



LABOR POSTS IN KANPUR

An insight into the working conditions of
migrant workers in Kanpur city.

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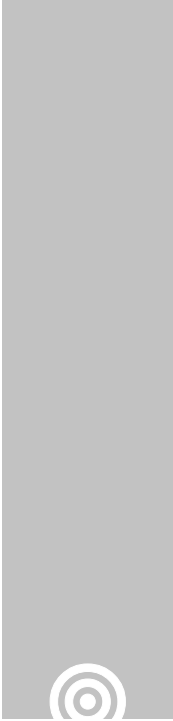


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KANPUR LABOUR POST SURVEY REPORT

CORE DEMANDS:

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- ❖ Recognition of all labour posts/markets by the district government and state administration
 - ❖ Compulsory registration of all construction workers commuting to these labour posts under building workers act
 - ❖ Provision of basic services like toilet, drinking water and shade at all labour posts
 - ❖ Coverage of all unorganized sector workers under social security schemes
 - ❖ Right assessment of the population of the unorganized sector labour force in the city and provision of permanent shelters for them
 - ❖ Provision of crèche services
 - ❖ Compulsory registration of all labourers standing on the labour post and subsequent access to all major government welfare schemes.
 - ❖ Provision of adequate and equal wages

Preface

This booklet on the labour markets or posts in Kanpur city is second in the series of studies conducted on Labour posts in Uttar Pradesh, the first one being a study on the labour posts. We have tried to map the labour markets in the city with the objective to ensure that they are not denied their rightful place in the city and are capacitated to demand for just wages and working conditions. We are hopeful that this would sensitize the government for better implementation of labour laws and would also provide ground for organizing the large chunk of unorganized sector workforce. The mapping of the labour posts in Kanpur would not have been possible without the earnest support of those team members who work with and for the city makers. I am grateful to our team members, Richa Chandra, Sanjay Pratap Singh, Dhananjay Chaubey, Dileep Kumar Singh and independent activist Gauri Shankar Prajapati as well as our partner agency Actionaid Lucknow for their continuous support and guidance.

My special thanks to Mr. Debabrat Patra, Regional Manager, Actionaid, Lucknow and Arvind Kumar, Program Officer, Actionaid, Lucknow for their suggestions and inputs.

I sincerely hope this book would strengthen the efforts in the direction of recognition of the large unorganized sector workforce as well as their workplace and working conditions.

In solidarity,



(Sandeep Khare)

Unorganized Sector in India:

In India, a major chunk of labour force is employed in the unorganized sector. The unorganized / informal employment consists of casual and contributing family workers; self employed persons in un-organized sector and private households; and other employed in organized and unorganized enterprises that are not eligible either for paid, sick or annual leave or for any social security benefits given by the employer. About 7 % of the total work force is employed in the formal or organized sector (all public sector establishments and all non-agricultural establishments in private sector with 10 or more workers) while remaining 93% work in the informal or unorganized sector. Talking about the construction workers, it is evident that India's three crore construction workers are literally the builders of modern India. Construction workers are the backbone of the economy as they create the infrastructure necessary for industrial growth. Yet these workers, who are creating the base of the new economy, themselves live in a time warp, trapped in low skilled, low paid, insecure working conditions, bound by feudal working relationships, often literally in bondage. About one-third of these workers are women and children.

The unorganized sector also plays a vital role in terms of providing employment opportunity to a large segment of the working force in the country and contributes to the national product significantly. The contribution of the unorganized sector to the net domestic product and its share in the total NDP at current prices has been over 60%. Thus unorganized sector has a crucial role in our economy in terms of employment and its contribution to the National Domestic Product, savings and capital formation.

The Indian labour market can be categorized into three sectors:

- ❖ Rural workers , who constitute about 60% of the workforce
- ❖ Organized of the formal sector, that constitutes about 8% of the workforce; and
- ❖ Urban unorganized or informal structure which represents the 32% of the workforce.

If we take a look at the contribution of women, almost 400 million people (more than 85 percent of the working population in India) work in unorganized sector and of these at least 120 million are women. Percentage of female workers to the total workers is 20.2 percent. (www.labour.nic.in) whereas out of the total workforce engaged in construction and related work, more than one third are women.

Labour force can be divided into four categories: self employed workers, wage and salary earners, casual workers and unemployed. Of these, self-employed are most loosely connected to labour market because of the possibilities of work-sharing and work spreading in a self-employed enterprise. Non-contractual casual labourers have the closest connection to labour market on almost day-to-day basis. Same is the case with those

unemployed who are actively seeking work. Contractual and hence stable hired employment (with the same employer and/or in the same job) on a regular basis is covered in the description wage and salary workers. Persons who are engaged in their own farm or non- farm enterprises are defined as self employed. The employees in an enterprise can be either regular salaried/ wage employees or casual wage employees who are normally engaged on a day today basis. The casual wage workers both in public work and other types of work don't have any job security or social security. These workers, either in formal or informal sector or in private households, are informal workers. The regular salaried/wage employees are those working in others farm or non- farm enterprises and getting in return salary or wages on a regular basis and not on the basis of daily or periodic renewal of work contract. This category includes those getting time wage as well as those receiving piece wage or salary and paid apprentices, both full time and part time. This category of persons may, therefore, include persons engaged regularly on an hourly basis, temporary workers, out- workers, etc. The table given below classifies labour force across male-female and rural-urban dimensions. According to the survey conducted by National Sample Survey Organization (NSSO) in 2004-05, 43.3 crore workers were in unorganized sector which constituted about 94 per cent of the total labour force in the country.

Kanpur City Profile:

Kanpur, spelt as Cawnpore before 1948, is the ninth most populous city in India and largest within the state of Uttar Pradesh. It is the fifth-largest city of India in area. It is one of the oldest industrial townships of North India.

It has a metropolitan area of over 1,640 square kilometres (630 sq mi) and a city area of around 829 km² with an approximate population of 4.5 million inhabitants in its metropolitan area while the City Population is about 3 million. The city's name is believed to derive from *Kanhiyapur* (from the Hindi meaning "town of Kanhaiya"). During the British Raj, this was anglicised to *Cawnpore*. Others believe that the name is derived from *Karnapur* (meaning "town of Karna").

