Chapter eight: Conclusion & Recommendations

Casual employment in construction industry has been accepted as a necessary evil which is irremovable and therefore to be endured. It is endured by the labourers because of the lack of any collective organisation among them. They feel that partly because of the existence of surplus labour and partly because of dispersal and temporary location of project sites they have become noncohesive and unconsolidated. It is accepted as an irremovable evil because the workers are engaged and disengaged at frequent intervals not by a single employer but by a multitude of contractors to whom each work stands as an independent piece. Although a contractor may remain engaged in construction work uninterruptedly, it is not guaranteed that one piece of contract will be followed by another, and therefore, he can not be asked to maintain a labour force on a permanent footing. Even if a scheme of maintenance of a labour reserve by each firm is worked out, it would entail the maintenance of a surplus labour force, for the industry’s requirement may be much less than of all the firms taken together. The noncohesive character of construction labourers is not the cause of but the result of the absence of any collective strength among them. It is true that if the numbers of employers become pretty large, even the collective organisation itself may become weak and ineffective. The existence of a large number of small firms in the industry also hinders the attainment of decasualisation.

Table 8.1: Kolkata - Residential/Commercial land price per sq ft. in some selected places in Kolkata

<table>
<thead>
<tr>
<th>Selected places</th>
<th>Locality/Residential (Rs/Sq ft.)</th>
<th>Commercial (Rs/Sq ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aipur</td>
<td>2500-3000</td>
<td>4500-5500</td>
</tr>
<tr>
<td>Ultadanga</td>
<td>2000-3000</td>
<td>3500-4500</td>
</tr>
<tr>
<td>Tollygunge</td>
<td>1500-2000</td>
<td>2000-3500</td>
</tr>
<tr>
<td>Kalighat</td>
<td>3500-4500</td>
<td>6000-7000</td>
</tr>
<tr>
<td>Bagha Jatin</td>
<td>1200-1600</td>
<td>1800-2200</td>
</tr>
<tr>
<td>Shovabazar</td>
<td>2000-3000</td>
<td>4000-5000</td>
</tr>
</tbody>
</table>

Source: Home Sweet Home 2008, The Telegraph, p. 41

Construction industry is a booming industry in India and it has a great impact on our country’s economy as well as creating a lot of job opportunities. But a construction worker monthly salary (approximately Rs.1500-3000) and the price of per sq ft land is the same. Land prices of residential areas have increased from the previous year but the salaries of the workers in Kolkata remain unchanged. Builders or contractors make huge profits from the construction sector but the conditions of the construction workers stay miserable.

The environment of the construction workers, (i.e. the living and working conditions) in and around Kolkata, was always regarded as a low-priority subject of discussion. The authorities, the Central Government, the State Government, and lastly, the trade unions- all ignored the plight of the workers and turned a blind eye to the inhuman conditions that prevail.
in and around the city. This study is an attempt to know the living and working environment of the workers; to understand the problems in a proper perspective, organisational as well as environmental hazards etc. are studied.

Since the productivity of the worker is closely related to the background of the worker himself, the demographic structure of the workforce has been studied. The study of workers by religion, caste and linguistic groups provide some interesting insight regarding the present workforce. There have been certain patterns in the composition of workforce and their migratory habits. Various features are recognised while discussing the background of the workers-

The composition of the workforce is highly heterogeneous. The workers belonged to a variety of castes and sub-castes, as well as various linguistic groups and religious communities. The workers have entered the construction or building industry at the age of less than 18 years and are required to leave when about 50 years old. There is an absence of female construction workers in the roads, flyovers, metro and housing sectors due to labourious and technical nature of work. Most of the construction workers are illiterates and their monthly income is between Rs.2000 and 4000. In view of the recent price rise, the wage rate of the construction workers in Kolkata is too little to suffice even the food requirements of the worker alone.

Construction workers are mostly from North 24 Parganas, South 24 Parganas, Nadia, Kolkata, Purulia, Birbhum, Murshidabad, Bardhaman, Hooghly, Howrah, Jalpaiguri, Medinipur districts of West Bengal. Over population, unemployment and insufficient job opportunities are the reasons behind the migration of the construction workers. The variations in the different family types in the four sectors are due to the differences in the composition of the workforce — in terms of migrant and non-migrant workers and in terms of the variations in the number of Hindu and Muslim workers. Various economic and social factors are responsible for the distribution of various family types. The strong link with the village is displayed in the fact that the majority of the workers have a small amount of landed property, either a homestead or agricultural land, in their ancestral villages.

