

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR  
LABOUR BUREAU



सत्यमेव जयते

Labour Conditions in the  
Building and Construction  
Industry in India

PRINTED IN INDIA BY THE MANAGER GOVERNMENT OF INDIA PRESS  
SIMLA FOR THE MANAGER OF PUBLICATIONS CIVIL LINES DELHI  
1954

Price : Rs. 2/4/- or 3sh. 9d.

## CONTENTS

	Preface	.. .. .
Chapter I	.. .. . Introduction	1
Chapter II	.. .. . Employment	7
Chapter III	.. .. . Hours of Work and Wages	24
Chapter IV	.. .. . Working and Living Conditions	38
Chapter V	.. .. . Working of Labour Acts and Regulations	46
Chapter VI	.. .. . Summary	55
Appendix I	.. .. . Central Public Works Department—Contractor's Labour Regulations	58
Appendix II	.. .. . Model Rules for the Protection of Health and Sanitary Arrangements for Workers Employed by C.P.W.D. or its Contractors	61

## P R E F A C E

Owing to the lack of any authoritative factual information in regard to labour conditions in the Building and Construction Industry the Government decided in December 1953 to have a rapid *ad hoc* enquiry made for the collection of the necessary data on the subject. The enquiry was entrusted to the Labour Bureau and Shri R. V. Mathai, a Research Officer, was deputed for the work. He started his enquiry early in January 1954 and completed it towards the end of March 1954, covering the various sectors of the industry in all important States.

In this survey the Bureau has received considerable help from the Central and State Public Works Departments, particularly from the Labour Officers of the C.P.W.D., the Administrations of the various River Valley Projects, the administrative officers of statutory bodies like Housing Boards, Co-operative Societies, etc. The help and co-operation of building contractors in the various sectors also facilitated the enquiry to a considerable extent. I must express my thanks to all those who have helped in the enquiry.

Shri R. V. Mathai has not only carried out a strenuous job courageously and creditably but has assisted in the drafting of the report. My thanks are due to him also.

SIMLA,  
19th May 1954.

N. K. ADYANTHAYA,  
*Director, Labour Bureau*

## CHAPTER 1

### Introduction

Building and construction is as old as civilisation itself. According to historians modern civilisation dates back to the time when man gave up cave dwelling and started building a shelter for himself. From the time the cave man built a shelter of his own down to the present atomic age building and construction have played a significant role in man's social and material progress and have influenced and shaped his destiny. Man's moral and cultural background, his dignity, his sense of value have all been largely influenced and shaped by the environments of his living and dwelling. Even today a country's building and construction activities are a sure index of its social development and material progress. In undeveloped and under-developed countries particularly, economic development, social progress and material and moral welfare are closely linked to their building and construction activities. Undeveloped and under-developed countries need proper houses for their citizens; they need schools and colleges for their children and youth; they need hospitals; they need roads and railways, telephones and telegraphs; they need dams for irrigation and the generation of electric power; and they need buildings for industrial and commercial development. In fact, in every sphere of development, whether economic, social or cultural, building and construction activities form the hub to which all spokes-are joined.

It is no wonder, therefore, that in free India's First Five Year Plan, the Planning Commission has emphasised the need of research in building techniques and materials and of organising the building trade in all its aspects including training of labour and technical personnel of all grades. The Commission has also recommended the setting up of a National Building Organisation to co-ordinate the results of such research and to make them available in a form which would have ready acceptance with Governments as well as private firms and individuals engaged in building activity.

The magnitude of the building and construction industry in India can be imagined by the fact that the Planning Commission has estimated that building activity in the public sector alone involves an annual expenditure of Rs. 150 crores.\* No reliable estimate regarding the private sector is available but it does not mean that building and construction in the private sector is in any way negligible. A hurried visit to the cities and larger towns in India will give ample evidence of intense building activity in the private sector as well, for, in every nook and corner where building sites are available, in bye lanes and alleys of big cities and in their suburbs, large and small buildings are rising up with the speed of the proverbial mushroom.

One special feature of the Building and Construction Industry in India, as perhaps in other countries also, is that building activity is spread over the length and breadth of the country and not confined

---

\*First Five Year Plan, p. 608.

to any particular State or region. The rich and poor alike are interested in the building industry and are actively engaged in building operations. The size of a construction unit varies from the humble hut of the poor peasant to giant projects like Hirakud and Bhakra-Nangal.

Broadly speaking, building and construction activity comprises the building of houses, the building of bridges and roads, railway construction, and the construction of dams and irrigation canals. Construction work is carried on by different agencies not the least important of which are Governmental and semi-governmental agencies. It is expedient to classify the various sectors of the Building and Construction Industry in India by the agencies that are engaged in building operations. The Central and State Governments are perhaps the most important employers in the building industry who get their work done through the Central Public Works Department and the respective Public Works Departments in the States. The Defence Department of the Government of India also undertakes building operations on a very large scale through the Military Engineering Service. Apart from the Public Works Departments in the States the State Electricity Departments are also responsible for large construction works. Construction work in regard to several River Valley Projects is managed directly by the State Public Works Departments but in respect of some of the Giant projects autonomous bodies under Government control have been set up. Other semi-Governmental agencies engaged in building and construction include Housing Boards set up in several States, local bodies like Municipal Corporations, Municipalities, and District Boards, Development Boards and Improvement Trusts, and statutory bodies like the Coal Mines Welfare Fund. In some States Co-operative House-Building Societies are also responsible for building activity. The Railways are another important sector in the building and construction industry. In most important cities there are a number of private engineering firms and building contractors who play a distinctive role in building activity. More often than not these building contractors are in charge of the execution of the work of all other agencies engaged in building activity such as the Railways, the Public Works Departments in the Centre and the States, statutory bodies, etc. Such building contractors also undertake building and construction work for private individuals and limited concerns. One sector of building activity which is most difficult to assess but none the less important is building work managed by individuals on their own.

Apart from these multirarious sectors of the building and construction industry there are several trades ancillary to building and construction such as the manufacture of bricks, the quarrying of building and lime stone, stone breaking and stone crushing, manufacture of tiles, etc., which, in the final analysis, form an integral part of the building and construction industry.

It is abundantly clear that the building and construction industry is one of the leading industries in the country both on account of its size and its importance to the national economy. According to the

1951 census, out of 324 lakhs of self-supporting persons engaged in industries and services other than cultivation, 15.9 lakhs or 4.9 per cent. were engaged in construction and utilities.\* A finer analysis of this group of workers is contained in the Summary Tables given in the Census of India, Paper No. 3. According to these tables the total number of persons engaged in construction and maintenance of buildings, roads, bridges and other transport works, telegraph and telephone lines, irrigation and other agricultural works and works otherwise unspecified was 11,09,296. Thus the building and construction industry is important also from the point of view of the employment opportunities it offers to the country's teeming millions. But on account largely of the scattered location of the industry and its unorganised nature, its multifarious sectors, and the lack of organisation and bargaining strength on the part of the workers engaged in it, the industry has not received the attention it deserves from the Government and the public in respect of the working and living conditions of labour employed in it. The Labour Investigation Committee appointed by the Government of India in 1944 included one sector of the industry, namely, the Central Public Works Department in the scope of its enquiries. The findings of this Committee regarding labour conditions in this sector were indeed revealing. ".....Employment in the C.P.W.D. is a highly fluctuating affair, depending as it does, upon the works programmes of the Government from time to time. The consequence of this has been that a large mass of floating labour has to be kept in intermittent employment without any direct responsibility for security of employment or other rights of labour being thrown upon the principal employer, viz., the Government. As will be seen below, this has given rise to a system of contract labour being maintained for Government construction, as a standing army of workers in different areas. Now, so far as the contractor is concerned, he is not subject to much legal regulation, and it is an unfortunate feature of the situation that the Government is able to avoid its own responsibility towards labourers in this vicarious fashion. A general impression, which is thus gathered, is that, in so far as work-charged men and contractor's labourers are concerned—and these constitute a majority of the total number of workers employed directly and indirectly under the C.P.W.D.—the Government are in the company of some of the worst employers in the country".

The paucity of data in regard to working and living conditions in the building and construction industry in this country was keenly felt by the Government of India for some years now, particularly since India became a member of the International Labour Organisation's Industrial Committee on Building, Civil Engineering and Public Works. The Government of India, therefore, asked the Director, Labour Bureau, to conduct a rapid *ad hoc* enquiry into wages, working and living conditions in the Building and Construction industry and submit a brief report to them on the results of the enquiry. On account of the present financial stringency, they could not sanction any additional staff for the enquiry so as to enable the Bureau to examine in detail the various aspects of the labour

\*Census of India, Vol. I, Part I-A, p. 98.

\*Report on Labour Conditions in the Central Public Works Department, p. 2.

problems pertaining to the industry. Nor could the Bureau with its inadequate staff and other resources spare the necessary men and money required for a proper *ad hoc* enquiry into the subject. The scope of the enquiry had, therefore, to be limited to what personal observations an officer of the Bureau could make and what data he could readily collect by a rapid tour of the important centres of the industry. Even so, the enquiry covered nearly all the sectors of the industry and all important centres. The activities of the Central Public Works Department in four main centres, those of the Public Works Departments of seven States, four River Valley Projects, the activities of statutory bodies and housing boards in six centres, building by the Co-operative Housing Society in Madras and Railway Construction in Travancore-Cochin were covered by the enquiry. Construction by private engineering firms and building contractors was more than adequately represented in as much as building operations by other sectors were mostly executed through the agency of building contractors. Table.1 illustrates the scope of the enquiry and the geographical distribution of the units covered.

