or kiln owners.

- Even a notice was not issued for strike.
  - Sudhirbhai himself accepted that he was not aware what advocate Amrishbhai had legally proceeded in this case.
  - The advocate did not fulfill his responsibility.
  - It was decided that Amrishbhai shall visit union office at Chandkheda on every Saturday but he did not do so.
  - The advocate did not come during strike too.
  - Valjibhai Patel gave guidance to file write petition in highcourt, then we approached Mukulbhai and filed write but it was done too late.
  - Eventthoug the Honourable Highcourt issued an order giving direction to relieve bonded labourers, workers had to stay at Adalaj Police Station for then days and the advocate did not proceded for contempt of the court.
  - In kiln of Keshav Prajapati, pwner show sun, but advocate did not follow legal procedure. The advocate did not present any where except mass rally or mass meeting.
- **LOOPHOLE IN TEAMWORK :**
    - (1) Lack of Uniformity in team.
    - (2) Field work and team work was not planned in Nov. 2009.
    - (3) Proper procedure was not followed.
    - (4) Some persons in team were not good in behaviour.
    - (5) Weekly meetings on Saturday was not regularly organised.
    - (6) Last of trust within union activits.
- **TIME OF STRIKE :**

The strike should be organised earlier. The kiln owners had already a hoaps of brick in stock, when the strike was

organised. It was a slack period for production and owners did not need workers. The strike did not cause to more loss for owners so they were not interested to make compromise with workers.

- **BETRAY FROM JALAIYA WORKERS :**

Contractors of Jalaiya workers betrayed to union activists. They came to union meetings and briefed all the agenda on strike to kiln owners. They did not even join with strike. Consequently other workers also lost courage.

- **PHASES OF STRICKES WERE NOT PREVIOUSLY DECIDED.**

Strike was not previously planned in phased manner. Precautionary actions like legal procedure during or before strike, dealing and negotiation with kiln owners, action in failure of strike were not decided.

Activists were not aware now to utilise the administration in favour of workers.

- **NO SUPPORT FROM PARTNER ORGANISATION :**

Partner organisation like BSC and Nausarjan did not co-operative in strike. They did not even send their representatives in critical circumstances or rally or public meeting.

Bsc. and Navsarjan are associated with area where Int. Bhattha union is active. They can help in our field work, if they can help in our field work, if they desired. Other organisations of the Guj. know "Prayas" as an organisation but do not intimate. The partners organisations also showed such alienation. They did not give any legal advice. In short they did not stand with us as partner.

Jan Sanghrsh Manch also did not show any good response. Amarishbhai or Mukulbhai did not come in rally or public meetings.

- **CONTRIBUTION OF OTHER NGO AND DALIT ACTIVITIES.**

The followings are Dalit activists organisation, political leaders who gave direct or indirect contribution in union strike.

Required factors :

- (1) Team Capacity
- (2) Local support (activists and organisations)
- (3) Media
- (4) Legal support
  - (A) for labour case
- (5) Strengthen the wor.