

Conditions of Brick Workers around Ahemadabad¹

Preliminary Results of an on-going Study

Area of survey work in Gujarat: Districts of Gandhinagar (Adaalas) and Ahmedabad (Sanand).

Table 1: Distribution of respondents by work type and state

Work Type	STATE				Total
	rajasthan	chhattisgarh	u.p	gujrat	
paatla	33	20	4	2	59
bharai	5				5
nikasi	1				1
jalaiya			7		7
loading	2				2
khdakan	5		1		6
	46	20	12	2	80

Source: Worker Interviews

Chhatisgarh and Gujarat, (d) most of the Paatla workers however are from Rajasthan and Chhatisgarh. The eighty workers belong to eleven districts of four states. The number of blocks they hail from are-----.

Total Interviews: 80 Individual and Six Group Interviews. Distribution is individual respondents is given below in Table 1. It includes all kinds of workers.

Areas of Origin of Labour: Table below distribution of respondents by work type and state of origin. The Table suggest that (a) Bharai, Nikasi and Khadkan work is done by Rajasthan labour, (b) work of Jalai is done exclusively by by UP workers (c) work of tile making is done by workers from all the four states of Rajasthan, UP,

Family Characteristics

Most of the workers (87.5%) belong to scheduled castes.

And majority of the workers are not part of joint family system. 85% reported to be part of nuclear family. Interestingly most of the

Caste of The Respondents		
	Frequency	Percent
general	3	3.8
obc	4	5.0
sc	70	87.5
st	3	3.8
Total	80	100.0

Workers have reported to own job card under NREGA. However, when we look at the data relating to income from NREGA, it appears that the implementation of NREGA is a problem particularly in Chhatisgarh in particular.

Type of Family

	Frequency	Percent
nuclear	68	85.0
joint	12	15.0
Total	80	100.0

JOB CARD UNDER NREGA		
	Frequency	Percent
yes	74	92.5
no	5	6.3
NA	1	1.3
Total	80	100.0

Though most of the respondents reported that they have their own houses at the place of origin but about 58% reported that they have kachha house. In case of Chhatisgarh 85% workers reported that they have Kachha house. They are thus the poorest of the lot.

¹ This report is based on the ongoing survey of the Brick Kilns. The results are based on a quick preliminary analysis of data.

Most of the respondents (55%) are landless. Those who reported ownership of agricultural land, it was small unirrigated piece of land. Only six respondents reported irrigated land. None of the 46 respondents from Rajasthan reported irrigated land.

Important Findings

(a) High presence of Women and Children

Based on FGD with workers of six brick kilns we find that there is large presence of women and children. Table two suggests that the overall ratio of women and children to total workers is 34.5 and 42.26 respectively. The spread of women and children is found

Table 2 Distribution of total workers and children by work

Work	Total Workers	Women	% of women	Children				Child/Worker Ratio	Place of Origin
				0-3	3-6	6-14	Total		
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>
Paatla	630 (60.23)	243	38.6	84	93	118	295	46.82	Chatisgarh, Rajasthan, UP, Gujarat
Bharaiya	104 (9.94)	44	42.3	26	18	26	70	67.31	Rajasthan, Gujarat
Jalaiya	18 (1.72)	3	16.7	3	2	0	5	27.78	UP
Nikasi	84(8.03)	42	50	14	9	12	35	41.67	Rajasthan
Khadkan	58 (5.54)	29	50	15	7	15	37	63.79	Rajasthan
Total	1046	361	34.5	142	129	171	442	42.26	
Note: 1. In brackets are percentages to column totals 2. In column 4 & 9 the ratio are to total workers Source: Group interviews at six brick kilns (Jan 2009). Numbers are not based on exact counts.									

across different work types. The lowest incidence is among Jalaiyas.

The estimates of women and child on the basis of workers interviews by and large substantiate what has been referred to above. One of the reasons for high incidence of women and child is the fact that a large number of migrant reach here with entire family. Only about fourteen percent respondents reported that they have come alone. Most of these respondents, five out of eleven, are Jalaiya (Table 3). Eighty percent of the respondents reported in response to a specific question that they work in brick kilns as a family.