A brief account of the nature of the work in some of the centres visited may prove useful in appraising the conditions of work, etc., of labour employed in the building industry. It may be stated that even in the centres covered all the building and construction activities of the various sectors could not, for obvious reasons, be closely studied. This is particularly the case regarding the building activities of the Central and State Public Works Departments. The works of the C.P.W.D. covered in the course of the present enquiry were the Multi-Storeyed Office Building at Queen Victoria Road and the Income Tax Building on Hardinge Avenue in New Delhi, the construction of a runway in the Dum Dum airport and building of staff quarters at Dum Dum in Calcutta, the construction of the Machine Tool Factory at Jalahalli in Mysore and the extension of the runway of the international airport at Santa Cruz in Bombay. In the State P.W.D. sector only one or two construction works at each centre were covered and these consisted of the construction of office buildings, houses for industrial workers and the building of hospitals. Among the river valley projects three major works, namely, Bhakra-Nangal in Punjab, two dams of the Damodar Valley Corporation in Bihar and the Hirakud Dam Project in Orissa and a small project in Madras were covered. The Bhakra-Nangal and the Damodar Valley are multi-purpose projects for the generation of electric energy and for the conservation of water for irrigation purposes. Present work at Bhakra consists of the drilling into the sides of the hills on either side of the deep gorge of the Sutlej, the construction of diversion tunnels, construction of roads at different levels to facilitate transport of material and machinery when the concreting of the main dam is taken up, the building of quarters for the staff, etc. At Bhakra, construction work is largely mechanised. Work at the dams of the Damodar Valley consists of the building of concrete dams, earth dams with steel piling and the construction of dykes. Several operations are mechanised but a large body of unskilled labour is also employed. In Hirakud, two concrete dams, two earth dams and a long dyke are under construction. It is fascinating to see at Hirakud the most primitive and the most up-to-date methods of

TABLE 1

Scope and distribution of units covered by the enquiry—State and Centre

Sector of Industry	Bihar	Bombay	Madhya Pradesh	Madras	Orissa	Punjab	Uttar Pradesh	West Bengal	Mysore	Travancore-Cochin <sup>o</sup>	Delhi
C.P.W.D. ..		Bombay						Calcutta	Jalahalli		Delhi
State P.W.D. ..		Bombay	Nagpur	Madras			Kanpur Lucknow	Calcutta	Bangalore	Trivandrum	
River Valley Projects	Maithon* Panchet*			Mani- muthar	Hira- kud	Bhakra- Nangal					
Housing Boards and other Statutory Bodies.		Bombay	Nagpur	Madras			Kanpur	Asansol	Bangalore		
Co-operative Housing Societies.				Madras							
Railway Construction										<sup>o</sup> Kottayam Ettumanoor Ernakulam	

\*Dams of the Damodar Valley Corporation.

9



work going on side by side. For instance in the construction of the earth dams giant machines cut the earth and earth dumpers speed to the dam site and empty their haul. Human labour, consisting mostly of women, carrying to the site a basket of earth or muck on their head also tread their weary way and add their mite towards their construction. The Manimuthar Project in the Tinnevely district in Madras is a comparatively smaller irrigation project. The work comprises building of a Central masonry dam with earth dams on either side to conserve the waters of the Manimuthar river, a tributary of the Thamravarni. The works of Housing Boards and other statutory bodies visited, included the construction of workers' quarters under the Industrial Housing Scheme of the Government of India at Kanpur by the Kanpur Development Board, at Bangalore, Nagpur and Bombay by the respective Housing Boards, the construction of a Central Hospital for coal miners at Asansol by the Coal Mines Welfare Fund and the building of office extensions by the Corporation of Madras. Building operations in Adyar in Madras by the Madras Co-operative House Construction Society were also seen. The only Railway Construction visited was the construction of the Quilon-Ernakulam Railway where work was in progress in the Kottayam-Ernakulam section. Earth work for the tracks, the building of bridges and culverts and staff quarters were the main items of work.

It is inevitable that the report on a rapid, restricted enquiry of the kind presently conducted should be descriptive rather than statistical and factual. Nevertheless, in this report every attempt has been made to fit in available statistical data so as to make it as informative as possible. Even so, the Bureau is aware that only the fringe of the problem has been touched. At best the report can be said to indicate the general problems concerning labour in the Building and Construction industry and to focus public attention on some of the more pressing needs of the workers.

## CHAPTER II

### Employment

The economic data collected during the Census of India, 1951 contain some figures of employment in certain sectors of the building and construction industry. According to the livelihood pattern of the 324 lakhs of self-supporting persons in India engaged in industries and services other than cultivation, 15.9 lakhs or 4.9 per cent. are engaged in construction and utilities. The following table showing the classification of all self supporting persons engaged in industries and services would help assess the position of the construction and utilities division in the national economy and its relative importance in regard to the employment opportunities it offers.

**TABLE 2**  
*Classification of Self-supporting persons engaged in industries and services other than cultivation*

Division of Industries and Services	Number of persons (in lakhs)	Percentage to total
(1)	(2)	(3)
<i>Division 0—</i> Primary industries other than cultivation, mining and quarrying.	24.0	7.4
<i>Division 1—</i> Mining and quarrying .. .. .	5.7	1.8
<i>Division 2—</i> Processing and manufacture—foodstuffs, textiles, leather and products thereof.	55.1	17.0
<i>Division 3—</i> Processing and manufacture—metals, chemicals and products thereof.	12.4	3.8
<i>Division 4—</i> Processing and manufacture not elsewhere specified ..	24.3	7.5
<i>Division 5—</i> Construction and utilities .. .. .	15.9	4.9
<i>Division 6—</i> Commerce .. .. .	59.0	18.2
<i>Division 7—</i> Transport, storage and communications .. ..	19.0	5.9
<i>Division 8—</i> Health, education and public administration .. ..	32.9	10.2
<i>Division 9—</i> Services not elsewhere specified .. .. .	75.4	23.3
Total ..	323.7	100.0

*Source* : Census of India, 1951, Vol. I.

The tables contained in the paper on Demographic and Economic data, 1951 Census give a finer analysis of employment figures in the construction and utilities division and it is even possible to separate the figures for construction from the general division. The number of persons employed in five main sectors of construction and maintenance is given in the following table:

**TABLE 3**  
*Employment in the Construction Industry*

Sector of Industry	Number of persons engaged in the industry as							
	Employers		Employees		Independent Workers		Total	
	Males	Females	Males	Females	Males	Females	Males	Females
Construction and maintenance of works otherwise unclassified.	1,967 (95·3)	97 (4·7)	22,353 (84·1)	4,232 (15·9)	44,260 (82·6)	9,306 (17·4)	68,580 (83·4)	13,635 (16·6)
Construction and maintenance—								
Buildings .. .. .	18,566 (94·3)	1,114 (5·7)	2,06,371 (87·4)	29,700 (12·6)	4,44,375 (88·7)	56,581 (11·3)	6,69,312 (88·5)	87,395 (11·5)
Construction and maintenance—								
Roads, bridges and other transport works ..	4,634 (95·1)	240 (4·9)	84,652 (89·8)	9,579 (10·2)	38,413 (77·3)	11,286 (22·7)	1,27,699 (85·8)	21,105 (14·2)
Construction and maintenance—								
Telegraph and Telephone lines .. ..	114 (98·3)	2 (1·7)	6,273 (95·2)	316 (4·8)	626 (72·3)	240 (27·7)	7,013 (92·5)	558 (7·5)
Construction and maintenance—								
Irrigation and other agricultural works ..	1,348 (93·9)	88 (6·1)	60,122 (85·2)	10,457 (14·8)	34,362 (81·8)	7,622 (18·2)	95,832 (84·1)	18,167 (15·9)
Total ..	26,629 (94·5)	1,541 (5·5)	3,79,771 (87·5)	54,284 (12·5)	5,62,036 (86·8)	85,035 (13·2)	9,68,436 (87·3)	1,40,860 (12·7)

*N.B.*—Figures in brackets show percentage of males and females.  
*Source:* Census of India, 1951.

The census figures also contain some valuable data regarding the number of persons engaged in some of the ancillary trades of the building and construction industry. These are given in the following table.

TABLE 4

*Employment in ancillary trades of the Building and Construction Industry*

(Bricks, tiles and other structural clay products)

Category of persons	Number of persons engaged		Total
	Male	Female	
Employers .. .. .	4,186 (91.4)	392 (8.6)	4,578
Employees .. .. .	74,449 (84.0)	14,207 (16.0)	88,656
Independent workers .. .. .	76,129 (83.7)	14,792 (16.3)	90,921
Total ..	15,476 (87.3)	29,391 (12.7)	1,84,155

*Source:* Census of India, Summary of Demographic and Economic Data, 1951 Census, p. 87.

One serious drawback of employment figures in the construction industry is that a finer analysis of the number of persons employed in each district sector of the industry or the number of persons employed by each agency engaged in building operations is not available. Nor, in the nature of things in the building and construction industry and the restricted scope of the present enquiry, was it possible to collect such figures in the course of the enquiry.

In regard to the C.P.W.D., a few State Public Works Departments and River Valley Projects, however, some data regarding employment are available and these are given in the following tables.

TABLE 5

*Number of workers employed in Public Works, 1952*

	Direct Labour			Contract Labour			Total
	Men	Women	Children	Men	Women	Children	
C.P.W.D. .. ..	78,288	16,141	1,151	1,62,845	44,465	3,628	3,06,518
Madras .. ..	620	88	8	32,979	29,017	5,396	68,108
Orissa .. ..	7,060	424	36	40,027	7,091	930	55,568
Punjab .. ..	5,066	..	..	444	..	..	5,510
Hyderabad .. ..	72,698	1,050	486	N.A.	N.A.	N.A.	74,324
Mysore .. ..	7,735	2,828	..	22,705	16,716	1,750	51,734
Bhopal .. ..	200	..	..	200	75	50	525
Bilaspur .. ..	400	..	..	..	..	..	400
Coorg .. ..	69	19	..	..	..	..	88
Delhi .. ..	111	..	..	33,446	12,004	491	46,052
Himachal Pradesh .. ..	3,836	..	..	..	..	..	3,836
Kutch .. ..	222	244	4	..	..	..	470
Vindhya Pradesh .. ..	1,768*	876*	535*	..	..	..	3,179
Tripura .. ..	10,627	814	543	9,868†	..	..	21,852

N.A.—Not available.

\*Including contract labour.

†Age sex distribution not available.

TABLE 6

*Employment in some of the River Valley Projects, 1951*

	Direct Labour			Contract Labour			Total
	Men	Women	Children	Men	Women	Children	
Damodar .. ..	9,057	942	86	13,563	1,516	90	25,254
Hirakud .. ..	3,220	314	..	11,830	5,009	57	20,430
Nangal* .. ..	1,672	3	..	17,273	2,427	476	21,850
Tungabhadra .. ..	14,040	5,751	6	11,760	6,286	880	38,723
Tapi .. ..	693	40	..	7,486	4,181	189	12,589

\*Information incomplete.

Figures of employment in the four River Valley Projects included in the present survey are given in the following table :—

TABLE 7  
*Employment in 4 River Valley Projects*

Project and period to which information relates	Direct Labour				Contract Labour				Grand Total
	Men	Women	Children	Total	Men	Women	Children	Total	
Bhakra-Nangal (November 1953) ..	5,243	..	..	5,243	N.A.	N.A.	N.A.	N.A.	5,243
Hirakud (January 1954) .. ..	N.A.	N.A.	N.A.	7,718	N.A.	N.A.	N.A.	21,691	29,409
Damodar Valley Corporation (November 1953).	N.A.	N.A.	N.A.	13,785	N.A.	N.A.	N.A.	10,897	24,682
Manimuthar (January 1954) .. ..	569	46	54	669	1,156	1,438	623	3,217	3,886

N.A.—Not available.