Coordinates	26°27'39"N 80°20'00"E 26.460738°N 80.333405°E	
Country	India	
Region	Awadh Lower Doab	
State	Uttar Pradesh	
District(s)	Kanpur Nagar District , Kanpur Dehat District	
Population	2,767,031 ^[1] (12th) (2011)	
Density	1,366 /km ² (3,538 /sq mi) ^[2]	
Metro	2,920,067 ^[3] (11th)	
Urban	75.59	
Sex ratio	0.842 ♂/♀	
Literacy	84.14%	
Official languages	Hindi, English, Avadhi, Urdu	
Description	2011	2001
Actual Population	4,572,951	4,167,999
Male	2,469,114	2,247,216
Female	2,103,837	1,920,783
Population Growth	9.72%	28.11%
Area Sq. Km	3,156	3,156
Density/km2	1,449	1,321
Proportion to Uttar Pradesh Population	2.29%	2.51%
Population (%)	90.34 %	9.66 %

Development of industries

After 1857, Kanpur became an important center of the leather and textile industries. The Government Harness and Saddler Factory was started in 1860 to supply the army with leather products, followed by Cooper Allen & Co. in 1880. The first cotton textile mill, the Elgin Mills, was started in 1862 and Muir Mills in 1882, and many others that followed in the next 40 years, such as Victoria Mills and Atherton West & Co. (Atherton Mills), made Cawnpore a major textile producer. The Elgin Mills of Cawnpore was famous for its Drill Khakhi during the early/mid Twentieth Century. The British India Corporation (BIC) was headquartered here and led the development of many industries. Kanpur was known as the "Manchester of India" during the 20th century. Kanpur is an important center for India's leather industry and small arms. Presently, the city owns many leather tanneries, and over a dozen Defence Ordnance Factories. Kanpur is the second largest Industrial Hub in Northern India after New Delhi region. New industries such as detergent, saddlery, food processing, pan masala (tobacco), tea packaging, plastics and packaging, jewellery manufacturing and exports, leather processing and goods, have developed in the city. Among them, the Pan Masala industry is the largest employer in the region as well as the largest source of tax for the government. The famous brands -"Pan Bahaar" & "Pan Parag" and many others originated in the city. Kanpur is one of the biggest producers of textile and leather products and they are exported in bulk. Apart from the leather and textile industries, the fertilizer, chemicals, two wheelers, soaps, pan masala, hosiery and engineering industries are also operating in the city. The private sector has also set up large units

such as factories of the JK Industries group, Lohia machines, Duncans, etc.

Industrial Closure and types of unorganized labour force:

Kanpur has traditionally been an industrial city and an economic center. At one point of time, it was the second most industrialized city in India; second only to Calcutta. Due to large number of cotton textile units and a vibrant trade center for cotton it was also called the 'Manchester of India'. After independence, Kanpur continued to be an important city and large public sector companies such as British India Corporation, National Textile Corporation, ordnance factories, etc were set up here. At present, Kanpur has mostly industries relating to leather shoe making and cotton textiles. Other factories include manufacture silk, woolen and jute textiles, food products, fire-bricks, fertilizers, railway wagons, textile machinery, television sets, metal ware, leather goods, soap, tents, durries, fountain pens, hosiery, cutlery, television picture tubes, etc.

Over a period of time, the industrial profile of Kanpur has undergone a change. On one hand, total number of industries such as textile, rayon, metal, select chemicals industries has declined. Textile and Jute industries have been closed long time back. National Textile Corporation and U.P. Spinning Mills have also closed recently.

The reasons for closure of industries in the city are mainly:

- ❖ Technological obsolescence
- ❖ Inability to accept newer and more efficient technologies
- ❖ Change in policies of the Government which lead to un-competitiveness of certain existing units (eg. fertilizers unit

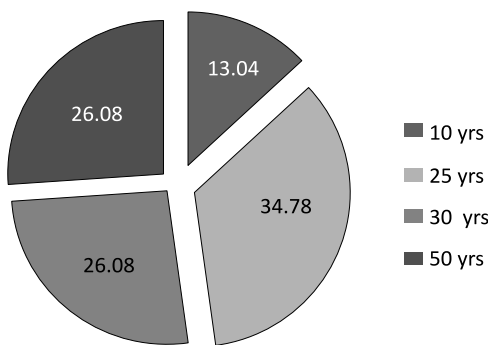
- of Duncan's industries)
- ❖ Labour unrest

History of Labour posts-

In any city, generally there are four methods of recruitment of labour:

- ❖ Direct recruitment of workers by contractor
- ❖ Recruitment of workers from rural areas by labour contractors
- ❖ Recruitment of workers from city slums by labour contractors
- ❖ Recruitment of workers from the market place (adda, naka or chowk) by principal employers or masons.

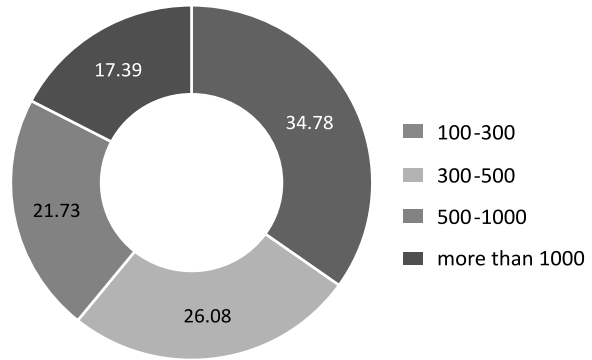
This survey primarily deals with the labour strength found at the labour addas or chowks. Generally the crossing or other open place within a busy market area acts like an informal employment exchange where workers stand around in hopes of getting work for the day. The survey indicates that 26.08% of the labour posts have been in the city for around 50 years while another same percent have been there for 30



History of the labor post

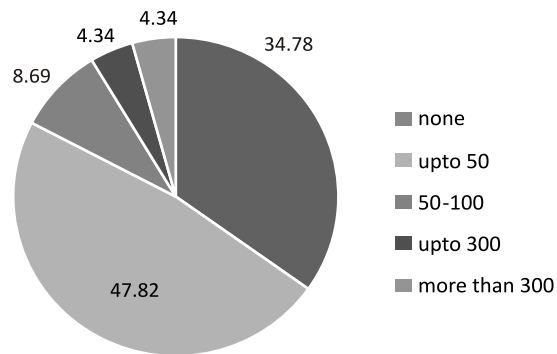
years while 34.78% have been in existence from 25 years while the rest 13.04% for around 10 years. This data indicates that the custom of labourers coming to particular points in search

of livelihood is an old tradition for Kanpur city. Talking about the number of males coming on these labour posts, 17.39% have more than 1000 male labourers coming daily, while 500-1000 such labourers come at 21.73 % labour posts, upto 500 come at 26.08% labour posts whereas 34.78% have 100-300 labourers every day.



No. of males at the labor post

During the course of the survey, female labour force was found at 15 out of 23 identified labour posts. In other words, 34.78% labour posts had



No. of Females at the labor post

only male labourers, 47.82% had upto 50 female labourers, while small percentage had 50-300 or so female labour force.

Construction workers coming to the labour posts include plumber, painter, carpenter, palledars, petty workers at factory who work as casual labourer, people engaged in loading and unloading, tiles laying, boaring workers etc.