The incidence of family migration is particularly high in case of Paatlas. Total number of respondents involved in Paatla work was 59. Out of these 10 did not report any children in the family. 49 families reported children. Out of which 32 arrived here with all their family members including children. 32 respondents who have migrated with families reported 86 children at an average of 2.69 children (up to age of 14) per reporting family.

(b) Children assist parents

There are absolutely no facilities of AWC or Education for these children. Once a child reaches the age of around 6-7 years, she starts helping the parents in various ways. Our observations as well as discussions with the workers in groups and personal interviews

suggest that the children help in various ways. Most commonly children of Paatla help in putting sand and in piling tiles; picking broken pieces during bharai and putting sand during the process of khadkan. They also help parents in cooking and care of sibling. There are cases wherein the adolescent girls have been brought in just for household work.

Table:3 : Distribution of respondents by number of total number of migrants and work type
Count(N=80)

No of Migrants	WORKTYPE						Total
	paatla	bharai	nikasi	jalaiya	loading	khadakan	
1.00		1		5	2	3	11
2.00	9	1		1			11
3.00	8	3		1		1	13
4.00	10		1			1	12
5.00	13						13
6.00	12						12
7.00	5						5
8.00	2						2
9.00						1	1
Total	59	5	1	7	2	6	80

© Education

The children of migrants suffer most. All the school going children who accompany their family members to brick kilns become dropouts. Whereas many dropouts are for good, many others join the school upon return to native places but lose substantially on education.

(d) Work Experience:

We enquired about the work experience on two counts. One the overall experience of work in brick kilns and experience of work in the present brick kilns. The data suggest that (a) the experience of workers range widely from one year to 35 years, (b) the most experienced worker was a jalaiya with 35 years of work, (c) compared to Rajasthani workers, workers of Chattisgarh entered Paatla work later and they work exclusively for tile making, (d) workers from UP are involved in tile making as well as Jalai which is exclusive domain of UP workers, (e) The workers change employers quite often which is obvious from the fact that though only five respondents reported that they have come this year for the first year but 49 respondents (two-thirds of the total respondents) reported to have been working with the current employer this year. In response to a specific pointed question 43 out of 80 respondents reported change of employer. Such changes are across the states and type of work.

Table: : Work experience by state in current Brick Kiln
Count

Exp in Years	STATE				Total
	rajasthan	chhattisgarh	u.p	gujrat	
1.00	27	15	7		49

2.00	9	1			10
3.00	1	2			3
4.00	3		1		4
5.00	1	2	3	1	7
7.00	2				2
8.00			1	1	2
9.00	1				1
10.00	1				1
14.00	1				1
Total	46	20	12	2	80

(e) Advance: An essential aspect of recruitment process

All the workers have reported that they have taken advance before coming to work here in Gujarat. The advance is invariably taken through the contractor at the place of origin. The reported amount of advance however varies a great deal from a minimum of rupees 2000 to highest of 40,000. Only two families, both from Rajasthan, reported high amount of advances to the tune of rupees 35 and 40 thousand respectively. The advance is low in case of Jailaiya from UP.

(f) Advance is cause of bondage

The payment of advance is always conditional. The condition is binding because that settlement of wages is done only after the season is over. In response to specific questions barring two all the respondents said that they cannot demand payment in between. It is simply not possible.

During the intermittent period workers are paid *kharchi* for their survival. The *kharchi* is usually given weekly and the amount varies upon the production. In case of Paatla it comes to about fifty percent of earned wages.

This condition thus makes the workers bonded. The workers cannot leave in between. Even if they leave than their payments are withheld. There is unwritten rule that final settlement of accounts will be done only after the season is over that is the brick kilns are closed for the season.

(g) Work Hours:

The Table 4 below shows that the most of the workers (85%) had put in a minimum of ten hours of work on the preceding the interview. The Paatlas work most intensively- 14-15 hours of work quite often. The couples do the work and children provide help of many kinds.