Employment figures in other sectors of the building and construction industry covered by the enquiry do not give any indication of total employment in these sectors. But as the figures of employment in the units covered will be pertinent to some of the discussions on the working conditions and welfare and other facilities, they are shown in the following table :—

**TABLE 8**  
*Number of persons employed in units covered by the enquiry*

Sector of Industry	Location of unit	Number of persons employed						Total
		Directly			Through contractors			
		Men	Women	Children	Men	Women	Children	
C.P.W.D.	Delhi .. I	..	..	..	110	30	..	140
	.. II	..	..	..	138	..	..	138
	Calcutta .. I	..	..	..	265	2	..	267
	.. II	..	..	..	52	..	..	52
	Jalahalli .. I	24	10	..	107	50	2	193
	Bombay .. I	..	..	..	69	26	10	105
State Public Works Departments	Bombay .. I	..	..	..	555	75	..	630
	Bombay .. II	..	..	..	190	60	..	250
	Madras .. I	..	..	..	135	80	..	215
	Lucknow .. I	..	..	..	88	..	2	90
	.. II	..	..	..	53	..	3	56
	.. III	..	..	..	950	50	..	1,000

	Calcutta	.. I	..	..	..	300	100	..	400
		II	..	..	..	250	..	..	250
	Nagpur	.. I	..	..	..	N.A.	N.A.	N.A.	N.A.
	Bangalore	.. I	200*	..	..	600	450	140	1,390
Statutory Bodies	Madras	.. I	..	..	..	67	35	..	100
	Nagpur	.. I	..	..	..	360	200	..	560
	Kanpur	.. I	} 235	} 15	..	900†	100†	..	1,250†
		II			..	..	900†	100†	..
	Asansol	.. I	15	..	..	225	75	..	315
	Mysore Housing Corporation.		..	..	..	5,000	2,500	..	7,500†
	Bombay (Chembur)	I	..	..	..	450	200	..	650
Madras Co-operative House Construction Society.	Adyar	.. I	..	..	..	55	20	..	75
		II	..	..	..	40	..	..	40
		III	..	..	..	110	50	..	160
		IV	..	..	..	3	15	2	20
Railway Construction	Travancore-Cochin		300	200	..	2,100	1,400	..	4,000§

\*Prison Labour.

†Rough estimate.

‡At four centres. Includes persons employed for ancillary work.

§ Through 5 contractors at various sites.



*Seasonal Nature of Employment in Building and Construction*

Employment in building and construction is subject to seasonal variations. Such variations are generally the result of climatic conditions. In the northern regions building activity is concentrated in the winter months as in summer the days are too hot for outdoor work. During the rainy season also building activity is more or less at a standstill. In the river valley projects particularly, not much work can be done in the rainy season when the respective rivers are flooded or full. The same is the case in regard to the construction of road and railway bridges across rivers and streams. Some of the unskilled workers in the building industry go to their villages in the agricultural season to pursue agricultural avocations.

The following table shows seasonal variations in employment in the Central Public Works Department.

TABLE 9

*Seasonal variations in Employment in the C.P.W.D., 1951-52*

Month	Number of workers employed						Total
	Departmental Labour			Contract Labour			
	Men	Women	Children	Men	Women	Children	
<i>1951</i>							
October ..	1,30,874	43,032	3,193	1,35,408	37,845	3,750	3,54,102
November ..	1,21,854	29,478	20,843	1,94,256	29,923	7,090	4,03,444
December ..	1,70,550	46,885	5,552	1,52,120	35,096	4,458	4,14,661
<i>1952</i>							
January ..	1,42,734	71,901	7,547	1,52,607	29,203	3,701	4,07,693
February ..	1,58,627	36,167	7,513	1,27,659	31,314	1,320	3,62,600
March ..	63,089	12,926	781	2,57,505	28,002	5,385	3,67,686
April ..	66,838	14,024	1,419	1,94,710	67,630	5,585	3,50,206
May ..	86,223	22,655	3,519	1,53,509	53,731	1,186	3,20,823
June ..	1,15,642	34,818	1,823	1,61,165	48,255	3,988	3,65,691
July ..	90,134	19,560	4,169	1,35,996	35,881	3,371	2,89,111
August ..	65,084	21,212	710	1,27,878	30,585	3,715	2,49,184
September ..	78,288	16,141	1,151	1,62,845	44,465	3,628	3,06,518

It is seen that in the C.P.W.D. the months of November, December and January are the peak periods of employment and the months of July to September the slack season.

Similar figures for the State Public Works Departments are not available. Such figures, if available would have more correctly indicated the correlation of the fluctuations in employment in public works with climatic conditions as well as with the agricultural seasons.

Figures relating to the total number of persons employed by contractors on the works of the Damodar Valley Corporation are available for 1951-52 and 1952-53 month by month. They are shown in the following table.

**TABLE 10**  
*Seasonal variations in employment (Damodar Valley Corporation Contractors' labour)*

Month	Number of persons employed in	
	1951-52	1952-53
October .. .. .	1,500	12,310
November .. .. .	1,640	12,973
December .. .. .	10,613	15,625
January .. .. .	10,744	26,666
February .. .. .	11,080	39,842
March .. .. .	15,169	49,072
April .. .. .	16,466	35,063
May .. .. .	16,809	21,600
June .. .. .	13,599	30,608
July .. .. .	11,783	7,256
August .. .. .	9,557	7,070
September .. .. .	13,075	7,083

Similar figures for the Hirakud Dam Project are given in the table below :—

TABLE 11

*Seasonal fluctuations in employment at Hirakud*

Month	No. of workers employed		Total
	Skilled	Unskilled	
<i>1953</i>			
January .. .. .	2,748	20,545	23,293
February .. .. .	2,633	27,542	30,175
March .. .. .	3,190	24,977	28,167
April .. .. .	3,129	21,967	25,096
May .. .. .	3,370	19,122	22,493
June .. .. .	2,696	14,455	17,151
July .. .. .	3,009	7,854	10,863
August .. .. .	2,247	4,641	6,888
September .. .. .	1,694	7,851	9,545
October .. .. .	1,561	11,254	12,815
November .. .. .	3,014	12,079	15,093
December .. .. .	4,277	16,519	20,796
<i>1954</i>			
January .. .. .	4,697	24,712	29,409
February .. .. .	4,489	22,141	27,630

The variations in employment may have been largely influenced by the extent of work on hand and the construction policy of the Damodar Valley Corporation and the Hirakud Dam Project. Nevertheless, the precipitate fall in employment during the months of July, August and September which are generally the monsoon months, is significant in both cases and may be largely due to a seasonal fall in the rainy season.

Fortnightly variations in employment in the Manimuthar project in Madras were available for a period of about four months. These four months, however, generally constitute the peak period of employment and although the figures may not bring out seasonal fluctuations, they are given in the following table.

TABLE 12  
*Employment in the Manimuthar Project*  
 (Average daily number employed)

Period Fortnight ending	Number of workers										
	Skilled		Unskilled						Total		
	Departmental Labour	Contract Labour	Departmental Labour			Contract labour			Departmental Labour	Contract Labour	
			Men	Women	Children	Men	Women	Children			
30-9-1953 .. ..	98	898	372	24	34	1,412	2,136	892	528	5,338	
15-10-1953 .. ..	98	844	305	26	39	1,393	2,305	838	468	5,380	
31-10-1953 .. ..	77	772	634	32	45	1,343	2,079	675	786	4,869	
15-11-1953 .. ..	92	776	305	24	42	1,171	2,237	793	463	4,977	
30-11-1953 .. ..	73	472	303	28	39	1,090	1,960	812	443	4,334	
15-12-1953 .. ..	218	681	473	112	65	1,204	2,504	873	868	5,262	
31-12-1953 .. ..	188	694	542	93	62	1,098	1,407	856	885	4,055	
15-1-1954 .. ..	123	428	446	46	54	728	1,438	653	669	3,247	

### *Skilled and unskilled workers*

The Building and Construction industry finds employment for skilled and unskilled workers alike. In building construction the skilled workers are mostly masons, brick layers, stone cutters, carpenters, blacksmiths, fitters, plumbers, painters, etc. Ordinarily there are two unskilled workers to every skilled worker. Even among unskilled workers there is a slight differentiation as between raw recruits who are called *mazdoors* and those who are experienced in the trade and designated as *beldars*. Women form a large proportion of the unskilled labour force particularly in Central and South India. *Bhisties* or water carriers, sweepers, etc., are some of the other categories of unskilled labour. *Beldars*, *mazdoors* and *Kamins* (female labour) are employed in carrying earth, bricks, mortar, stones, etc., and as general helps to the skilled workers. As can be expected in such a widespread but unorganised industry there is no uniformity in the nature of work and the designation of some of even the skilled categories of workers. For instance, workers who are engaged in erecting scaffolding are designated as carpenters in some places while in others they are considered unskilled workers. Those who tie up the steel rod for re-inforcing of concrete are sometimes designated as fitters, sometimes as blacksmiths and occasionally even as *beldars*.

In the river valley projects there are many more types and grades of skilled workers than in other building trades. Besides masons, carpenters, etc., there are drivers of trucks, mechanical shovels, earth cutters, bulldozers, earth dumpers, etc. Table 13 shows the proportion of skilled and unskilled workers in some of the units of the industry included in the present enquiry.

It will be seen that except in Bhakra-Nangal, unskilled workers form 55 to 85 per cent. of the total labour force employed. Work at Bhakra-Nangal is highly mechanised and this accounts for the large proportion of skilled and semi-skilled workers employed on the Project. In the Public Works Department, both Central and States, unskilled workers form 55 to 60 per cent. of the labour force, and in building construction generally, they account for 70 to 80 per cent.

