

shramshakti



report of the national commission
on self employed women and
women in the informal sector

The Commission learned about the women's recent sleep-in-night-vigil strike that took place in this market while they were visiting Manipur, and they went to investigate. They arrived at the market at 10 p.m. No men are allowed inside at night. On their raised platforms, the Commission saw that women had strung up their mosquito nets. This was their sleeping place at night. Each woman had a small light marking the place of her vigil. They were undressed, retired, some cooking or eating supper, others were singing bhajans or mala. The Commission members asked for their leader, and in no time they were led to Sakhi, a strong middle-aged woman. Then the word spread, and all the women assembled and freely discussed their problems with the Commission.

Sakhi told them that this protest vigil was on, because the government had plans to vacate this market and rebuild it—without the women's consent. The first plan was to move the market outside the town, because this is now valuable urban space. The officials showed them the place, and the women refused to move. Who would go way out to that place to buy?

Then they came up with their second plan. They would rebuild the market into a modern multi-storeyed super market and shopping complex, where the vendors would also be accommodated. Sakhi said, "We know what will happen then. They will keep Rs. 10,000 as the rental charge of the shops. Which of my women could afford that? It means the big traders will then move in, and usurp our market. They plan all sorts of shops for electrical goods, radios, fancy clothing and beauty saloon. That means it will no longer be a vegetable market. Nor a women's market. We simply refuse to allow it." Sakhi was very strong.

The blueprint has been modified twice by HUDCO and shown to these women for approval. Delegations have come to Delhi to meet the State Ministers and plead their case. The dispute is still not settled. And still the women have not agreed to any of the government schemes.

The Commission left the Women's Market that night, sensing the essence of the vendors' protest: the market is a matter of life and death for them, as land is for the farmer.

The Commission met the Acting Chief Minister next day, who said very sympathetic words about my vending mothers'.

CONSTRUCTION WORKERS

"We Only See These Stones...."

Thirteen women were sitting on an open slope in Shiulaha village, Banda District, U.P., when the Commission passed in their jeep. It was 12.30 p.m. The sun was at its peak, scorching hot. There was no tree in sight. The women continued on though, at their work, pounding and pounding to crush stones. The 13 of them earn Rs. 34 for filling two trolleys with their crushed stone. This comes to less than Rs. 3 per woman for an entire day's work. But they do not get this work everyday—the trolleys come irregularly.

Once someone came from the village, promising to give charkhas and Khadiwork to the women. He collected Rs. 10 from each of them, and never returned.

When asked about their contractor's name, their supervisor, the government officials, and Department details, they had no idea about any of them. One woman said, "We do not know whose stones we are crushing, we do not see who pays our wages, nor do we see how much is actually paid to our Supervisor. We only know these stones—nothing else."

One day from Allahabad to Banda district, the Commission stopped on the roadside where Kol women were involved in construction work. Some were digging stones out from the earth; others were crushing them. Forty-six families involved in this work had been camping there for many years. The women gathered and hesitantly talked about their work. They work 15-20 days a month. Wages are paid to the group. They get Rs. 200 for loading one truck. Although there is a fixed size truck for this rate, the contractor always sends a larger one, with no increase in payment. Each truck is loaded by five workers, usually three men and two women. The truck comes once in 10-15 days.

There is no difference in the work of men and women. Both break stones, and do loading. This is government work, given out on contract to the thekedar. He takes no signature upon receiving payment. They take advances from him when needed—which is most of the time. He deducts the advance from their wages, plus an extra Rs. 10 for Rs. 150 they borrow. The payment of wages is done to their men,

Because "they are our maliks"

Originally these workers came from Rewa district in M.P., but that was 20-30 years ago. Many have no belonging in their native place, no land, no houses. They all leave at Holi and return in the monsoon. They also go back for marriages.

In the nine working months they go to work early, without food. In the afternoon they return home, and cook food. Once in seven days, they go to collect firewood. Though the forests seem close, they have to walk very far. They give Rs. 3 to the forest guard who allows them to collect wood.