The dietary pattern of the workers in the four sectors is more or less identical. In Kolkata, construction workers have mainly expenditure on food, remittances and rent. Since a large section of the partial or seasonal migrant workers have some dependents or family members in the villages, they usually try to send the maximum amount of money to them. The expenditure pattern of the workers reveals that most of the income is spent on food. Clothing, medicine and medical fees, house rent, expenditure on addiction, education and recreation are having the least priority in the expenditure pattern. Male construction workers are mainly addicted to bidi while women are mainly addicted to pan. Addictions of various types are their only sources of pleasure. The modes of addiction are more or less following the traditional Indian pattern of addiction. The addiction generally starts from early adolescence; in fact most
of them started regular habits of smoking and drinking with the first week's pay. Apart from the chiefly physical influences which drive the working man into addiction there is the example of the peer groups, the neglected education etc. which influence an individual into a lifelong addiction. Apart from the dust and general pollution, smoking habits cause and aggravate respiratory problems among the workers. Watching movies with friends' especially young construction workers; talking to friends; worshiping and listening to scriptures in their free time are the other recreational activities of workers. Most of the workers have bank pass books, ration cards and voter's cards. Family planning is practiced by a small section of the workers. A large family and marriage of a minor girl child is a common feature among the construction workers.

Women work mainly as helpers in Kolkata. Various types of workers like masons, rod binding, centering workers, carpenters etc. are only found in the housing sector. The living condition in the slum areas and his day to day standard of living gives a clear picture that has a direct impact on the worker's health. Various infectious and environmentally created diseases are more prevalent in poor housing than in better housing condition. Overcrowding with insanitary condition inside the house create various stresses such as noise, improper lighting, lack of ventilation, and a variety of solid wastes. The individuals living in substandard housing with these problems have a greater level of disease, poorer health, various nutritional problems and a variety of other health defects.

**Recommendations:**

In order to improve the conditions of the workers of the construction industry, these followings changes are recommended by the National Commission of Labour -

1. Since construction works are not located permanently at fixed points and since the employment on particular construction projects fluctuates widely according to seasons and the stages of work, both the works and employment therein have assumed a certain casual character.

2. The Government is the largest principal employer (sponsoring authority) in the construction industry. By devoting some care to the planning and co-ordination among different Government and local authorities, it would be possible to phase the launching of major construction projects in such a way that a reasonably steady volume of work and level of employment are maintained.

3. The un-regulated entry of contractors into the industry regardless of qualifications or resources has been a major cause of chaotic labour conditions and much sub-standard and slipshod work. Hence, some system of classification and registration of contractors on the basis of their qualifications and resources should be introduced.
4. To ensure that contractor's labour gets proper amenities, it is necessary that the cost of such amenities is accepted as a permissible cost item in the tender and care is taken to ensure, that the expenditure allowed under that head is in fact incurred and the amenities provided. Alternatively, a small cess on building materials may be imposed for financing these amenities.

5. The working Group of the Planning Commission has recommended that contractors should be required to maintain appointment and wage records for all workers and issue employment cards to them. This will be helpful but the Group's recommendations should be considered in totality.

6. Skilled workers in building trades are relatively scarce, but arrangements for systematic training in such trades are very limited. It is necessary that adequate arrangements are made for such training in the Industrial Training Institutes and by the industry itself.

5. To provide greater security of employment to construction workers, the possibilities of introducing decasualisation schemes like those in the docks or in the Cotton Textile Industries in Bombay and Ahmedabad should be examined. Pilot decasualisation schemes should be tried out in one or two suitable not-very-large urban centres on an experimental basis and, if found workable, should be introduced in all other urban centres also.

6. Workers employed on major projects away from urban areas should be given employment cards for specific duration and should be entitled to get work for that duration. Reciprocally, they should be under obligation to remain available for work for the duration.

7. Workers employed by Government or by local authorities on maintainance work on buildings, roads, airports, dams, irrigations canals, etc. should be deemed to be permanent and get all benefits of permanency since their work is not of a casual nature.

8. Working and living conditions of construction workers are appalling. In the absence of specific legislation improvements therein cannot be enforced.

9. Enactment of legislation to regulate labour conditions in the industry has been discussed for many years. Specific recommendations have been made by the Tripartite Industrial Committee and draft of the legislation has been prepared long ago. However, no such legislation has, in fact been enacted. There is no reason to delay it any further.

10. As part of the amenities to be provided for construction workers, schools and shopping facilities need special attention.
11. A certain quota of tenements constructed by the State Housing Boards or authorities under the subsidised Industrial Housing or other schemes should be earmarked for allotment to construction workers.

12. Fully reliable statistics regarding accidents in the construction industry are not available, but there is some evidence that their number is considerable.

13. Greater attention to safety in the industry on the lines proposed in the ILO Conventions and the schemes prepared by the Chief Adviser of Factories needs to be given.

14. Construction workers are not strongly unionised, the causes being the casual nature of enrolment, the attitude of contractors, the Government rules regarding recognition and the lack of determined organising efforts by the trade union movement itself. Only stronger unions will be able to ensure real improvement in the workers' conditions as in the Western countries.