### *Contract Labour*

The characteristic feature of employment in Building and Construction is the preponderance of contract labour. Rightly or wrongly this has come to be regarded as the most baneful feature of employment in the building trades. And the irony of the situation is that Governments, both at the Centre and in the States, who are anxious to eliminate contract labour in other sectors of employment, seem to sponsor, or at any rate condone, such type of labour in their public works and in their building activities. The tendency of late in public works, particularly in States, has been to give more and more of the works to contractors. No doubt the arrangement has its advantages. Work can be finished sooner, cheaper and with less administrative and supervisory bother if it were done through contractors than if done departmentally. If labour employed for maintenance were excluded and figures of employment in actual

TABLE 13

*Proportion of skilled and unskilled workers in the Building and Construction Industry*

	Skilled workers					Unskilled workers				Percentage distribution	
	Masons	Carpenters	Blacksmiths	Others	Total	Men	Women	Children	Total	Skilled	Unskilled
Damodar Valley Corporation Project	..	..	..	..	9,547	..	..	..	15,135	38.7	61.3
Bhakra-Nangal Project .. ..	..	..	..	..	4,160	..	..	..	746	84.8	15.2
Hirakud Project .. ..	..	..	..	..	4,697	..	..	..	24,712	16.0	84.0
Manimuthar Project .. ..	47	12	..	493	552	1,175	1,485	676	3,336	14.2	85.8
C. P. W. D.—											
New Delhi I .. ..	18	35	..	..	53	85	..	..	85	38.4	61.6
Jalahalli I .. ..	25	2	..	28	55	30	35	3	68	44.7	55.3
P. W. D.—											
Bombay I .. ..	50	40	..	160	250	..	..	..	350	41.7	58.3
Lucknow I .. ..	37	..	..	..	37	..	..	..	53	41.1	58.9
Housing Board—Nagpur ..	100	60	..	..	160	200	200	..	400	28.6	71.4
Co-operative Housing Madras—											
I .. ..	..	..	..	..	15	40	20	..	60	20.0	80.0
II .. ..	30	6	..	4	40	70	50	..	120	25.0	75.0
Coal Mines Welfare Fund, Asansol	..	..	..	..	40	110	50	..	160	20.0	80.0

building and construction computed, the preponderance of contract labour will become all the more evident. The figures contained in tables 5 to 8 are revealing. In the C.P.W.D. about 69 per cent. of the workers are under contractors; in the Public Works Department in Madras about 99 per cent., in Orissa 86 per cent., in Mysore 80 per cent. and in Delhi nearly 100 per cent. work under contractors. The story is much the same in the River Valley Projects—in Damodar Valley Corporation 44 per cent., Hirakud-74 per cent. and Manimuthar 83 per cent. of the labour force are under contractors. Contract labour constitutes nearly 100 per cent. of workers engaged in building and construction for Housing Boards and other statutory bodies as well as in the building of houses for the Madras Co-operative Housing Society. In Railway construction in Travancore-Cochin it constitutes about 88 per cent. of the labour employed.

#### *Employment of women and children*

According to the census figures, 1951 (please see Table 3) women constitute 12.7 per cent. of all self-supporting persons engaged in building and construction. An examination of the regional figures worked out from the Census and given in the following table shows that the largest percentage of women are employed in Central India. East India, North West India and South India show the next higher percentages. Numerically, the South India region employs the largest number of women.

TABLE 14,  
*Distribution of women workers in the Building industry according to Regions*

Region	Number of workers		
	Males	Females	Total
North India .. .. .	1,23,710 (92.2)	10,481 (7.8)	1,34,191 (100.0)
East India .. .. .	1,68,588 (86.7)	25,762 (13.3)	1,94,350 (100.0)
South India .. .. .	2,79,462 (87.1)	41,503 (12.9)	3,20,965 (100.0)
West India .. .. .	1,33,133 (89.4)	16,834 (10.6)	1,49,967 (100.0)
Central India .. .. .	1,55,072 (83.9)	29,786 (16.1)	1,84,858 (100.0)
North West India .. .. .	1,08,403 (86.8)	16,492 (13.2)	1,24,895 (100.0)
Andaman and Nicobar Islands .. .. .	68 (97.1)	2 (2.9)	70 (100.0)
Total .. .. .	9,68,436 (87.3)	1,40,860 (12.7)	11,09,296 (100.0)

Figures in brackets are percentages.

The distribution of women workers in different sectors of the industry can be seen from Table 3. From the figures of employment in public works given in Table 5, it is seen that women form 19.8 per cent. of the total labour in the C.P.W.D., 42.7 per cent. of labour in the public works department in Madras, 37.8 per cent. in Mysore and 26.1 per cent. in Delhi. In the River Valley Projects of Hirakud and Manimuthar women constitute a large percentage of the labour force.

Children are not generally employed in building and construction. Only in the Manimuthar Project in Madras and one of the building works of the Mysore Public Works Department were children seen employed in large numbers. They constituted about 20 per cent. of the total labour force in the Manimuthar Project and about 10 per cent. in the Mysore P.W.D. A few children are employed by the State Public Works Departments in U.P. and Madras and in some of the works of the Housing Boards. The P.W.D. Manuals in several States contain a provision that children below 12 should not be employed. At several of the works visited, however, one or two children, obviously below 12, were seen working. In the Manimuthar Project and at one of the Works of the Mysore P.W.D. several children who looked well below 12 years of age were seen working and when this was pointed out to some of the officers of the P.W.D. they stated that in South India generally the physique and stature of children were very poor and although they look in appearance 8 or 10 years of age their actual age is often 14 to 16. At Manimuthar the children were carrying stones and rubble, mortar, sand, etc., to the workspot. In Mysore most of the small children were seen working as bellows boys in smithies.

#### *Convict Labour*

About 200 convict labourers were seen working at one of the building works of the Mysore P.W.D. They are engaged in stone breaking and in carrying building stones. It is understood that the Madras P.W.D. is also contemplating the introduction of convict labour in some of their works.

#### *Recruitment*

There is usually no difficulty in regard to the recruitment of unskilled labour who come for engagement to the work sites. In the large cities like Bombay, Kanpur and Calcutta there is always a floating population of unskilled workers. They had originally come from the villages in search of work during the non-agricultural season. Formerly they used to go back to the villages for agricultural work during the cultivation and harvesting season, but many of them having got accustomed to urban life have since given up their ties with the villages and now form part of the urban population dwelling in the *ahattas* and *bustees* of these cities. Requirements regarding unskilled labour are conveyed to labour *mates* who bring in the required number of workers.

Several of the building contractors in the large cities permanently maintain a nucleus of skilled workers such as masons, carpenters, etc., and when building operations on one job are completed they are moved to another job. Semi-skilled workers such as masons' and carpenters' helps as also any additional number of skilled workers required on a job are locally recruited.



Some of the major Projects like the Damodar Valley Corporation and Bhakra-Nangal maintain Personnel Departments for the recruitment of skilled and unskilled workers. For certain types of specialised work, for instance stone cutting and stone dressing, workers have to be imported. The stone cutters for Railway construction work in Travancore-Cochin are brought from Coimbatore in Madras. So also most of the stone dressers employed in one of the works of the Mysore P.W.D. hail from Coimbatore. At the Hirakud Dam Project a large number of labourers from Madras, both skilled and unskilled, were working. These are said to have migrated to Hirakud on the completion of work at the Tungabhadra Project. The contractors at Hirakud recruit their unskilled labour through jamadars and also get their work supervised by these jamadars who play a role more or less similar to that of *Kanganies* in the South Indian Plantations. Unskilled workers employed in building trades in Delhi come from Rajputana. Workers from the Nellore district in Andhra are considered to be experts in earth cutting and other earth work. So also the Moplas from Malabar are considered efficient for erecting scaffoldings, etc. Many of the building works in South India thus employ migrant workers from Nellore and Malabar. A large number of Gorakhpuri labour is employed on public works in Kanpur.

Training facilities in building and construction are almost non-existent. The C.P.W.D., it is understood, have under consideration a training programme for building workers.

#### *Classification of workers*

Except in regard to labour employed in Public Works, both in the Centre and some of the States, there is no classification of workers into permanent and temporary. In the C.P.W.D. and some State Public Works Departments the workers departmentally employed are classified into (i) permanent (ii) temporary and (iii) work-charged. The proportion of permanent workers is very small. Temporary and work charged establishments employ the bulk of the workers departmentally employed. According to the C.P.W.D. Code, "The Temporary Establishment includes all such non-permanent establishment, no matter under what titles they employ, as is entertained for the general purposes of a division or sub-division, or for the purpose of the general supervision, as distinct from the actual execution, of a work or works". The position of the work-charged establishment is defined as follows: "Work-charged Establishment includes such establishment as is employed upon the actual execution, as distinct from the general supervision, of a specific work or of sub-works of a specific project or upon the subordinate supervision of departmental labour, stores and machinery in connection with such works or sub-works". Workers in the temporary and work-charged establishments are generally engaged locally. If they are engaged for a specific work, their engagement lasts only for the period the work lasts. If dismissed before the completion of the work, except for serious misconduct, they are entitled to a month's notice or to a month's pay in lieu of notice. According to some recent orders, the temporary and work-charged staff in the C.P.W.D. who have completed a period of 5 and 10 years' service respectively are to be made permanent. It appears that in certain Divisions of

the C.P.W.D. these orders could not be given effect to expeditiously and some of the unions of C.P.W.D. workers have complained of such delays. The classification as temporary and work-charged establishment is also adopted in some of the river valley projects.

Contractor's labour which forms the bulk of the workers employed in the building and construction industry is invariably considered as casual labour. In many cases the workers, particularly the unskilled workers, work under one contractor for only a short period. Some contractors stated that among their unskilled workers there was not even one worker who had worked with them for more than 10 days. Usually the practice in small works is for such casual labour to work for a wage period, a week, a fortnight or a month as the case may be, to collect their earnings and go away. They may later take up work with some other contractor or take up work outside the building industry.

No figures of absenteeism or labour turnover could be collected during the enquiry as no contractor maintains such records. As already stated labour turnover, particularly among unskilled workers, appears to be very high.

## CHAPTER III

### Hours of Work and Wages

#### *Hours of Work*

Usually the hours of work in the building and construction industry are 8 per day and 48 per week. Work commences generally at 8 or 8-30 a.m. and with an hour's break at noon continues till 5 or 5-30 p.m. The Calcutta C.P.W.D. workers' union complained of the long duty hours of chowkidars and durwans borne on the work-charged establishment. Their duty hours are 12 per day but their work is considered intermittent. Night shifts are not worked except under very exceptional circumstances. Overtime work is not common but overtime is unavoidable in certain circumstances such as when roof terracing work is on hand. Work on a roof slab once started has to be completed the same day and the workers are required to work overtime. In such cases all big contractors pay double the ordinary rates of wages for the overtime worked but it is very doubtful if all petty contractors do so. Guarded investigations in this regard revealed that in many cases the workers were getting only the ordinary rates for the extra time put in and in some no extra wages whatever. The small contractors, and for that matter, even some of the big contractors, do not maintain overtime wage registers.

#### *Weekly Day of Rest*

A weekly day of rest is usually observed. In fact one of the conditions of contract in many of the Public Works is that no work should be carried on on Sundays without the previous written permission of the Executive Engineer. This condition is put in to ensure proper supervision of the quality of the work. The departmental officials have the day off on Sundays and will not be available for supervision. Even so several contractors have to engage a few men on Sundays for instance for watering newly constructed masonry and concrete slabs. Usually such labourers are not paid at overtime rates for Sunday work but are given the next day off. It is also difficult to check if such workers do continuous work without a weekly day of rest. Some of the clerical staff of the Madras Co-operative House Construction Society stated that many of the contractors were working on Sundays and that it was quite probable that some of the workers did not get the weekly day of rest. On account of the majority of unskilled workers in the building industry being casual effective checks in this regard are difficult. One workable solution probably is to insist that payment at double the ordinary rates should be made for all Sunday work.