Table: 4: Total work hours on day prior to survey by work type
Count

TOTLWT	WORKTYPE						Total
	paatla	bharai	nikasi	jalaiya	loading	khadakan	
6.00						3	3
8.00			1				1
8.30						1	1
8.50	1						1
9.00	6				1		7

10.00	29	2			1		32
11.00	7	3				1	11
12.00	5			7			12
13.00	3					1	4
14.00	3						3
14.30	1						1
15.00	4						4
Total	59	5	1	7	2	6	80

Timings of work are quite odd especially for Paatla. Many work through out the night from 11 in the night to early morning. Many others get at 3 AM and work till 11 AM and again in the afternoon. Sixty two percent of the workers said that they work during the night. The work cycle of Paatla is also dependent on release of water which in turn depends upon the availability of electric supply since the water is supplied through bore wells. They thus appear to be working round the clock. The hours are long and erratic.

The work entails not only long hours but also it back breaking. The result is that almost two-third respondent reported that they consume liquor which is easily available for asking in the market. Mostly reported use once or twice a week. About ten percent reported regular use. Weekly reported expenditure on this account range from rupees 10 to 140.

(h) Wage rates

Except for Jailaiy and some skilled workers in Khadkan the payment of wages are on piece rate. The wages are quite low. In case of Jailaiya who works for 12 hours a day the payment is 3100 per month. Which is much lower than the minimum wage of rupees 100 per day for eight hour work day.

Wage rate comes to pathetically low in case of piece rate wage. In case of Paatla for instance the wage comes to almost 40-50 rupees for eight hours of work by one worker.

In the perception of the 85% workers, the contractor decides the wage rate. Usually workers reach here on the basis of the rate of the previous year and final rate is decided during the course of work. The system of wage rates is very diverse. In case of Paatlas the range vary between 180 to over 300 for 1100 bircks. The variation is on the basis of advance and distance one covers. If the contractor bears the travel cost than the commission of the contractor increases and the effective wage rate for the workers comes down. This is particularly true of Chhatisgarh workers. The employers and contractors use such differential rate to their advantage. The Dungarpur Paatlas get higher rate purportedly because they do not take high amounts of advance.

(i) Stay and Employment period

Majority of the workers reported that they stay and work for 120 to 180 days. There are exceptions though. The total reported range of stays was 90 to 255 days and of employment 80 to 255 days.

(j) Illegal Deductions

There are various kinds of illegal deductions from the rate. One, in case of Paatla, if there are sudden rains or strong winds and there is loss of tiles, the loss has to be borne by the workers only. Second, in case of Khandcan, from each lac of bricks 26,000 bricks are deducted. The deduction is on two counts- 16,000 on account of part of periphery (locally known as ‘gaji’) which remain unprepared and 10,000 on account of breakage. It is instructive to note that the 16000 unprepared tiles have to be put in the fire again and are sold in the market by the owner at the same rate as others. Also the breakage in real terms is much less than the deductions. Usually it is not more than 2000 tiles. Third, the employers also cheat on promised rates. Many complained that last year owners promised Rs 110/- per 1000 but paid only Rs 90/-. Third, owners cheat in accounts. For instance, they pay Rs 2000/- towards advance for travelling expenses but deduct Rs 4000/- at the time of settlement. These deductions were reported by Dungarpur workers in particular.

(k) High cost of cereals

Except for four respondents all the workers reported having ration card. 30% respondents reported having Antyodaya cards and another about 14% BPL card. But in Gujarat all the respondents reported that buy cereals and kerosene from market at a very high rate. The reported rates for wheat range from 12 to 15 rupees per kg compared to rupees three the Antyodaya cardholders pay to purchase from PDS. What is instructive to note here is that

Table: Distribution of ration cards by State

State	RATCARD				Total
	bpl	AAY	APL	none	
rajasthan	4	9	31	2	46
chhhtisgrah	2	12	4	2	20
u.p	4	2	6		12
gujrat	1	1			2
	11	24	41	4	80

out of 24 AAY respondents 13 have come here with entire family after locking their homes. The Chhatisgarh workers bear the brunt of the burden most as they pay only rupees three for one kilo of rice on the ration card (both AAY and BPL) but here they buy rice at an exorbitant rate of rupees 16 to 20 per kg. In the absence of PDS facility the

loss incurred by the migrant workers is quite substantial.