15. Employers in the industry are also not well-organised. Fair conditions for labour as also proper standards of work will be possible only if the industry itself properly regulates the qualifications and conduct of the contractors.

16. Wages in the construction industry are mostly fixed under the Minimum Wages Act and are low compared to those in organised industries.

17. Different authorities fix different Minimum Wages applicable to the same area or region. Contractors, however, cannot pay different wages to their workers in the same region on different projects. This puts the contractors to much inconvenience and loss.

18. Minimum Wages fixed under the Act should be revised more frequently than the five-year interval prescribed under the Act.

19. The system of wage-payment in the industry is that the contractor pays the subcontractors on piece-rates, but the latter pay individual workers by daily-rates. This leads to complaints of non-payment or short-payment by workers.

20. Payment of separate dearness allowance is almost nonexistent in the construction industry.

21. Workers in the industry have no social security benefits of any kind except workmen's Compensation. Extension of the benefits of Health Insurance and Provident Fund to construction workers will be feasible once some degree of decasualisation of their employment is achieved.
22. Use of machines for construction work is not usually economical in India and has an adverse effect on employment. But labour productivity could be increased by better training of skilled workers, better organisation of work, greater technical competence of contractors and sub-contractors, and, above all, better nutrition and living standards for workers.

23. Systematic studies to evolve satisfactory norms of performance need to be undertaken, as, at present there is little reliable data available.\footnote{Chakrabarti, D, \textit{India Construction Industry and Workers Problems and Future}, Construction Workers Federation of India, Kolkata, 2005, pp. 315-20.}

On the other hand, Tripartite construction Labour Board makes the following recommendations:

1. A Construction Labour Welfare Fund should be established from such date as the Central Government may appoint;

2. The fund shall be applied by the Central Govt. and State Governments to meet the expenditure incurred in connection with measures which, in the opinion of that Government are necessary or expedient to promote the welfare of workers employed in the Building and Construction Industry;

   (a) To defray the cost of measures for the benefit of persons employed in the Building and Construction Industry directed towards-

      (i) The improvement of public health and the prevention of disease and the provision for improvement of medical facilities;

      (ii) Improvement of water supplies;

      (iii) The provision and improvement of education and vocation facilities; and

      (iv) The improvement of quality of life including housing and nutrition, the amelioration of social conditions and the provision of recreational facilities.

   (b) To grant loan or subsidy to a State Government, a local authority or the principal employer of the Building and Construction Industry in aid of any scheme approved by the Central Government for any purpose connected with the welfare of persons employed in Building and Construction Industry.

   (c) To pay annually grant-in-aid to the principal employer of the Building and Construction Industry who provides to the satisfaction of the appropriate Govt.
Welfare facilities of the prescribed standard for benefit of persons employed in their industries. So, however, that the amount payable as grants-in-aid to any such employer shall not exceed —

(i) amount spent by him in the provision of welfare facilities as determined by the Central or State Govt. or any person specified by it on this behalf; or

(ii) Such amount as may be prescribed, whichever is less

3. A comprehensive safety code for construction industry should be evolved and implemented effectively. Urgent legislative and administrative actions are needed in this regard.

4. There is a need to prepare an inventory of major and basic formation programmes for workers. Construction trades Training Institutes (CTTI) may be set up on a selective basis near the major project sites, more particularly in projects charged with the responsibility of rehabilitation of the project affected workers.

5. The working group recommends to the Central and State Labour administrative machineries as well as to the E.P.I. Organisation, ESIC and similar other agencies to establish a proper on-line monitoring system to receive and process data and evaluate the reports and data pertaining to the working of various labour laws.

6. The working group is of the opinion that a series of case studies of what was happening at construction sites, working and living conditions of construction workers, organisation and working systems in construction agencies, area and regional studies etc should be undertaken by competent and specialised institutions to fulfil vital gaps in the knowledge. The Government should encourage such work through financial support and providing access to its own records to researchers.

7. In view of the differences persisting on the constitution of Construction Labour Board(s), the Group recommends that a decision on its establishment and functions to be assigned to it may be left open to the Government. The Government has two proposals before it viz.,

(a) Proposals submitted by BAI and

(b) Proposals as contained in the ‘agreed views’ of the workers. These proposals may be considered by the Government while taking a final view on this issue.255

In conclusion, it can be said that the organisational factors like wage rates, working hours, methods of employment etc. should be made regular and universal, the practice of recruiting should be improved, basic training should be given to the workers before starting work, the provisions in the building and construction Act should be available to every worker, the housing conditions should be improved, health facilities should be made available free of cost to every workers, benefits like bonus, provident fund, gratuity, compensations against accidents, old age pensions etc should be made available, a general awareness and literacy programme should be conducted to help the workers fight against various injustices prevailing in their society.