#### *Leave and Holidays*

The workers in the C.P.W.D., temporary, work-charged as well as contractor's labour get a paid holiday every week. The permanent establishment and the quasi-permanent workers among the work-charged establishment, i.e., those persons in the work-charged establishment who have put in two years' service and have been

declared quasi-permanent, get annual leave with wages. The work-charged establishments in some of the River Valley Projects also get the benefit of leave with wages.

In other sectors of the building industry workers, particularly the large body of workers under contractors, do not get any privileges such as a weekly paid holiday or leave with wages.

#### WAGES

##### *Minimum Wages*

'Road construction or building operations' and 'stone breaking or stone crushing' are industries scheduled under the Minimum Wages Act, 1948 and the Appropriate Governments, namely the Central Government in respect of any scheduled employment carried on by or under the authority of the Central Government and the State Governments in other cases, were to fix minimum wages in the scheduled employments in their respective spheres. Under the Minimum Wages Act, minimum wages could be fixed either under Section 5(1)(a), i.e., on the advice of a committee appointed to make recommendations in this regard or under Section 5(1)(b), i.e., by notification in the official Gazette.

The Minimum wages notified by the Central Government in respect of workers employed in the C.P.W.D. in regard to a few selected categories of workers are given in the following tables.

TABLE 15

##### *Minimum wages for work-charged staff in C.P.W.D.*

Class of employees (1)	Minimum rates of wage	
	Basic wage (2)	Cost of living allowance (3)
	Rs.	Rs.
Beldars .. .. .	30	40
Bhisties .. .. .	30	40
Khallasies .. .. .	30	40
Chowkidars .. .. .	30	40
Sweepers .. .. .	30	40
Bhandaries .. .. .	35	40
Head chowkidars .. .. .	35	40
Painters—		
Grade 1 .. .. .	75	50
Grade 2 .. .. .	60	50
Grade 3 .. .. .	40	40
Tinsmiths—		
Grade 1 .. .. .	75	50
Grade 2 .. .. .	60	50
Grade 3 .. .. .	40	40
Masons—		
Grade 1 .. .. .	75	50
Grade 2 .. .. .	60	50
Grade 3 .. .. .	40	40
Blacksmiths—		
Grade 1 .. .. .	75	50
Grade 2 .. .. .	60	50
Grade 3 .. .. .	40	40
Carpenters—		
Grade 1 .. .. .	75	50
Grade 2 .. .. .	60	50
Grade 3 .. .. .	40	40
Mistries .. .. .	60	50

TABLE 16

Minimum daily wages (including cost of living allowance) for contract labour in C.P.W.D.

Category of employees	Bombay	Ahmed- abad	Nagpur	Jabalpur	Bihar	West Bengal	Delhi	Ajmer	Madras	U. P.	Banga- lore
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Bandhani ..	3 0 0	3 0 0	2 8 0	2 0 0	2 0 0	2 0 0	3 0 0	3 0 0	2 0 0	3 0 0	..
Blacksmith—											
1st class ..	4 0 0	4 0 0	3 8 0	3 0 0	3 0 0	4 0 0	5 0 0	4 0 0	3 0 0	5 0 0	..
2nd class ..	2 12 0	2 12 0	2 8 0	2 8 0	2 8 0	3 8 0	4 0 0	3 0 0	2 0 0	4 8 0	..
Brick moulder ..	2 8 0	2 8 0	2 8 0	2 0 0	2 0 0	2 0 0	2 8 0	2 8 0	2 0 0	2 8 0	..
Carpenter—											
1st class ..	4 0 0	4 0 0	3 0 0	3 0 0	4 0 0	4 0 0	5 0 0	4 0 0	3 0 0	5 0 0	..
2nd class ..	2 12 0	2 12 0	2 8 0	2 8 0	3 8 0	3 8 0	4 0 0	3 0 0	2 0 0	4 8 0	..
Chowkidar ..	2 2 0	2 2 0	1 8 0	1 8 0	1 12 0	1 12 0	1 12 0	1 12 0	1 8 0	1 12 0	..
Fitter—											
1st class ..	4 0 0	4 0 0	3 8 0	3 0 0	4 0 0	5 0 0	5 0 0	4 0 0	3 0 0	5 0 0	..
2nd class ..	2 12 0	2 12 0	2 8 0	2 8 0	3 8 0	3 8 0	3 8 0	2 8 0	2 8 0	4 0 0	..
Mason—											
1st class ..	4 0 0	4 0 0	4 0 0	2 8 0	4 0 0	4 8 0	5 0 0	3 8 0	3 0 0	5 0 0	..
2nd class ..	2 12 0	2 12 0	2 8 0	2 0 0	3 8 0	3 4 0	2 8 0	2 8 0	2 8 0	4 8 0	..
Stone cutter—											
1st class ..	4 0 0	4 0 0	4 8 0	3 0 0	4 0 0	5 0 0	5 0 0	4 0 0	3 0 0	5 0 0	..
2nd class ..	2 12 0	2 12 0	3 8 0	2 8 0	3 8 0	4 8 0	4 0 0	3 0 0	2 8 0	4 8 0	..
Mate ..	2 8 0	2 8 0	1 6 0	1 12 0	3 0 0	2 8 0	2 4 0	1 8 0	1 10 0	3 0 0	..
Mistry ..	4 0 0	4 0 0	4 8 0	3 0 0	4 0 0	4 0 0	4 8 0	3 0 0	3 8 0	5 0 0	..
Painter ..	2 8 0	2 8 0	2 8 0	2 0 0	3 0 0	3 8 0	4 0 0	3 0 0	2 8 0	4 0 0	..
Thatcher ..	2 12 0	2 12 0	1 12 0	2 0 0	2 0 0	2 12 0	2 12 0	2 0 0	2 0 0	2 12 0	..
Mazdoor—											
Man ..	2 2 0	2 0 0	1 0 0	0 13 0	1 8 0	1 6 0	1 12 0	1 8 0	1 8 0	..	1 8 0
Woman ..	1 12 0	1 7 0	0 10 0	0 10 0	1 4 0	1 0 0	1 8 0	0 13 0	0 14 0	..	1 0 0
Boy above 12 years.	1 3 0	1 0 0	0 8 0	0 7 0	1 0 0	0 12 0	1 0 0	..	0 12 0	..	1 0 0

The Government of India have also fixed minimum rates of wages for workers employed on road construction or building operations by the various Ports, Cantonment Boards, by the Ministry of Defence, by the Coal Mines Welfare Fund Organisation and by the Railways. The rates fixed vary from place to place but they generally follow the pattern of the rates fixed for workers in the C.P.W.D. In the defence establishments, for example, the following minimum monthly basic wage rate has been fixed for road construction and building operations :

	Basic wage	Cost of living allowance
	Rs.	Rs.
Fitter .. .. .	40	40
Blacksmith .. .. .	40	40
Carpenter .. .. .	40	40
Bricklayer .. .. .	40	40
Mason .. .. .	40	40
Painter .. .. .	40	40
Mate .. .. .	35	40
Bhisti .. .. .	30	40
Mazdoor .. .. .	30	40

Several State Governments have fixed minimum wages in respect of workers in road construction and building operations. So far as information is available in the Bureau the following State Governments have fixed minimum wages adopting the procedure laid down either in section 5(1)(a) or in section 5(1)(b) of the Minimum Wages Act, 1948 :

State Governments	Procedure adopted
Bihar .. .. .	Section 5(1) (a).
Bombay .. .. .	Section 5(1) (a).
Madhya Pradesh .. .. .	Section 5(1) (b).
Madras .. .. .	Section 5(1) (a).
Orissa .. .. .	Section 5(1) (a).
Punjab .. .. .	Section 5(1) (a).
U. P. .. .. .	Section 5(1) (b).
West Bengal .. .. .	Section 5(1) (b).
Mysore .. .. .	Section 5(1) (b).
Rajasthan .. .. .	Section 5(1) (a).
Saurashtra .. .. .	Section 5(1) (a).
Bhopal .. .. .	Section 5(1) (b).
Delhi .. .. .	Section 5(1) (a).
Vindhya Pradesh .. .. .	Section 5(1) (b).

The Governments of Madhya Pradesh, Orissa, U.P., Rajasthan, Saurashtra and Vindhya Pradesh have fixed only the minimum rates of wages payable to the unskilled workers. In some cases the rates vary for different regions in the State. The following are the rates fixed :

State	Category of workers		
	Males	Females	Children
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Madhya Pradesh .. .. .	0 9 0 to 0 10 0	0 7 0 to 0 10 0	..
Orissa .. .. .	0 12 0 to 1 0 0	0 8 0 to 0 12 0	..
U. P. .. .. .	1 0 0	1 0 0	..
Rajasthan .. .. .	1 2 0	0 12 0	..
Saurashtra .. .. .	1 2 0 to 1 12 0	1 2 0 to 1 12 0	0 9 0 to 0 14 0
Vindhya Pradesh .. .. .	0 10 0	0 10 0	..

In Madras minimum wages have been fixed for two grades of unskilled workers as well as for skilled workers. The following are the rates fixed :

	Rs. A. P.
Unskilled .. .. . Grade I ..	1 4 0
Unskilled .. .. . Grade II ..	0 13 0
Skilled .. .. .	2 8 0

Other States have fixed minimum wages for different categories of workers. In Bombay minimum wage rates in road construction and building operations have been fixed separately for three zones as shown below :—

Zone I—Bombay Corporation limits.

Zone II—Ahmedabad Corporation limits, Poona Corporation limits, Sholapur City, Jalgaon City, Surat City, Hubli City, Kalyan Town, Ambernath, Thana Town and Suburbs of Bombay up to and including Borivali but excluding places in Zone I.

Zone III—all other places with a population of or above 3,000 persons.

In West Bengal different rates have been fixed for different districts. The following table shows the minimum rates of wages fixed for some selected occupations :—

TABLE 17

*Minimum wages for different occupations*

Occupations	Bombay	Bihar	West Bengal	Punjab	Delhi	Mysore	Bhopal
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Blacksmith— Class I .. .. .	$\left\{ \begin{array}{l} 3\ 2\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	1 14 0	$\left\{ \begin{array}{l} 2\ 12\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	4 8 0	5 0 0	$\left\{ \begin{array}{l} 2\ 0\ 0 \end{array} \right.$	$\left\{ \begin{array}{l} 2\ 8\ 0 \end{array} \right.$
Class II .. .. .			$\left\{ \begin{array}{l} 2\ 8\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	3 8 0	4 0 0		
Stone cutter .. .. .	$\left\{ \begin{array}{l} 3\ 2\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	..	$\left\{ \begin{array}{l} 4\ 0\ 0 \\ \text{to} \\ 6\ 0\ 0 \end{array} \right.$	I 4 8 0 II 3 8 0	4 0 0	2 8 0	
Mason— Class I .. .. .	$\left\{ \begin{array}{l} 3\ 2\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	2 3 0	$\left\{ \begin{array}{l} 3\ 0\ 0 \\ \text{to} \\ 4\ 8\ 0 \end{array} \right.$	4 8 0	5 0 0	$\left\{ \begin{array}{l} 2\ 8\ 0 \end{array} \right.$	$\left\{ \begin{array}{l} 2\ 8\ 0 \end{array} \right.$
Class II .. .. .			$\left\{ \begin{array}{l} 2\ 8\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	3 8 0	4 0 0		
Carpenter— Class I .. .. .	$\left\{ \begin{array}{l} 3\ 2\ 6 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	2 3 0	$\left\{ \begin{array}{l} 2\ 12\ 0 \\ \text{to} \\ 4\ 8\ 0 \end{array} \right.$	4 8 0	5 0 0	$\left\{ \begin{array}{l} 2\ 8\ 0 \end{array} \right.$	$\left\{ \begin{array}{l} 2\ 8\ 0 \end{array} \right.$
Class II .. .. .			$\left\{ \begin{array}{l} 2\ 8\ 0 \\ \text{to} \\ 4\ 0\ 0 \end{array} \right.$	3 8 0	4 0 0		



TABLE 17—contd.