They want regular work throughout the year. Their earnings are not sufficient to even fill their bellies. Their camp was on the roadside, on government land. Hence, the authorities often evict them. They retreat to the forest for a while, then come back.

People working at the worksite breaking stones receive payment every 15 days. Women get Rs. 9. girls Rs. 5. Men get Rs. 11, boys Rs. 7. The little girl labourers were miniature copies of their mother—already married, heads covered, breaking stones, headloading. The muster stated that 32 workers were on duty for the day. All 32 names were men's. We counted a total of 43 workers: 3 men, 14 children, and 26 women, on-the-spot, there and then. The supervisor could only answer "that's the way it goes here".

None of the workers vote, and none of the women know anything about payment because it all passes through their men's hands.

In the Simla, H.P., meeting, other road construction women came to meet the Commission. Pansara, a young woman of 16 to 17 years, said that she did not know which was her native place, she has been here so long. She began working at stone breaking in Nahar when she was 10. She earns Rs. 12/day—the same as men on the worksite. They get no maternity benefits, so they work till the last, and resume work 4 or 5 days after delivery. They all live right on the construction site. She did not know how migrant workers arrived there for work. She thought the contractor brought them.

Her eight-year-old sister was injured while working with her mother. She was taken to the hospital in Chandigarh and given treatment worth Rs. 500—in her mother's name, who was eligible for treatment. Pansara got married five years back to a man who also works there. When the Commission probed her about her roots, she struggled and said, "Why does it matter? We were born here, and we will die here breaking these stones."

Another woman working with Pansara said she came from Chamba with 30 others from her village because they had no water for irrigation. The contractor paid their bus fare and deducted it from their wages. She said their daily diet consisted of rice and salt. Sometimes they had tea at the site, but never in their homes. Not even men—"We cannot afford tea." She said firewood was scarce and expensive.

In Jammu the Commission met other women road constructors on the highway to Delhi. They were working on the highroad while their huts and colourful saris were spread in the low areas. Thirty-five of them gathered and huddled against each other to sit and talk with the Commission. Their deep green and deep blue sari revealed their Bilaspur, M.P. origin. "Those women will wear those blue cheap, short saris even if they go to the end of the world."

Entire families worked here. The oldest people tended the homes and small children. All the older children and other adults worked. They have land at home, but no irrigation facilities, so have suffered famine for the last 10 years. Their only alternative is Famine Relief Work in their state where workers earn only Rs. 5 (women) or Rs. 9 (men)—all given in grains.

So they migrate here to earn Rs. 12.50/day. If they miss a day, however, Rs. 27 is deducted. The women's names are included on the muster roll, and their signatures taken. No maternity leave or creche is available. They pay their own medical expenses. They often get burned from tarring work. Men resume work one month after childbirth. Their houses are kachcha and they often have to spend Rs. 200-250 for repairs, "We have to spend for everything except water!" one woman complained.

Their priorities were Rs. 18/day=Rr. 540/month and that this kind of work should be available at their native place.

In Bangalore the Commission met women involved in building construction work. At many of the worksites the Commission found creches being run by a voluntary agency. They care for children aged

3-13 years. The contractor has given the place on the site. They are provided with milk, vegetable curry, and rice for lunch. A doctor visits them regularly. Parents do not have to pay for these services—the voluntary agencies and some contractors contribute funds.

These workers have migrated from Gulbarga and Kajhori districts because of severe drought and lack of work. The women work till the 9th month of pregnancy and resume after 15-30 days. They earn Rs. 9/day.

Even PWD construction workers in Kulu, H.P., hired directly by the department, are not receiving equal wages. Women got Rs. 12/day while men got Rs. 15/. And there was no childcare service provided.

One voluntary agency in Bhopal said that almost nowhere were equal wages paid. They felt that the principal employers should be held responsible and fined. They claimed even contractors for government buildings did not comply with fair wages practices.