Description of major labour posts-

Harjinder Nagar (Harchandar Nagar):

Located on Lucknow Bypass, this labour post has been in existence for the last 15 years. Most of the labourers coming here are either from Kanpur Dehat or are migrants from Chhatisgarh and Bihar. There is no provision for toilet or drinking water here.

Chhapeda Bazar:

This is one of the most well known labour posts of Kanpur. Most of the labourers here are from Kanpur city & Kanpur Dehat, Unnao, Rai Bareilly, Faizabad, Hardoi and Bihar and Chhatisgarh. This labour post is on the cross road. Male and female workforce from Chhatisgarh can be easily identified here as the natives and these labourers stand separately. The number of labourers ranges from 1000-1200. Since the labourers coming here are more in number, so many times they are forced to work at lesser wages as well. Lack of toilet facility is again a big problem here.

Moolganj :

This labour posts situated in the heart of the city is famous as the biggest labour post. Each day at least 1200-1500 labourers come here in search of work. The labour force comprises of unskilled labourers, masons, carpenters, painters and palledars (loaders). Generally female labourers are not seen here. Owing to its size and situation, these places is politically sensitive and of and on political meetings are organized here. The business folk constantly demand for shifting this labour post as this is a busy market place. The labourers are under regular fear that this labour post might be evicted. Many of the labourers

coming here are living in small rented houses near-by while many live on the adjoining pavements.

Sant Nagar :

This again is one of the older labour posts of the city. People say this has been in existence for the last 25-30 years. Most of the labourers here are from Kanpur nagar & dehat, Hardoi, Azamgarh, Jaunpur, Rai Bareilly, Chitrakoot, Bihar, Madhya Pradesh and Chhatisgarh. This labour post is also devoid of any basic facility.

Hoolaganj :

Situated near Ghantaghar, this labour post has been in existence for the last 30-35 years. Most of the labourers coming here are from Kanpur, Unnao, Hardoi Mahoba, Eastern Uttar Pradesh, Chhatisgarh and Bihar. Close to this post is the night shelter run by Municipal Corporation where many labourers spend their nights. They are required to present his identity proof for staying at the shelter which causes undue trouble for them. On an average, 500 labourers come to this point daily. Since Hoolaganj is a busy market place, incidents of quarrels and heated discussion between labourers and shop keepers are common.

Bakarmandi (Rawatpur):

Bakar mandi is at a distance of one kilometre from Chhapeda Puliya. Around 200-250 labourers can be seen here, most of whom are either from Kanpur nagar or dehat, Unnao, Faizabad, Hardoi, Baliya, Rai Bareilly etc. A small number is also from Chhatisgarh and Bihar. Women workers are not seen here. As

usual, this place is also devoid of any basic facility. The labourers take drinking water from near by tea-stalls while they use community toilet for urinal.

Nirala Nagar (Chawla Market):

This labour post is adjacent to Nirala Nagar railway colony and is famous by the name of Chawla Market labour adda. 500 labourers come to this post daily, most of which are painters, carpenters, masons and others who do miscellaneous works. There is no basic facility over here. Labourers at this labour post tend to stay longer in search of work and one can find labourers standing at noon time as well.

K.D.A. Bazaar (Madeena Masjid):

This labour post is about one kilometre from the main Lucknow Road. This market or post can be seen on both the sides of the road near Madeena Masjid. This post is around 20 years old and on an average 200 labourers stand here. Around 20-25 women workers from Chhatisgarh are also seen here. As a practice, Chhatisgarh migrants stand separately from the others. Many labourers live on rent in near-by places. There is one public handpump nearby which is out of order.

Sisamau (P.Road):

This labour post is in the main market area of the city. Here about 300-350 labourers queue up daily on both sides of the road. At the time when the shops are opened, the labourers are forced to shift their place. Labourers from Kanpur Nagar, Dehat, Unnao, Jhansi, Rai Bareilly, Hardoi and Chitrakoot along with those from Bihar and Chhatisgarh come here for work. Since this

labour post is at a busy market place, the duration of adda tends to be shorter owing to conflicting interest between labourers and shop owners. One can find carpenters, masons, unskilled labourers and painters here.

Karrahi Bazaar :

Situated at a distance of 2 kilometres from the Kanpur Highway, this labour post is known to be a rural labour market and labourers from the near-by rural areas mostly come here for work. A small proportion is also from Chhatisgarh & Bihar. As usual there is no provision for basic facilities.

Dada Nagar (Mohini Chai):

This labour post, situated at road number 3, in front of Dadanagar Petrol pump, near Mohini chai and Panki canal, is 12 years old. Each day some 350-400 labourers commute to this place. Most of them are from Kanpur dehat and live on rent near the canal. One can find female workers, both from Kanpur and Bilaspur here, numbering around 30-40. 8 years back, this labour market used to be near Tata Salt factory, but after disputes between the shopkeepers and labourers it was shifted near Mohini Chai. Masons, loaders (palledars) and petty workers are found here.

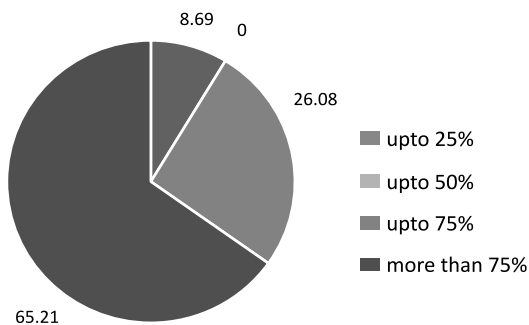
Kunj Vihar (Yashoda Nagar):

This labour post, situated at a distance of 2 kilometres from Lucknow Kanpur Highway in Yashoda nagar has been in existence for the last 15-20 years and accommodates about 200-250 labourers, both male and female daily. The labour market is found on both the sides of the road and is devoid of basic services barring a hand-pump near-by.

Findings of the Survey:

A survey was conducted in the city of Kanpur in 2011 and 23 defined labour posts were identified. The labour posts in this city host labourers ranging from routine construction workers to those who work as petty workers in near-by tanneries and casual labourers in factories. The workers are of two types, one who commute daily from surrounding villages or have migrated from cities like Fatehpur, Unnao, Kannauj, Banda, Mahoba, Jaunpur, Hameerpur, RaiBareilly, Azamgarh, Sultanpur, Farrukhabad and some are from Bihar and Chhatisgarh too. They live either as tenants or in small settlements or as homeless on road sides. Most of them belong to scheduled caste or backward class and a small percentage is of Muslims too. Labour posts like Santnagar, Gwal toli and Hulaganj are predominated by Bihari labourers while Niralanagar is mostly occupied by migrants from Eastern Uttar Pradesh.