Occupations	Bombay	Bihar	West Bengal	Punjab	Delhi	Mysore	Bhopal
Plumber ... ..	3 2 0 to 4 0 0	..	..	..	..	..	..
Fitter .. .. .	..	..	3 8 0 to 4 0 0	I 4 8 0 II 3 8 0	..	2 8 0	..
Painter .. .. .	3 2 0 to 4 0 0	1 14 0	2 8 0 to 4 0 0	I 4 8 0 II 3 8 0	4 0 0	2 8 0	2 8 0
Watchman .. ..	1 12 0 to 2 6 0	..	..	1 12 0	..	..	..
Mazdoor—							
Male .. .. .	1 12 0 to 2 6 0	1 4 0	1 4 0 to 2 0 0	1 12 0	..	1 0 0	1 0 0 to 1 4 0
Female .. .. .	1 12 0 to 2 6 0	1 4 0	0 14 0 to 1 12 0	1 8 0	..	0 12 0	0 12 0 to 1 0 0
Boys .. .. .	1 12 0 to 2 6 0	..	..	1 6 0	..	0 10 0	0 8 0 to 0 12 0

*Prevailing rates of wages*

The following table gives the prevailing rates of wages at some of the works visited in connection with the present enquiry.

TABLE 18  
*Prevailing wage rates in the Building Industry*

Sector of Industry	Location	Masons	Blacksmiths	Carpenters	Male Mazdoors	Female Mazdoors	Children
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
C. P. W. D.	Delhi .. .. I	4 0 0	4 0 0	4 0 0	1 12 0	1 8 0	1 4 0
		to 5 0 0	to 5 0 0	to 5 0 0			
	.. .. II				1 12 0	1 8 0	1 4 0
	Calcutta .. .. I	3 12 0	..	..	1 12 0	1 12 0	..
		to 5 0 0					
.. .. II	..	..	..	1 12 0	..	..	
Jalahalli .. .. I	3 8 0	..	3 8 0	1 8 0	1 0 0	1 0 0	
Bombay .. .. I	5 8 0	..	3 0 0	2 2 0	1 12 0	1 12 0	
State P. W. Departments	Bombay .. .. I	5 0 0	..	..	2 8 0	2 6 0	..
		to 5 8 0					
	.. .. II	5 0 0	..	..	2 8 0	2 6 0	..
		to 5 8 0					
Madras .. .. I	3 4 0	3 8 0	..	1 4 0	1 2 0	0 8 0	
	to 3 8 0	to* 4 0 0		to 1 6 0	to 1 4 0	to 0 12 0	

\*Fitters.

TABLE 18—contd.

Sector of Industry	Location	Masons	Blacksmiths	Carpenters	Male Mazdoors	Female Mazdoors	Children
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Statutory Bodies .. .. .	Lucknow .. .. I	2 12 0	..	..	1 4 0	..	1 0 0
		to			to		
		3 0 0			1 6 0		
	.. .. II	2 12 0	..	..	1 4 0	..	1 0 0
		to			to		
		3 0 0			1 6 0		
	.. .. III	..	..	..	1 4 0	1 2 0	1 0 0
						to	to
						1 4 0	1 4 0
	Calcutta .. .. I	4 8 0	..	3 8 0	2 4 0	1 14 0	1 12 0
						to	
						2 0 0	
.. .. II	4 0 0	..	3 8 0	2 0 0	1 12 0	..	
	to			to			
	4 8 0			3 0 0			
Nagpur .. .. I	..	..	..	1 4 0	0 14 0	..	
				to	to		
				1 12 0	1 0 0		
Bangalore .. .. I	2 8 0	..	..	1 2 0	0 14 0	0 8 0	
	to			to		to	
	3 8 0			1 4 0		0 12 0	
Madras .. .. I	3 0 0	..	3 0 0	1 8 0	0 14 0	..	
	to		to				
	3 8 0		3 8 0				
Nagpur .. .. I	3 0 0	..	3 0 0	1 6 0	0 14 0	..	
	to		to	to	to		
	4 0 0		4 0 0	1 8 0	1 0 0		

Madras Co-operative Housing Construction Society.	Kapnur .. ..	I	..	..	..	1 6 0	1 4 0	..	
						to			
			II	..	..	..	1 6 0	1 4 0	..
							to		
							1 8 0		
		Asansol .. ..	I	4 0 0	..	4 0 0	1 8 0	1 4 0	..
				to		to		to	
				5 0 0		5 0 0		1 6 0	
		Mysore Housing Corporation		2 12 0	..	3 0 0	1 0 0	0 10 0	..
				to		to	to	to	
				3 8 0		4 0 0	1 4 0	0 14 0	
		Bombay (Chembur) ..	I	5 8 0	..	..	2 4 0	1 8 0	1 0 0
				to					
				6 0 0					
		Adyar .. ..	I	3 4 0	..	3 4 0	1 4 0	1 0 0	..
				to		to	to		
			3 12 0		3 12 0	1 8 0			
		II	..	..	2 8 0	..	..	..	
					to				
					2 12 0				
		III	3 4 0	..	3 8 0	1 8 0	1 0 0	..	
		IV	3 8 0	..	..	1 6 0	1 0 0	1 0 0	
						to			
						1 8 0			
Railway Construction	Travancore-Cochin. ..		4 0 0	3 0 0	..	1 12 0	1 4 0	..	
			to			to	to		
			4 8 0			2 0 0	1 8 0		

The wage structure in some of the River Valley Projects is different from that in the ordinary building trades. At Bhakra-Nangal for instance there is a minimum and maximum rate prescribed for most occupations and a worker's wage can be fixed anywhere within these limits. The system has been devised to increase efficiency among the workers. A worker who proves himself efficient can get quick increments within the scale and his wages can be fixed anywhere between the lower and upper limits. The wages for a few selected occupations at Bhakra-Nangal are as follows :—

Occupation	Wages	
	Minimum	Maximum
	Rs.	Rs.
Foreman special .. .. .	300	500
Foreman Miscellaneous .. .. .	150	225
Asstt. Foreman Special .. .. .	210	300
Asstt. Foreman Miscellaneous .. .. .	120	150
Pattern maker .. .. .	60	100
Moulder .. .. .	60	100
Turner .. .. .	60	100
Blacksmith .. .. .	60	90
Carpenter .. .. .	60	90
Mazdoors .. .. .	30	40

At the Maithon Project of the Damodar Valley Corporation the skilled workers such as operators and drivers of cranes, shovels, etc., get up to Rs. 250 per month. Unskilled workers are given the following rates of wages.

Category	Wages	
	Depart-mentally employed	Employed by contractors
	Rs. A. P.	Rs. A. P.
Mate .. .. .	2 0 0	..
Mazdoors—Male .. .. .	1 8 0	1 8 0
Mazdoors—Female .. .. .	1 0 0	1 2 0 to 1 4 0

At Hirakud the wages of unskilled workers were Rs. 1-8-0 for men and Re. 1 for women. At Manimuthar the rates paid were the following :—

Mason .. .. .	Rs. 2-8-0 to Rs. 3 per day.
Stone Cutter .. .. .	Rs. 2-8-0 to Rs. 3 per day.
Mazdoor—Male .. .. .	Rs. 1-2-0 to Rs. 1-4-0 per day.
Mazdoor—Female .. .. .	Re. 0-13-0 to Re. 1 per day.
Children .. .. .	Re. 0-12-0 to Re. 1 per day.

Some categories of workers such as *Beldars*, *Bhistsis*, mates, *Vaddars* (in Madras and Mysore), *Chavalies* (persons carrying stones) and *Bhandanis* are paid wages at rates substantially higher than for ordinary unskilled mazdoors.

A comparison of the prevailing rates of wages with the minimum rates of wages prescribed in the various States shows that the prevailing rates both for skilled and unskilled workers are generally higher than the minimum rates prescribed. In States like West Bengal and Madhya Pradesh where comparatively low rates of minimum wages have been fixed for unskilled workers the prevailing rates are appreciably higher.

Rates of wages lower than the legal minimum were noticed in the following three cases :—

- (1) At one of the works of the Mysore Public Works Department small girls engaged on the work were being paid 8 annas per day as against a minimum of 10 annas per day fixed for children.
- (2) The Mysore Housing Corporation was paying wages ranging from 10 annas to 14 annas for women workers whilst the minimum fixed is 12 annas.
- (3) At the works of the Bombay Housing Board at Chembur the prevailing rates were Rs. 2-4-0 per day for men and Rs. 1-8-0 per day for women. The minimum rates prescribed are Rs. 2-6-0 per day both for men and women in Zone I and Rs. 2 in Zone II. Presumably, the work-site should come under Zone I but in any case the rates for women are much below the minimum prescribed.

Two intriguing features regarding the minimum wages were noticed during the course of the enquiry. The minimum wages fixed by the C.P.W.D. for Bombay City are Rs. 2-2-0 for men and Rs. 1-12-0 for women. The State Government, however, have fixed for the same area a minimum wage of Rs. 2-6-0 for men and women alike which has given rise to many practical difficulties. In Mysore the P.W.D. in one of their works at Bangalore employ convict labour paying them a wage of 4 to 6 annas per day. The question is whether this can be reconciled with the provisions of the Minimum Wages Act under which a minimum wage rate of Re. 1 per day has been prescribed for men workers.

#### *Piece-rates in the Building Industry*

In the building and construction industry piece-rates prevail to a much larger extent than one would ordinarily expect. This is true in regard to skilled as well as unskilled occupations. Piece

wages are often related to job works and a system of sub-contract. The main building contractor distributes items of work to maistries, or mates. In the case of skilled workers such as masons, blacksmiths or *bhandanis* engaged in tying up steel rods for reinforcing concrete wages are paid at so much per cubic yard or so much per ton. For example one contractor under the Madras Co-operative House Construction Society was paying piece wages at the following rates :—

Masonry—Rs. 14 per 100 c.ft.