In Madras, representatives of construction workers unions presented the Commission a memorandum stating that these workers number 5 lakhs in Tamilnadu. Contracting and subcontracting reduces workers to a very low status. Women occupy the lowest rung. They do masonry labour, earth work, mosaic work, roofing, and concrete work. Although these are all skilled jobs, and backbreaking tasks, they are labelled 'unskilled' and therefore paid the lowest rates. They are denied training and access to improving their skills.

Usually the workers on big construction projects are recruited by sub-contractors, housed on the site, and paid very low wages by the big contractor—Rs. 7-13/day. They are usually assured employment as long as the project lasts. Other methods of finding jobs are: being part of a labour team whose 'Mistri' (gangman) secures work for his gang. He is usually the 'mason', and all the others are considered his helpers; waiting in the market at a known place where contractors do recruiting on a daily, weekly and monthly basis.

Because of the "bonded quality of the labour, such insecurity as employment, the changing contractors and work places, it is very difficult to demand minimum wages or social security. The employer will simply hire a different gang. The union asked for a Central legislation to regulate employment through a Labour Board, which should have a fair representation of women, and be able to levy a tax on the industry for social security use.

Many women complained that laws like Maternity Benefits Act, and E.S.I. Act do not apply because of the absence of a permanent employer-employee relationship. This Board could be responsible for disbursing these benefits from the cess levy fund.

Another complaint women gave about legislation regarding their employment, was this curfew law. "We are not allowed to do contracting and terracing work which pay higher because we cannot work after 7 p.m., as per law! Why are only the laws which hurt implemented? What about laws like Minimum Wages or Contract Labour? We should be able to work overtime and be paid for it just like men are!"

Laxmi then spoke up to add, "We are not even paid half of the Rs. 17/day minimum wage. And then I broke my leg and was bedridden for three months, no one gave medical assistance. And still there is some defect with my leg."

Govindamma, though she has been a construction worker for 27 years, still earns Rs. 12/day while even inexperienced men get Rs. 20. Masons get Rs. 35/day, there are no women masons—"Even after 27 years of practice," she said, "they do not consider us suitable for 'skilled' jobs." Five years back, she earned Rs. 11/day. "Prices have risen by leaps and bounds in the last five years, but my wage has only risen by Rs. 1/."

Rajsthani tribals in Udaipur district also have complaints about their wages. They are doing famine relief construction work due to the drought, but are not receiving wages. The daily labour rate is officially 7 kg grain/day, but they are only getting five kg. They requested cash for purchasing kerosene, tea and sugar, but so far their request is "pending".

In Pai village women face the same problems, except that they only receive their meagre foodgrain payment once in a fortnight.

Assamese women at Holeywar Barpukhuri are migrant construction workers involved in pond

cleaning projects. They earn Rs. 12/day, but weekly they get only Rs. 50 in cash. The rest is paid in foodgrains. All their children come along to the worksite with them. They are skilled in agriculture and cattle care, but "we are ready to learn anything!"

Domestic workers

Mariamamma's mother worked as a domestic worker all of Mariamma's life. When she died, Mariamma took over her mother's job in the same family. She was paid Rs. 150/month plus her food. The entire house and care of the family was her responsibility. "For everything, everybody top to bottom asked me for my help and support—I even for my advice. I am happy there, and secure. They took care of me," she told the Commission when they met her in the Madras city meeting. After some years there, the daughter of the house got married to a rich man's son. The son-in-law began visiting the house. "After while, he started coming frequently at the time I was all alone in the house. I started feeling very insecure, and before anything could happen to me, I left the job. The lady was surprised, but she did not say anything to me." Now she goes to construction sites to work for Rs. 12/day. She said, with the great dignity she possessed, "It is very hard work for me, but I will get used to it."