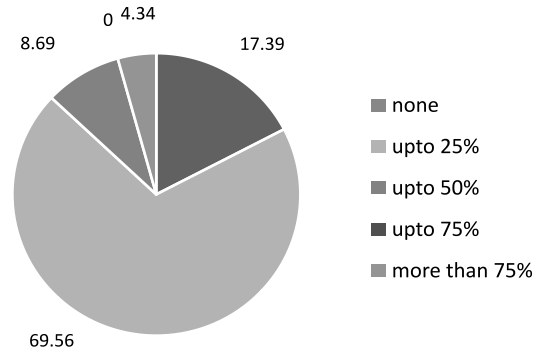
When asked about the mode of getting work, on average, at 65.21% labour posts, more than 75%



% getting work through daily Waging

of the labourers reported that they got work on

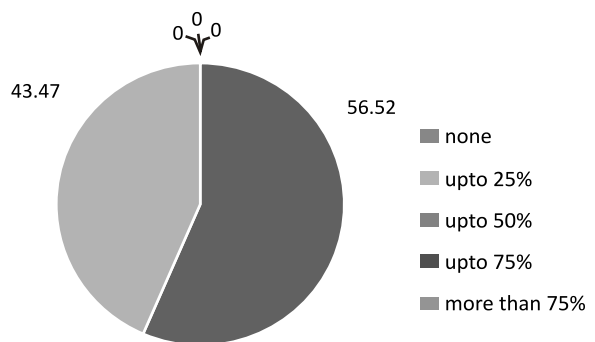
daily basis, at 26.08% of such posts, upto 75% got work in this manner, while at 8.69% labour posts, only 25% said they got daily wages work. Similarly, at 69.56% labour posts, 25% labourers got work through private contractor while at 17.39% labour posts no labourer reportedly got any work through private



% getting work through private contractors

contractors. A small percent i.e. at 4.34% labour posts, more than 75% labourers got work through this mode.

Peculiar was the case of getting work through government contractor where 56.52% labour posts had no government contractor coming to

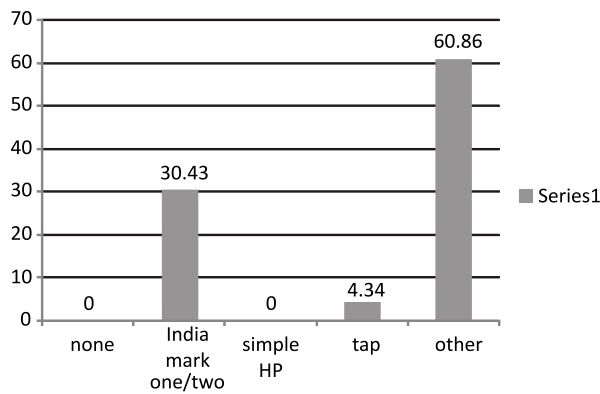


% getting work through govt. contractor

Facilities at the labour posts:

hire labourers, while the rest had upto 25% of the labourers getting work through government contractors.

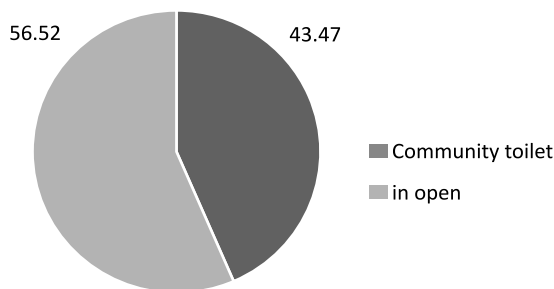
30.43% labour posts had India Mark I or II handpump in their vicinity, though some of them were reported to be out of order. Labourers at



Source of water at the labor post

60.86% labour posts depended on other sources like on near-by shopkeepers etc for water, while 4.34% labour posts had simple tap near-by.

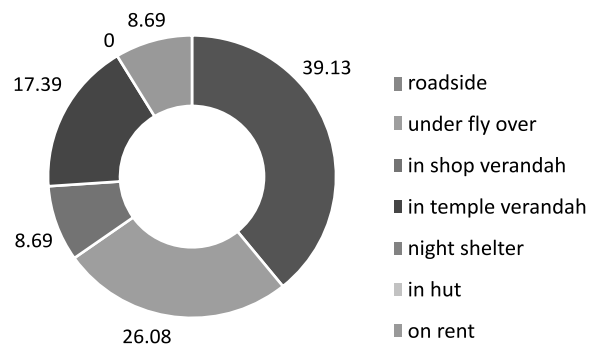
As far as toilet facility at the labour posts is concerned, 43.47% labour posts had community



Toilet facility at the labor post

toilet near-by, while the rest defecated in the open.

When asked where the labourers slept at night, labourers at 39.13% labour posts told that they slept on the road side, at 26.08% labour posts the



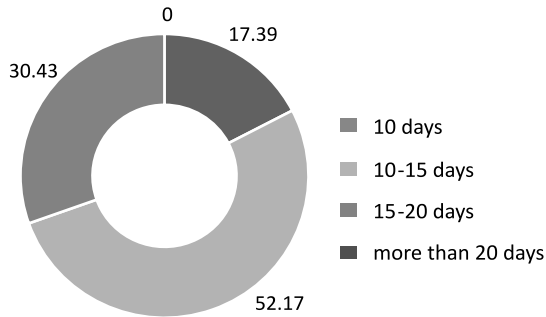
Residential facility for the laborers

answer was mainly under flyovers, small percentage slept in verandahs, night shelters and at 8.69% labour posts the labourers preferred living on rent.

As far as shelters for homeless population is concerned, Kanpur city has six shelters that have been handed over to A to Z waste management company but they discourage homeless from coming inside the shelter. Shelters are located away from concentration of homeless population like Shastri Nagar shelter and Nawabganj shelter. Some of the shelters have been started recently and hence have no occupancy. Ironically there is a shelter built inside the graveyard in the city where the homeless are expected to stay!!

At more than 50% of the labour posts, the

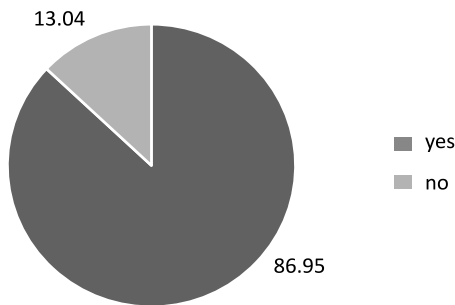
number of working days as told by the labourers was 10-15 days, on 30.43% labour posts, the



No. of working days in a month

answer was 15-20 days while at 17.39% labour posts, the labourers told that they hardly get work for more than 10 days a month.