The problem is much more inrelation to Kerosene oil. Many respondents, especially Paatlas, reported that they work in night using kerosene which they buy from the market at the rate of rupees 30 per litre. The kerosene at PDS is available at the rate of rupees ten per litre only. Employers do not provide facility of light for night work. Most of the other workers also reported use of Kerosene in the night for lighting purposes.

(l) Health and Sanitation

There is no facility for health care. The cost of the treatment is borne by the workers themselves. Also there is no facility for education of the children of the migrant families.

None of the respondents reported toilet facilities.

(m) Migration and right to Vote

In response to a specific question whether they will go back home to cast vote in the forthcoming loksabha elections likely to be held in April, almost half the respondents (39 out of 80) reported that they will not be able to cast vote as they cant go to vote in view

of the financial loss. None of them were aware that there is an alternative to cast postal vote. Right to vote in a democracy is of vital import and this right need to be ensured by the State in case of poor and marginalised migrant labour.

(n) NREGA

Surprisingly only fifty percent of the workers reported income from NREGA. None of the two respondents from Gujarat reported any income from NREGA. The corresponding percentages of respondents reporting zero income for Rajasthan, UP and Chhatisgarh are 37, 60 and 75 respectively. The same pattern is found also in terms of earnings from NREGA. In case of Chhatisgarh, out of seven respondents six reported income ranging from 1100 to 3000; in case of UP the three cases reported income ranging from 1800-5000 and in Rajasthan eleven respondents reported income in the range of rupees 6500 to 10,000.

Suggestions/Recommendations:

The important findings relate to non-implementation of labour laws especially the provisions of ISMWA. Our study clearly indicates that the workers in question are interstate migrant workers as per the existing ISMWA. However none of the provisions of the Act are being implemented. Because of the reason of being migrant the workers are confronted with several problems related to health, living conditions and women and children. The important suggestion/recommendations are:

I: Related to Implementation of Labour Laws:

1. Employers and contractors should be registered under ISMWA. The employers must provide the names and addresses of the contractors and workers to the labour department.
2. The Payments should be made monthly as per the provisions of the Payment of Wages Act and not at the end of the work period as is the current practice. The current practice renders the workers as bonded labour.
3. Journey allowance must be given. Due to non-payment of this the workers of distant place are big losers as their effective wage rate comes down considerably as discussed above.
4. Displacement allowance must be given
5. Wages for the journey period should be paid
6. The accommodation should be prepared earlier. The workers spend 2-3 days in making the hutment.
7. Separate drinking water facility
8. PF and Esi facilities should be provided to workers. PF to brick workers is provided in states like Haryana. Workers have spent most of their productive life in brick workers of Gujarat but despite decades of work they have no social security of any kind.

II: Related to Women and Children:

9. Toilet facility for all the workers especially for women/girls must be ensured.

10. School facility should be provided for the children and they should not be allowed to do any kind of work and MDM should be provided to children
11. AWC should be opened for ensuring entitlements to eligible children, girls and women

III: Work related

12. Electricity should be provided free of cost to workers for night work especially to Paatalas
13. There should be written agreement between the owner and the workers
14. The owners of the BK should be declared as principal employer
15. Practice of counting 1100 bricks for 1000 should be stopped. This amounts to 10% deduction of wages.
16. Each worker should be given a pass book wherein entry regarding work out put, earned wages and payments should be entered on day to day basis

IV: Related to living and other conditions and other facilities

17. Ration should be provided through PDS
18. The temporary hut constructed by the workers should be dismantled only after the workers leave
19. Union workers must be allowed to go inside the BK
20. The government near all the major centers of the brick kilns should provide a community center where the workers can sit, meet and organise social functions
21. Literacy classes should be organised, Union is ready to do this
22. Facility for transport from and to market on holidays
23. Medical facilities should be provided to all the workers
24. The migrants should be registered and provided facility to cast postal votes in the elections. Awareness must be generated about this facility.
25. Gujarat Government should implement NREGA. The implementation of the NREGA appears to be very weak in UP and Chatisgarh also.

Limitations and Problems

The data included in this have some limitations in terms of equal representation. The data may be biased in favour of Rajasthani workers and workers from other states may have been under representation.

One of the reasons for this is the non-cooperation of employers. The employers drove several times our investigator away from the brick and did not allow interviewing workers.