In another meeting, in the Bangalore city slum, the Commission heard variations of the same theme. Saroja, a woman living there in the slum, starts her day at 5.30 a.m. She fetches 6-7 pitchers of water from the communal tap, cooks, bathes the children, feeds the family leftovers from the night before, and leaves the slum by 7 a.m. She spends Rs. 1.50 each day, going and coming between her place and her employer's house. When she arrives there, she makes their breakfast, takes the children to school, cleans the house, and cooks the evening meal. She gets two cups of tea and some leftover food during the day, and leaves by 6.30 p.m. She earns Rs. 85/month. She spends Rs. 45 of this on her bus fare. Her biggest grudge is that she is not allowed to go home when her children are ill. Or, if she insists, they deduct from her wages. When she told this part of her story, many of her colleagues stood up in the meeting and demanded a creche for their children.

Once Saroja had mentioned her frustration about her children being left alone, other women stood up to tell their problems. One of Saroja's 14 year old neighbours was beaten by her employer when she was accused of stealing a gold chain. They later found the chain with the employer's driver. Others mentioned sexual harassment in the families where they work, and all the ways they tried to make themselves invisible in the house, so they could get the work done without being molested. Many of them live in constant fear of either being sexually abused, or, if they protest, of losing their jobs. Many complained about the lack of job security. None of them had guaranteed employment from one day to the next;

Eighty-eight women from their slum row of 120 houses are domestic workers. They form part of the 504 domestic servants who have unionized themselves in Bangalore to protest against the exploitative, oppressive conditions they are forced to work under. They have learned how to verbalize the oppressive situations that most domestic workers have to suffer in silence. They have staged dharnas, and organized mass processions and public meetings to demand changes. They presented a memorandum to the Commission, stating their demands. They want the Labour Department to register all domestic workers. To accomplish this, they demanded a Commission be set up to:

- (a) Enumerate all the domestic workers in the city and inquire into the problems of domestic workers and their standard of living, and
- (b) recognize them as a work force, and fix minimum wages for their work; grant welfare benefits such as bonus, gratuity, maternity benefits, health insurance, creches for their children, and housing facilities.

All 504 members signed or put their thumbprints next to their names, endorsing this document. It carries important messages that speak for all domestic workers.

When the Commission met the Central union representatives in Bombay they also were demanding recognition of domestic servants as "workers", and minimum wages of Rs. 750/month. They said the total number of domestic workers in Bombay was four lakhs, and 60% of them are women. They said women do part time work in up to 10 houses each earning Rs. 35 to 350/month. Full time workers earn Rs. 150-600. Most of them work from 5 a.m. to 11 p.m. Most of the Bombay

pertaining to the use of natural resources have not remained complementary and supplementary to each other. The result is that policy in one sector has adversely affected the other sectors which has deprived the poor of their life support systems and their resource base.

3.18 In the area of water resource development, major irrigation projects have not yielded expected results. The extent of utilization of irrigation potential has been low. The cost of irrigation projects rises to prohibitive levels due to delay in implementation. The construction of large irrigation projects have led to the displacement of the poor without land compensation which has affected the women adversely.

3.19 The National Commission recommends that **more resources should be put into watershed management areas and projects, with involvement of women, which will increase their opportunities of employment.** Similarly caution should be exercised in construction of irrigation dams and **there should always be land compensation for the poor instead of cash compensation as with cash compensation they get permanently deprived of their livelihood.**

3.20 The problem of safe drinking water is very acute. Poor women have to spend a number of hours everyday and have to walk long distances to fetch water. This responsibility is exclusively theirs. The Commission, therefore, recommends accelerated thrust on providing water to villages. At present, 40 per cent of the villages are 'problem' villages with none or remotely located water sources. There should be increased plan allocation for providing drinking water to villages, and stepping up of implementation of the programmes, as water is a basic right, of women. Non-availability of it adds to their drudgery, and ill-health besides denying them a few hours daily which could be profitably used in income generating activities.