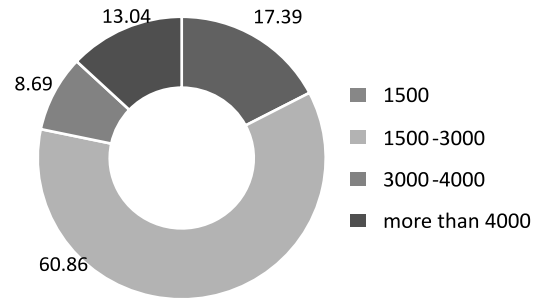
Interestingly, at 86.95% labour posts, majority



% who have taken debt

of labourers told that they had taken debt for survival at some point of time which clearly indicates that the money earned by them is not sufficient to meet their daily needs.

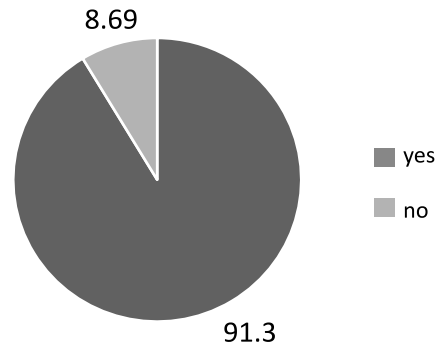
At 60.86% labour posts, the labourers told that they generally earned Rs 1500-3000/- a month which is less than the minimum wages in the state, while at only 13.04% labour posts the answer was more than Rs 4000/- a month, that too where the number of skilled labourers was



Earning per month

more. Some even reported to be getting Rs 1500/- a month.

At 91.3% labour posts, the labourers told that



Faced theft of goods or money

they had faced theft and felt that their goods and belongings were not safe.

The Gender Factor

As far as gender discrimination is concerned, out of the total labour posts where female work force was found, at more than 80% of such labour posts, the female labourers told that they got lesser wages as compared to male members.

Work on construction sites is invariably divided along gender, lines. The types of work that men do are labelled as skilled work and fetch higher wages than the work that women are allowed to do. Women are restricted to head loading jobs that involve fetching and carrying of materials

and this type of work is labeled as unskilled work. Naturally, unskilled work is paid less than skilled work. This division of labour seems to be prevalent everywhere. *Even where men are hired to do such jobs, they are, by custom, paid a slightly higher wage than women, on the commonplace prejudice that women do lesser*



work in the given time frame. The Equal Remuneration Act is flouted everywhere. In some jobs, men and women are treated as a couple and wages are paid to the man, not the

woman. *The sexism is inherent in the fact that masons rarely allow their wives to work.* Withdrawing them from the workforce signifies elevation of social status. It also ensures that the wife is more dependent and dependable. In most towns and cities there is intense competition for construction jobs, particularly where workers are hired daily from the chowk or adda.. Women who wait at addas for work, often find themselves leered at by prospective employers and subject to various indignities. The majority of women construction workers fall into the reproductive age group and it is common for women to work right through a pregnancy if work is available. The hard work, poor living conditions and the demands of childbearing leave them in poor health.

Gender bias prevents them from learning masonry or carpentry or other specialized trades. The dearth of jobs in turn makes women more vulnerable to sexual overtures and pressure from contractors and employers.

Case Studies

Labour Post-Hoolaganj,

Name of the labourer: Ratnesh Kumar Shukla



32 year old Ratnesh Kumar Shukla, son of Rajjan Lal Shukla is originally from village Aswari, Post-Magarwara, district Unnao. His family constitutes of his father, 2 younger brothers, wife and 2 children. His father works as a guard in a factory and the younger brothers are studying. He has one bigha farm land. His economic condition is not good. His father was the sole bread earner. Some 8 years back, Ratnesh was married to Keshkanti. With increase in the size of the family, his economic condition deteriorated further.

To support his family, Ratnesh started working in Parasnath Tech. Pvt.Ltd factory at Magarwara at Rs 3000/- per month. 2 years ago, the factory suffered loss and many workers including Ratnesh were laid off. His economic condition rolled back once again. He searched for work but in vain. Finally he started working as a labourer in his village but the earning and the work availability was very low. He decided to come over to Kanpur. Since then he started coming to Hoolaganj labour market and returned back after day's work. When he found no work, he stayed here only and slept in some shop's verandah or footpath.

Easy prey to exploitation...

“6 months ago, I was taken to Lal Bangla Dal mill for work. I was told that I was to load sacks of lentils from 7.00 pm to 3.00 am and was to be given Rs 200/- per day. I completed my work and being tired, felt asleep at around 4.00 am. When I woke up, I asked for my wages, the owner said that since I was sleeping and was not working, I was not's eligible to get my wages. My co-workers testified that I had worked but he refused to listen. He gave Rs 40/- only and forced me to go out.”

Problems of identity...

One month back, I was sleeping on the footpath. I had got no work and had decided to sleep overnight and go back when I got some money in hand. At night I felt like defecating, so I woke up and took a small tumbler and went to a deserted place. In the way, policemen stopped me and started interrogating me. I told them about myself and where I was going,

but they asked me for my identity card and also for someone who could verify this. I had neither any identity card nor any acquaintance. They forcibly took me to Collectorganj thana and pushed me to lock up. I was freed at 5.00 pm the next day.

Labour post: K.D.A. Chauraha (Madeena Masjid)

Name of the labourer: Nizam Ansari



30 year old Nizam Ansari s/o Shahabuddin Ansari is originally from village Kurmi hata, Baletha tola, District Siwan, Bihar. His family comprises of his parents, 3 brothers and 3 sisters. He is landless and the only source of income for the family is doing labour. On the whole, his economic condition is very poor. In the beginning he started working in the village and some times went to other near-by villages to work. The wages were not sufficient and many time he had no work to do. So he

decided to move to Kanpur where one of his brothers worked as labourer in a Tannery factory and started working with him. Nizam worked there for 4-5 months but could not cope up with the stench of the tannery. He got ill several times during this period and finally left the factory work and ended up at KDA chauraha for casual labour work. He took a small room on rent in Pokaharpur area near the labour market. Soon he realized that though work and wages were better in the city but he could find work for just 15-20 days. Moreover, the wages were not fixed.

Nizam feels outcasted here and always fears that he might end up in trouble since he is from another state and no one knows him personally. He has been coming to KDA labour market for the last 5 years but has not been registered yet.

End less saga of wage loss..

One year ago, Nizam was taken by a contractor at a building construction site at Sheetla bazar. He worked there for 15 days. Sometimes he was given Rs 50/- and sometimes Rs 100/- randomly. Then Nizam asked to clear his dues as he wanted to go to his village. The contractor asked him to come the next day. The next day he again asked Nizam to come after 4 days. On this when Nizam insisted on getting the payment as he was in crisis, the contractor started abusing him and forced him to get out. Nizam felt like weeping as he could do nothing and could not even seek police help as he was sure he will get no help. He decided he would never ever go to work with a contractor.