Centring work for laying R.C. slabs—Rs. 12-8-0 per 100 sq. ft.

Fitters (tying up steel rods for R.C. work)—Rs. 50 per ton.

The job work is a special feature of work in the Manimuthar project in Madras where there are no big building contractors but the work is distributed among 400 to 500 jobbers each of whom employs 10 to 15 workers. Work is paid for at so much per c. ft. of masonry. Stone cutters and stone dressers are also generally paid on piece basis.

Unskilled workers engaged on earth work are usually paid for at so much per c. yard of earth cut and removed. In such cases the gang system is very common. At Santa Cruz in Bombay an interesting feature of the gang system was noticed. There each gang consisted of a man, his wife, a child and a donkey.

#### *Dearness Allowance*

Permanent workers and workers in the Regular Temporary Establishment engaged on monthly rates in the C.P.W.D. get dearness allowance at the usual rates admissible to Central Government employees. The dearness allowance admissible to different categories of work-charged staff is given in Table 15.

At the Bhakra-Nangal project the work-charged establishments are given dearness allowance at the following scale :—

Range of Pay	Dearness Allowance
	Rs.
Upto Rs. 50 .. .. .	30 per month.
Exceeding Rs. 50 but not exceeding Rs. 100 .. .. .	40 per month.
Exceeding Rs. 100 but not exceeding Rs. 150 .. .. .	40 per month.
Exceeding Rs. 150 but not exceeding Rs. 200 .. .. .	45 per month.
Exceeding Rs. 200 but not exceeding Rs. 250 .. .. .	50 per month.
Exceeding Rs. 250 but not exceeding Rs. 300 .. .. .	60 per month.
Exceeding Rs. 300 but not exceeding Rs. 500 .. .. .	70 per month.

It appears the revised dearness allowance scales adopted by the Central Government have not so far been made applicable at Bhakra-Nangal. The departmental labour employed on State public works get dearness allowance at scales prescribed by the respective State Governments. Contractor's labour are not paid any separate dearness or other allowances.

*Other Allowances*

The workers at Bhakra-Nangal receive a temporary allowance and a house rent allowance. Temporary allowance is given on the following scale :—

Pay exceeding Rs. 100 but not exceeding Rs. 150—	Rs. 6 p.m.
Pay exceeding Rs. 150 but not exceeding Rs. 200—	Rs. 8 p.m.
Pay exceeding Rs. 200 but not exceeding Rs. 250—	Rs. 10 p.m.
Pay exceeding Rs. 250 but not exceeding Rs. 300—	Rs. 7-8-0 p.m.

The scale of House Rent allowance is as follows :—

Pay less than Rs. 100	...	...	Rs. 4 p.m.
Pay Rs. 100—175	...	...	Rs. 6 p.m.
Pay Rs. 175—300	...	...	Rs. 8 p.m.
Pay Rs. 300 and above	...	...	Rs. 10 p.m.

*Bonus*

The workers in the building and construction industry are not given any bonus.

*Settlement of Wages*

The wage period is usually a week. Wage periods of a fortnight and a month are not also rare. Although the Payment of Wages Act has not been made applicable to the building industry its provisions are generally conformed with. In one case it was noticed that the contractor was holding back a small part of the wages so as to ensure that the work he had given to the gangmen was properly completed. In many cases wages were not always paid directly into the hands of each worker but were handed over to the mate or mistry for distribution to the workers. The Central P.W.D. Contractor's Labour Regulations are virtually the reproduction of the Payment of Wages Act so far as contract labour in the C.P.W.D. is concerned. For contractor's labour the C.P.W.D. have prescribed a system of wage books and wage cards/details regarding which may be seen from Appendix I.



## CHAPTER IV

### Working and Living Conditions

The working and living conditions of labour employed in the building and construction industry compare most unfavourably with those in other industries in the country. Very often work is carried on in the open under the hot sun and the provision of amenities such as drinking water, rest shelter, etc., are needed in this industry more than in any other. The C.P.W.D. has no doubt made elaborate provisions in this regard in their model rules for the Protection of Health and Sanitary arrangements for workers employed by the C.P.W.D. or its contractors (vide Appendix II). The Government of India, it is understood, have also recommended that working conditions in the State Public Works, etc., should as far as possible conform to the standards laid down in these rules. It is most unfortunate, however, that these rules remain almost a dead letter in all public works including the works undertaken by the C.P.W.D. and its contractors. The following paragraphs briefly describe the conditions as revealed in the course of the present enquiry.

#### WORKING CONDITIONS

##### *Drinking Water*

Drinking water at work sites is generally available. In fact, among the work sites visited only at one place in Calcutta it was found that there was no drinking water available. This was a construction work of the C.P.W.D. where 52 workers were working in the hot sun on the construction of a runway in the Dum Dum airport. The nearest place the workers could get water for drinking was about half-a-mile away across the air field with planes landing or taking off every now and then. Crossing the air field to get a drink of water under these circumstances was not only tiresome but fraught with danger to life and limb. No facilities for drinking water are provided to the workers at the worksite by any of the contractors working on Railway construction in Travancore-Cochin.

Even in the cases where water is available for drinking, the contractors do not usually make any special arrangements in this regard. Water is constantly required for building operations and in the large cities the water is obtained from the municipal mains and a few taps are provided at convenient spots to which the workers go to quench their thirst. No effort to provide cool drinking water has been made anywhere. Also, no arrangements are made to provide drinking water to the workers in the vicinity of their actual place of work. For instance, in the construction of multi-storeyed buildings it was noticed that water taps were provided at the premises on the ground while large numbers of workers, men and women, were actually working on the third or fourth floor of the building under construction. It would be desirable in such cases that the contractors should provide drinking water kept in earthen vessels for cooling purposes at every storey where work is in progress. In other work places also drinking water should be kept in earthen vessels.

### *Washing and Bathing Facilities*

Washing and bathing facilities are not provided. Occasionally the workers wash themselves at the taps provided for supplying water for construction purposes. Proper washing and bathing facilities are most desirable in the building industry on account of the nature of work in this industry and also on account of the fact that the workers engaged in the industry mostly come to work daily from a distance and return all the way after work.

Provision of work clothes and facilities for storage of clothes near the work spot would also be very helpful. In Bhakra-Nangal overalls are issued to workmen at concession rates for wear during working hours.

### *Latrines and Urinals*

The bye-laws of some municipal corporations and large municipalities provide that wherever workers are engaged in large numbers latrines and urinals should be maintained for their use. In building construction in Bombay, Delhi and Calcutta the contractors, therefore, provide latrines and urinals to satisfy the requirements of the municipal bye-laws. The model rules of the C.P.W.D. in regard to health and sanitary arrangements also provide for latrines and urinals on a prescribed scale separately for males and females. Except in Delhi, no C.P.W.D. contractor at any of the work sites visited had provided latrines and urinals. In the River Valley Projects also, except at Bhakra-Nangal, no latrines and urinals were provided at the work sites. In the State public works also no latrines and urinals are provided except in the works situated in the Corporation limits of Bombay and Calcutta. The workers, both male and female, use adjacent jungly or vacant plots to ease themselves. No latrines and urinals are provided by any of the contractors on Railway Construction in Travancore-Cochin or by the contractors on building works for Housing Boards, Co-operative Societies, etc. The stock argument with the contractors is that the workers would not use latrines and urinals even if they are provided, but always prefer the open places. Although the working classes in many parts of the country do not take kindly to the use of latrines and urinals, their provision with a certain amount of propaganda and persuasion may help overcome their reluctance to use latrines and urinals.

### *Rest Shelter*

Except at Bhakra-Nangal no rest shelter or dining shed as such was seen provided in any of the works visited. In certain sectors of the industry such as in the construction of buildings there does not appear to be much need either for a rest shelter. As soon as one storey of a building is completed the workers can use the shade and shelter provided by the building during their rest intervals and in case of inclement weather. In dam construction, in construction work on railways and work in the open such as air ports, etc., rest shelters are necessary. As many of the workers in the building industry come to work from a distance of up to 5 miles and bring with them something to eat during the rest interval it would be very convenient for them if a dining shed with drinking water and washing facilities were provided. As it is the workers seek some shady nook and swallow whatever they have brought.

### *Protective Equipment*

The conditions of contract of the C.P.W.D. and some State Public Works include a clause that persons working on cement should be provided with protective footwear. Several contractors provide improvised footwear, usually old rubber tubes into which the workers put their legs and tie up the ends. Women workers carrying mortar are also provided rubber gloves. The practice, however, is not universal. In the C.P.W.D. works at Calcutta under one contractor, in railway construction and in building operations for the statutory bodies and the Madras Co-operation House Construction Society persons engaged on cement mixing were not provided with any protective equipment. The need for protective equipment for persons engaged on cement work is not perhaps as great as for persons engaged on lime mixing. Moreover cement mixing, in all major works at any rate, is now-a-days done by mechanical concrete mixers.

In drilling operations in the Damodar Valley Corporation works and at Hirakud a large quantity of dust is raised. In fact at these places when work is in progress the atmosphere is so much laden with dust that one could see hardly five yards ahead. This causes much discomfort to the workers and may probably cause silicosis. No protective equipment against dust is given to the workers. If wet drilling, instead of dry drilling as at present practised, were resorted to, it would considerably reduce the dust nuisance. But it is understood that wet drilling would more quickly blunt the point of the drill calling for frequent repairs to the mechanical drill.

At the Bhakra-Nangal Project the workers are provided with steel helmets to protect their heads from stones and splinters.

### *Vertical Ladders*

In the building industry it is a common sight to see men and women climbing up tall vertical ladders with a load of bricks or mortar balanced precariously on their heads. One can imagine the fatigue involved particularly when the workers have to be constantly moving up and down the ladders taking bricks and mortar to the third or fourth storeys. At some of the works raft ladders in a slanting position were seen which are less fatiguing. The recent tendency in building technique, it is understood, is first to build the staircase so that workers can take building material up with less fatigue. In the construction of some multi-storeyed buildings mechanical hoists were installed for taking building material to the higher levels. In others a sort of chain arrangement was seen in which workers sit in a row of two on platforms erected in the form of a ladder, one row passing up the building material from one platform to the next and the other row passing down the empty baskets. This operation is fascinating to watch but is none the less fatiguing. It would be desirable to insist that mechanical hoists for taking building material to the top floors should be provided in all building work where the building is more than two storeys high.

## WELFARE

*Medical Facilities*

Except in the construction of the major dams proper medical facilities are not provided to the workers in building and construction. The C.P.W.D. workers in Delhi can avail of the facilities provided at the C.P.W.D. dispensary at Aliganj. But having regard to the vast numbers of labourers employed in the C.P.W.D. particularly in contractors' establishments, the dispensary does not even touch the fringe of the problem of medical aid to the workers.