3.21 Women should be effectively involved in water storage, keeping in view the local conditions. The traditional methods of rainwater storage/conservation for drinking should be revived, improved and implemented.

3.22 The emphasis must be on recharging groundwater sources for sustainable use. Storage facilities (tanks, reservoirs) at the household level must be expanded, viable schemes for providing piped water in homes should be explored.

3.23 Effective water management in conjunction with management of our other natural resources is essential if we are to avert complete disaster. Local level Mahila Mandals should be effectively involved in the water management at the level of implementation, monitoring and evaluation.

Construction Workers

3.24 A sizeable proportion of women in the unorganised sector is engaged in construction work. The condition of women construction workers is pitiable. They face instability and insecurity of employment, low wages, non-observance of labour laws, bondage to the middleman who employs them without providing the facilities enjoined by legislation. Their way of life is perpetually in a state of flux as they have to keep migrating from site to site. The average wages for women construction workers are generally lower than their male counterparts. Further, women construction workers are almost always totally unskilled. There is no rational explanation why this should be so, since masonry or carpentry are not skills that are likely to require more physical process than the type of 'unskilled' work women normally carry out.

3.25 The National Commission recommends the following measures to elevate the working and living conditions of women construction workers—

There is need for much more stringent observance of existing labour laws with

deterrent penalty clauses. There is unquestionable evidence from virtually all available studies on construction workers that there is flagrant violation of statutory provision regarding payment of wages, safety regulations, provision of housing, medical and other facilities, payment of travel expenses for migrant workers compensation for accidents; sickness insurance and so on. Such violations need to be made punishable by law with strict penalties attached to them. In this context, it is necessary to provide legal literacy to construction workers, especially to women who also have special needs such as creches, maternity benefits and toilets.

- 2 **The judicial procedures relating to non-observance of such laws have to be considerably simplified to ensure that the organised workers can obtain legal redress without undue harassment. The cooperation of voluntary organizations and people's action groups may be useful in this regard.**
- 3 Much of the problem of non-implementation of legal provision can be traced to the institution of the labour contractor and middleman. **The government should gradually take over the function of recruitment and registration of workers on the lines suggested in the Construction workers (Regulation of Employment, Security and Welfare) Scheme, 1986.**
- 4 Efforts should be directed at the national level on devising tools, equipments and technology that make the jobs performed by unskilled women workers in construction less hazardous and more energy saving.
- 5 **Special care should be taken to impart skills like masonry and carpentry to women workers under government initiatives.** This is necessary to break the seemingly existing taboos against women acquiring special skills in this industry. Initially, priority in employment may be given to such trained women in government construction sites, the idea being that in a situation of emerging excess demand for such skills, especially in urban markets, there will be no dearth of demand in the market for their skills in due course.
- 6 There should be **a statutory provision for contribution by the contractors to the extent of 10% of net earnings towards a Construction Workers Welfare fund.** The proceeds of this fund should be utilized in building up camping grounds with basic community medical and health facilities in all cities and townships. These can be used to house the workers. Given such an infrastructure, many of the existing statutes regarding the provision of various facilities to the workers, which are being flagrantly violated now, will be automatically taken care of. **Voluntary institutions like the Mobile Creches may be adequately supported in terms of infrastructure and finance to enable them to extend their operations over a number of cities and townships,** so that a large number of these women and children can be reached and a measure of stability is imparted to their home situation.
- 7 Although there are legislative provisions, women construction workers are by and large not provided facilities like creches, maternity benefits, ration cards, toilets and clean drinking water. The implementation machinery should be strengthened to ensure that the facilities due to them are provided.
- 8 Finally, the value of community awareness and organisation for the poor cannot be over emphasised. To start with, the government can help in the process by providing assistance on worksites, for nonformal education, legal literacy, health care and child-care and encouragement for the formation of various community groups and workers' organisations and supporting NGOs to extend their operations among construction workers in general and women workers in particular.