Nizam says, *“Paanch saal ho gayil, humke aapan ghar chhodke eha aayil, lekin majduri ke kaam kaike hum aapan ghar ke paise se kauno madad na kar pained. Hum karke aapan pet jiaye li, ehe bahut baa.”*

(I have been here for 5 years, I have not been able to support my family through money. For now I am just able to survive by working here.)

Labour Post: Harjinder Nagar

Name of the labourer: Daya Shanker Kewat



24 year old Daya Shanker Kewat is a Dalit youth. He lived with his father Pardesi Kewat and mother Kalavati at village Ramghat, district Satna (Madhya Pradesh). His three sisters are married. He himself is a bachelor. His father has 3 brothers and they have 1.5 beegha land as common land holding. This land too is near the river and the soil is sandy and no crop can be grown. His father loads this sand and maurang on asses and gets rupee 1/- per ass. What ever meagre income he has, is shared with all the

brothers. Daya Shanker worked as a boatman in his village but could not earn much. Food crisis was a regular feature. He then started working as a labourer in the village. This again was not of much help as the wages were low and the work was very irregular. Daya Shanker finally came to Kanpur 3 years back in search of better livelihood. He worked from various labour markets like Kidwai nagar, KDA chauraha, moolganj and harjinder nagar but found that at times there was no work and he could manage to get work for maximum of 15-20 days a month and sometimes it became hard to get 10 days work.

Says he, *“I have taken a room on rent at Jajmau at Rs 500/-p.m. It is very hard to meet my expenses and also send money to home with this little income. At times I take debt from my friends and that too has to be returned sooner or later. Life is really tough.”*

One day, me and 3 other labourers were standing at Harjinder nagar labour market. Ram chander who works at Kamiaal Tannery, Jajmau, took us to work there. He told us that we had to dig a big trench there and the work would last for 2 weeks. For the first 4 days, we worked on the trench. Then we were asked to clean the drain and thereafter clean the leather. When we refused to do this work, he threatened that we won't be paid a single penny and so we had to do this work for the next 4 days. But it was near impossible for us to do that dirty work. So we again asked Ram Chander to clear our dues. He refused and made us go out of the factory. Each one of us lost Rs 600/- of our hard work. We did not go to police as he would have asked if we had asked him before going to work. This has happened to so many of us. We are outsiders here. We have no one to seek help from.

Daya Shanker says, *“We ask for Rs 200/- but some labourers go for rs 180/- only. Often we work in lower wages. There are days when there is no work at all. Then it becomes difficult to get even one time meal. Often we have to do clean drains and leather to survive.”*

Name of the labourer: Ramraj



40 year old Ramraj, s/o Maiyyadeen is a resident of village Sichaura, district Mahoba. His family consists of his wife Ramrati and three sons Amit (13 years), Suresh (10 years) and Ramveer (7 years). Ramraj came to Kanpur some 16 years ago in search of work. At Mahoba, he had no land and used to work there as farm labourer. Work and wages both were less. After marriage his responsibilities increased and he had no option but to migrate and earn to make his family survive. For 2 years, he worked at Durga

factory, but then the factory closed and Ramraj had to work as casual labourer. For the last 14 years, he comes daily to KDA chauraha in search of work. 10 years back, he brought his family to the city and took a room on rent in pokharpur. At present, his children go to school where he has to pay Rs 600/-per month as fees, the monthly rent of the room is Rs 550/-. Along with this are the daily expenses of the family which have to be met with his wages. He has a debt of Rs 10,000/- which has to be returned. To support the family, Ramrati too has started working along with Ramraj.

Two years before, a person named Kishan Singh took me and one of my friends to dig a tank at his house. We fixed our rate at Rs 2000/- for the task. After 4 days of labour, when the work was completed,he gave us only Rs 900/-. When we resisted he said this was what was fixed and there is no proof that the deal was fixed at Rs 2000/- We went to the police, but they scolded us and gave us no relief. Such incidents are very common. We have no one listen and help. Since there is no written contract, we cannot even raise our voice.

Ramraj says, *“I have been living here for the last 16 years but have no identity or ration card. Our life as labourers is worse than anyone. We have no respect. I am educating my children so that they do not have to lead such a miserable life.”*

Name of the labour post: Bakarmandi (Rawatpur)

Name of the labourer: Om Prakash Shukla



45 year old Om Prakash Shukla is a native of village Katiya, District Ayodhya (Faizabad). He has a wife, 3 daughters and 2 sons in his family. Om Prakash has three brothers. When he got married, then his paternal house and land was divided. Om Prakash got 2 bigha land. Since he was illiterate, he had to work as a farmer. The farm produce was also not much and survival was tough. 19 years back, he

He faced a major financial crisis. His entire crop was destroyed due to a natural calamity and he was left with nothing. He had to take debt from one of his relative. Now he had to re-pay the loan. Since he belonged to upper caste, he felt ashamed to work as labourer in and around his village. So he decided to move to Kanpur to work with one of his friends. There he started to stand at the Bakarmandi labour post. He took a room on rent in Rawatpur area. 2 years back, one person took Om Prakash Shukla for opening up the ceiling in Fazalganj area. He suggested that the wall was weak and could fall any time, but the owner did not pay heed to it. Very soon his fear turned into reality and the wall collapsed. Om Prakash was badly hurt. The co-workers rushed him to the nearest hospital where he got the first aid. The owner gave some initial monetary help but did not take any responsibility for further treatment. He said that it was not his fault and so he refrained from taking any responsibility.

Om Prakash had to be out of work for the next 15 days. He also took debt for his treatment. He says, "I feel I will never be able to arrange for my children's marriage from my earning here. I will have to sell of my land in the village to meet the expenses."

Name of the labour post: Dada nagar

Name of the labourer: Rooprani



30 year old Rooprani is a native resident of village Miyaganj, district Unnao. She married Raj Kishore who is a daily wage labourer, some 8 years back. The economic condition of her in-law's family is poor. Her husband has 2 more brothers and both of them have usurped his part of the land. Raj Kishore earns his living by daily waging. Since the income of the family was insufficient, so Rooprani was forced to work as a farm labourer along with her husband. Often they had no work and had to sleep without any meal. So the

couple decided to shift to Kanpur city for work. They took a small room in Nahariya Patti in Dada Nagar, behind Geeta Plastic on rent and Raj Kishore started coming to the Dada Nagar Labour Post. Gradually, Rooprani also started to come on the post. Sometimes, she got work while on other days Raj Kishore did the work. Three years back, Rooprani gave birth to a daughter. During that period, due to weakness, she had to stop working for a while. After some time, she resumed her work and started to come on the labour post along with her little daughter. Most of the people hesitated in giving her work on the pretext that she will not be able to work efficiently because of her child. When ever she got work, her wages were generally lower than her male counterpart. As her child grew up, she started leaving her at her neighbour's home while going to work. She has been living here for 8 years but has neither the ration card nor the voter identity card.

It was August 2011. Raj kishore had gone to work at Sita Ram Shukla's home in Panki

Nahariya area to demolish the terrace. While working the whole of the terrace collapsed and he was badly injured. His back bone was broken. Sita Ram took him to the near-by hospital and helped him get the first hand treatment. Rooprani was informed of the accident. On reaching the hospital, Sita Ram requested her to avoid going to the police station to file complaint and assured her that he will help Raj Kishore get all the possible treatment. But he did not keep his promise.

Since last three months, Raj Kishore is totally bed-ridden. He cannot even look after himself. Rooprani is the sole bread earner of the family. When she does not get work, the family has nothing to survive on. She has a debt of Rs 10,000/- currently owing to her husband's treatment. Rooprani is suffering from dual problems. She has to look after her family needs and also her husband's treatment. She is forced to leave her little daughter to look after her husband while she goes out in search of work.

Says Rooprani, "Since my husband got injured, I am left with no option but to work as a daily wager. Even when I get lesser wage, I work as if I do not go to work, my family will starve."

Name of the labour post: Chaturvedi Labour Adda

Name of the labourer: Chhote Lal



33 years old Chhote Lal s/o Mohan Lal is a resident of village Jahanpur, district-kanpur dehat. He has a wife and three children in his family. Chote lal has six brothers and every brother lives with his nuclear family. Chhote lal has only three biswa land. His family was economically very weak. After marriage, when his family started living separately, then the entire responsibility of the family came over on him. His sole source of livelihood became daily waging. In the initial period, he used to work as a farm labourer and

some times did casual labor. As responsibility increased, he migrated to city in the hope of earning more. For 10 years he used to come to various labor posts near the city like Naubasta (chaturvedi labor adda), Karrahi etc and went back after day's work. As he worked there, he accompanied Kishan mason, and gradually learnt the skills. Since last 5 years Chhote lal comes every day at Chaturvedi labour adda and travels daily from his village which is 15 km away. He faces a number of problems when he gets no work. He has wife and three children to look after. When he gets work for less than 10 days a month he has to take debt. Some years back, Chhotelal had no work and his wife became ill. He faced big economic problem. He took a loan of Rs 5000/- from a native villager at the interest of Rs 5 per hundred. He has no BPL card, he has an APL card.

One year back, a contractor named Harishanker Prajapati took him to work at Lal colony.

He worked for 20 days with him. When the work was finished, then Chhote Lal asked for his wages that equalled to 1200/-. He was told that the dues would be cleared at the labour post the next day. The very next day, Chhotelal kept waiting but the contractor did not turn up. When he called him on phone, the contractor said he would come the next day. Soon the contractor gave up picking up the phone. If by chance he picked the phone he smartly omitted talking about the payment. Chhotelal did not know his address. Since then, he has given up going with contractors for work, even if he gets no work.

“When I do not get work after cycling for 15 kms, I feel too bad, I think what will happen to my family if the same condition continues.”

Conclusion

In view of the conditions and problems faced by unorganized sector labour force, especially the construction workers in the state, there is a need for a comprehensive campaign for ensuring the rights of unorganized workers. Since the construction workers form a major chunk of this sector, there is a need to advocate for the proper implementation of the building and other construction workers act and also demand for the recognition of their workplace as well as provision for adequate and comprehensive social security.

Annexure I

Provisions for Women Construction Workers

Basic Rights of Women Workers

The I.L.O. formulated the following seven basic rights of women:

The Right to Equal Pay

ILO Convention No. 100,
Equal Remuneration, 1951. (In India)

The Right to Equal Treatment

ILO Convention No. 111, Discrimination
(Employment and Occupation) 1958 (In
India)
ILO Convention No. 142,
Human Resources Development, 1975
Maternity Protection, 1919
ILO Convention No.103,
Maternity Protection, (Revised), 1952. (In
India)

The Right to Combine Work and Domestic Responsibilities

ILO Convention No. 156,
Workers with Family Responsibilities 1981.

The Right to Paid Work

ILO Convention No. 168,

Employment Promotion and Protection, 1988

ILO Convention No. 158,
Termination of Employment, 1982.

The Right to Safe & Healthy Work

Environment free from Sexual Harassment
Resolution on Equal Opportunity and Equal
Treatment for men and Women in

Employment, 1985.

In the Indian constitution, Article 23 and 24 (i.e. right against exploitation), which are under the heading 'Fundamental Right' and Article 39 clauses (e) and (f) and Article 45, which are under the heading 'Directive Principles' of State Policy are covering the rights of women and children. On the basis of all these observation and realities, it is worthwhile to examine briefly the numbers of women employed in construction and the conditions under which they are employed and their career promotion etc. The number of female construction workforce is given below.

As per 1961 census : Total - 20 lakhs - Total
Construction Workers Female 3 lakhs

As per 1971 census : Total - 221 lakhs - Total
Construction Workers Female 2 lakhs

As per 1981 census : Total -36 lakhs - Total
Construction Workers Female 3.6 lakhs

As per 1991 census : Total - 55 lakhs - Total
Construction Workers Female 4 lakhs

As per 2001 census : Total - 76 lakhs - Total
Construction Workers Female 7 lakhs

Some Research Findings

1. About 80 percent of female workers, at the age of 10-12 years start working in the Construction Industry.
2. 92 percent of womenworkers are illiterate in this industry.
3. Almost 90 percent women workers are in temporary jobs. Women workers are being retrenched very often for demanding equal wage, leave and some other benefits.
4. Women construction workers are denied

- equal remuneration and are not even paid the minimum wage.
5. Women have to work 10-12 hours in a day. There are no specific rest intervals for them.
 6. There is no such provision of paid holidays for daily paid workers though they work continuously for considerable period of time. Women workers do not get leave. No work no pay system is in practice.

Social Security

Construction workers job and social security is under heavy fire from both Public Sector and Private Sector companies.

Unskilled workers are at the mercy of Petty-Contractors/SubContractors. Principal employers are very much reluctant to give legal protection to the unskilled workers specially, those who constitute more than 73% of total construction manpower.

Day after day, year after year the permanent workers, employees, engineers, technicians numbers are reducing in the corporate & big construction companies, and in Central & State Public Sector Construction Companies. Need of the hour is to protect the legal benefits & extend Social Security benefits to all categories of Construction workers as per Laws of the Land.

Table 1 : Informal Workers as a Proportion of All Construction Workers

India (women)	97%	(1993)
Egypt	90%	(1993)
India (men)	89%	(1993)
Philippines	85%	(2001)

Republic of Korea	77%	(2004)
Brazil	75%	(1999)
Malaysia	74%	(2001)
China	72%	(2001)
Tanzania	70-95%	(2003)
Mexico	66%	(2001)

Sources: Pais 2002 and Wells & Jason 2010

Table 2 : Women in Construction: Regional Differences

ILO Yearbook of Statistics (various years)

% of all women paid workers who are in construction

- ❖ Africa: 5.5%
- ❖ Latin America: 5.5%
- ❖ Western Europe: 7.5%
- ❖ North America: 11.7%
- ❖ Asia: 14.6%

% of all construction workers who are women

- ❖ Africa: NA
- ❖ Latin America: 0.5%
- ❖ Western Europe: 1%
- ❖ North America: 2%
- ❖ Asia: 7.5%

उत्तर प्रदेश भवन और अन्य सन्निर्माण कर्मकार अधिनियम के मुख्य प्रावधान

असंगठित क्षेत्र के श्रमिकों के लिए उत्तर प्रदेश भवन और अन्य सन्निर्माण कर्मकार कल्याण बोर्ड द्वारा निर्माण कार्य से जुड़े पंजीकृत श्रमिकों के लिए निम्नलिखित योजनायें प्रदेश में लागू की गई हैं।

दुर्घटना सहायता योजना

1. श्रमिक की मृत्यु के दशा में एक लाख रुपये की सहायता
2. स्थाई पूर्ण अपंगता की दशा में 75 हजार रुपये की सहायता
3. स्थाई आंशिक अपंगता की दशा में 40000 रुपये की सहायता

मातृत्व हितलाभ योजना

1. पंजीकृत महिला निर्माण कर्मकार को प्रसव के बाद तीन हजार रुपये दो बच्चों तक मिलेगा।
2. पुत्र होने पर 3000 रु0 दो वर्ष तक उसके खाने के लिए और पुत्री होने पर चार हजार रुपये की व्यवस्था की गई है।

किसी प्रकार की बीमारी के इलाज की सुविधा

1. सरकारी अस्पताल में इलाज कराने पर जो पैसा खर्च होता है वे सब वापस मिलेगा
2. इलाज में लगने वाले पैसे की कोई सीमा तय नहीं है
3. एम्बुलेंस की सुविधा

पंजीकृत श्रमिकों के बच्चों के लिए योजना

1. कक्षा पांच से उपर के मेधावी छात्रों के लिए 2500 से 25 हजार तक की सहायता राशि
2. तकनीकी शिक्षा योजना
3. कन्या विवाह पर 20 हजार रुपये की सहायता राशि
4. कन्या के जन्म पर उसके नाम 20 हजार रुपये जमा किया जायेगा जो उसके 18 वर्ष की आयु पूर्ण करने पर मिलेगा।

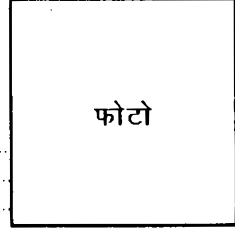
अन्य योजना

1. पेन्शन की व्यवस्था
2. 5 हजार रुपये औजार खरीदने के लिए
3. मकान बनवाने के लिए लोन की व्यवस्था
4. सौर लइट की व्यवस्था

क्रम संख्या.....105799

उत्तर प्रदेश भवन एवं अन्य सन्निर्माण कर्मकार कल्याण बोर्ड
(अन्तर्गत धारा-12 भवन एवं अन्य सन्निर्माण कर्मकार अधिनियम 1996 सपठित नियमावली-2009 के नियम 276(1))
प्रपत्र-25

लाभार्थी श्रमिकों हेतु पंजीयन प्रार्थना-पत्र



1. नाम : स्त्री/पुरुष
2. पदनाम :
3. पिता/पति का नाम :
4. आवेदक का अस्थाई/पत्र व्यवहार का पता :
5. आवेदक का स्थाई पता :
6. वैवाहिक स्थिति (विवाहित, अविवाहित या विधवा) :
7. जन्म तिथि : अंकों में शब्दों में
8. अधिष्ठान, जहां आवेदक कार्य करता हो :
9. रोजगार की प्रकृति :
10. ई0एस0आई0/प्रोविडेन्ट फण्ड संख्या :
11. नियोजक का नाम व पता :
12. कुल सेवा अवधि :
13. अभिदान की दर : अंकों में रु0 शब्दों में रु0
14. बैंक का नाम व शाखा, जहां अभिदान जमा किया गया हो :
15. यदि आवेदक पूर्व में किसी अन्य वेलफेयर बोर्ड का सदस्य हो, तो उसके वेलफेयर बोर्ड का नाम व आवेदक की पंजीयन संख्या :
16. परिवार के सदस्यों के नाम :

क्र0 सं0	नाम	लिंग	आयु (पजीकरण तिथि को)	सम्बन्ध (पति/पत्नी/अन्य)
1				
2				
3				

मैं प्रमाणित करता हूं कि मेरे सर्वोत्तम ज्ञान और विश्वास के अनुसार उपरोक्त विशिष्टियां सभी प्रकार से सही है।

स्थान : लाभार्थी के हस्ताक्षर

दिनांक : पदनाम.....

प्राप्ति रसीद

क्रम संख्या :105799

अन्तर्गत उ0 प्र0 भवन एवं अन्य सन्निर्माण कर्मकार कल्याण बोर्ड, उत्तर प्रदेश
श्री/श्रीमती..... पुत्र/पत्नी निवासी

..... से उपरोक्त प्रपत्र संलग्नकों एवं पंजीयन शुल्क/अभिदान रु0

रु0 मात्र) नकद/चेक/ड्राफ्ट के माध्यम से प्राप्त किया।

दिनांक हस्ताक्षर

नाम



About Vigyan Foundation ...

Vigyan Foundation is a right based non-government organization which has been working with the community for the rights of the deprived and the most vulnerable sections of the society, be it children, women, slum dwellers or the homeless community. Vigyan Foundation emerged as a creative and collective response to the needs of the people so as to passionately advocate for the rights of the deprived and the most vulnerable sections of the society. Vigyan Foundation was formed in 1988, and registered as a society under the Society Registration Act, 1860.

Our objective is to create such an oppression-less, non-discriminatory society where all the citizen have access to equal rights, freedom and opportunities in ways that enable them to live safe and dignified lives and thereby get opportunities to express their creativity. The mode to achieve this is through raising collective voices in sustainable manner.

Vigyan believes in strengthening the dignity of people and enhance their capacity to raise their voice to access their basic rights through formation of community based organizations / issue based alliances to advocate for the pro-poor policies. According to this point of view Vigyan Foundation team is working in urban slums, marginalized or homeless. Our goal is to empower groups of women, children, youth and unorganized sector and to expand them in a federation for alliance building. It is our strong feeling that while working in a group it is a logical fight back for initiation of community issues. In rural areas the focal point for work is education and health.

Through Urban resource centre, Vigyan Foundation publishes study materials for advocating different issues from time to time.



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