At Bhakra-Nangal two hospitals are provided for the workers, one at Nangal Colony and one at Bhakra. First aid posts are maintained at important points on the work site and two ambulances are maintained. Adequate facilities for medical aid to the workers are provided at both the work sites of the Damodar Valley Corporation visited in connection with the present enquiries, namely, dam construction at Maithon and Panchet. Both at Maithon and Panchet there is one hospital and one dispensary. The Maithon hospital has 24 beds with a staff of three doctors, a radiologist and five nurses. The Panchet hospital has 15 beds and is staffed by three doctors and two nurses. The hospital has equipments for X-ray and ultra and infra red therapy. An ambulance is maintained at Maithon. The dispensaries at Maithon and Panchet are under the charge of compounders. Free medical aid commonly available at the outdoor dispensaries is available to the contractors' labour. In regard to special medicines prescribed for contractors' labour the cost is to be reimbursed by the contractor. The costs on account of indoor treatment of contractors' labour are also to be borne by the contractor.

There is a hospital with a staff of one doctor, one compounder and a male and a female orderly at the Manimuthar Project in Madras. The hospital is said to provide two wards, one for males and another for females, but there were no inpatients and the so-called wards looked like lumber rooms.

Many of the contractors in other sectors of the building industry do not even keep a first-aid box at their work sites. In case of accidents the contractors usually meet the expenses of medical aid but in case of illness the contractors do not ordinarily help.

*Crèches*

Having regard to the large number of women employed in building and construction crèches are a necessity in this industry. The Model Rules of the C.P.W.D. provide for the maintenance of crèches. Observance of the provisions regarding crèches is, however, the exception rather than the rule. Only one among the works of the C.P.W.D. visited had a crèche and even in that case it was a rather poor apology for a crèche. In one portion of the semi-finished building a few infants were seen huddled together, under the charge of a woman in attendance, amidst the lumber and the debris of work, with blacksmiths and carpenters hammering on hard-ly a few yards away. One other crèche that was come across during the enquiry was at the Manimuthar Project where two tin sheds were provided near the work site. The mothers put up cloth cradles

and leave their infants in them. There is no *dai* or attendant provided and when the infants cry some of the older children go and call the mothers who give suck to their babies and put them back to sleep.

At every work site small children were seen toddling about with no one to look after them. At one of the works in Mysore a mother was seen digging earth and quite near her, three of her children, the eldest about five and the youngest probably six months, were huddled together in the hot sun on a gunny bag. On the work at Asansol cloth cradles were seen hanging at several nooks and corners of the building under construction with infants sleeping in them and hardly anyone within ear shot. Little children were seen wandering about indiscriminately all along the work site in several places, crying and brawling and, as it were, loudly proclaiming the need for crèches in the building industry.

### *Canteens*

Canteens are provided at some of the workshops in the River Valley Projects. The Project Administrations also give facilities such as free site, building materials, etc., to private persons to run canteens. In the C.P.W.D., the State public works, etc., no canteens are usually provided but tea vendors go about the work site hawking their wares during the rest interval at mid-day. At one of the works of the Mysore P.W.D. employing about 1,300 workers there was a large canteen functioning. It is very doubtful if the provision of a canteen for the workers is a practicable proposition in the building industry with its units of work large in number but small in size and with the work site of each contractor frequently shifting from place to place.

### *Education*

Facilities for the education of the workers' children are not provided anywhere except in dam construction. There are schools up to primary and middle standards at Bhakra-Nangal, Damodar Valley Corporation, Hirakud and Manimuthar but these schools are primarily meant for the children of the vast number of the supervisory and clerical staff employed in the projects. There is, however, no bar to the children of the workers being admitted in these schools but it is very doubtful if the workers are availing of these facilities.

There are also no facilities provided for the education of the workers or for their training.

### *Travel to and from work.*

Only at Bhakra-Nangal are the workers engaged in building and construction provided with facilities for travel to and from work. On railway construction in Travancore-Cochin some of the contractors provide transport in lorries and trucks to their essential workers. No facilities for transport are provided at other places. Some building contractors in Calcutta pay tram fare to their workmen in addition to their daily rates of wages.

In the building industry the workers, particularly the unskilled workers, generally come to work from distances up to 5 or 6 miles and facilities for transport to and from work would be a great boon.

On the other hand, the difficulties in the way of providing such transport are many and varied. For one thing, the workers do not live in any compact colony but are scattered all over the city and adjacent villages and the workers under one contractor, if there are 50 of them probably come from 50 different places and it will not be practicable to provide them with transport. The question of costs is probably the most formidable of the difficulties in the way. Building costs and rates of contract would rise very high if the provision of transport to and from work is insisted upon.

#### *Other Facilities*

The departmental workers of the C.P.W.D. get the benefit of provident fund. Provident fund schemes also exist in the major River Valley Projects but temporary and work-charged establishments are not usually covered. No provident fund or gratuity schemes exist in any other sector of the building industry. Co-operative Stores, Co-operative Credit Societies, etc., are also not provided anywhere. The workers are not generally given any facilities for recreation.

#### *Housing*

In the living conditions of building workers we are faced with a fearful paradox. These workers build houses and flats for the people; they build mansions for the rich and palaces for big magnates of industry and trade. But they themselves live in poverty and filth, in overcrowded slums breeding disease and death. If one were to seek a parallel to this paradox he would probably find it in the proverbial broomstick which is destined to keep others clean but itself always remains dirty.

The vast majority of the unskilled workers in building and construction live in the slums of the big cities variously called *ahattas*, *bustees*, *cheries* and *chawls*. The conditions of living in these slums are familiar to social investigators and beggar description. The Prime Minister of India in a recent utterance said that these slums are a disgrace to the nation. In this brief report, however, it is not proposed to discuss the living conditions in slums generally. The following remarks are confined to living accommodation provided by the employers to the vast body of skilled and unskilled workers in the building and construction industry.

It is only the River Valley Projects that have provided on any appreciable scale living accommodation to the workmen. In Bhakra-Nangal there are three colonies for workers, namely, Nangal, Kosri and Olinda. Housing provided at the Nangal colony is of two types—family quarters for workers drawing Rs. 175 per month or above consisting of two rooms, a kitchen, verandah, courtyard and a lavatory and single room quarters for persons drawing less without kitchen or verandah but providing community latrines. The quarters at Olinda Colony consist of a room 12' x 12' with a semi-enclosed verandah one end of which is used as the kitchen. Married men's quarters are provided at Kosri but these also consist of single rooms with a verandah. At Kosri there are also six barracks for

bachelors each accommodating about 30 workers. Community latrines are provided at Kosri and Olinda. There are altogether 1,614 quarters for workmen and 212 quarters are under construction. Accommodation is provided to all key staff. The vast body of unskilled workers are left to shift for themselves in regard to living accommodation and they live in the villages nearabout.

In the Damodar Valley Corporation's works at Maithon and Panchet several types of quarters are provided for the skilled labour but unskilled workers are not usually provided any living accommodation. At Maithon about 80 barracks, called artisan barracks, each of 10 quarters are provided. Each quarter consists of a room 10 ft. x 10 ft., a kitchen 6 ft. x 6 ft. and a verandah. These quarters have pucca floor, asbestos roofs and walls of C.I. sheets. Community bath rooms and latrines are provided. There are also a few pucca single room quarters with separate kitchen and latrines. Another type has four quarters in each block and each quarter has a kitchen but two such quarters share one bathroom and one lavatory. There are also some two room quarters which are generally meant for the staff but workers who get more than Rs. 250 per month, such as drivers of earth dumpers, mechanical shovels, etc., are also provided with such quarters. The workers' colony at Panchet has quarters of several types such as one room barracks; one room (self-contained) barracks, artisan barracks, nissen huts, curved huts, etc. There are altogether about 800 quarters for labourers besides a number of dormitories providing bachelor accommodation. The unskilled workers are not usually provided with accommodation. Some contractors have provided bamboo huts without any facilities for water supply or sanitation for a portion of their labour force.

At Hirakud and Manimuthar Projects, although housing colonies are provided they usually accommodate only the supervisory and clerical staff and a few skilled workers. The vast majority of unskilled workers and contractors' labour live in labour colonies near the work site. These colonies outdo some of the worst slums in the country in regard to squalor and filth. The workers' abodes, one cannot call them homes, consist of improvised huts 5 ft. x 6 ft. in area built of leaf and twigs with the roof hardly four feet from the ground and slanting on either side to the plinth obviating the need for walls or partition. Usually these abodes have no plinths and stand close to one another side by side and back to back. Thousands of these huts crowding together without any sanitary facilities and hardly adequate supply of water can breed disease and death. At Manimuthar a few community latrines are provided but under very insanitary conditions. A few taps and a draw well are provided but they do not come anywhere near the requirements.

The workers of the C.P.W.D., particularly those working in contractors' establishments in Delhi live in the labour camps near the Lodi colony and others spaced all over the city. Typical of such camps are *Basti Bawari* and *Barhwala* camps where on a rough estimate about 8,000 workers live in some of the worst slum conditions. There are no latrines or other sanitary facilities in these camps and water supply is from open draw wells constructed by the workers themselves. These camps are under the jurisdiction of the New Delhi Municipal Committee but the health and sanitary conditions in these camps are very unsatisfactory.

Some contractors of the C.P.W.D. and the State public works have provided a few bamboo huts for their workmen at some of the work sites in which some of the essential workers are accommodated. In the construction work of the Coal Mines Central Hospital at Asansol several workers had put up temporary partitions of gunnies in nooks and corners of half finished portions and were living with their families in these improvised abodes. A few others were living in some of the rooms of the nurses' quarters which are nearly completed.

At Chembur in Bombay where construction of houses for industrial labour for the Bombay Housing Board is in progress several workers were living at the work site in small huts made of bamboo matting. Each hut was hardly 6 ft. × 6 ft. in area and the walls and roofs did not afford any privacy let alone protection from rain and heat. Here also there were no arrangements for sanitation or water supply.

#### *Industrial Relations*

Unlike in other industries, workers in building and construction are not organised. In some of the River Valley Projects such as at Bhakra-Nangal, Damodar Valley Corporation and Hirakud, some of the workers are organised into trade unions. At Hirakud and Damodar Valley Corporation, the unions have even called paralysing strikes to get some of the grievances of the workers redressed. The C.P.W.D. workers in Delhi and Calcutta have also organised themselves into trade unions.

The Personnel Officer and his Assistants look into the complaints and the grievances of workers at Bhakra-Nangal. The Damodar Valley Corporation has also a Personnel Department besides which there are Labour Officers at all major construction works. There is a Labour Officer at Hirakud. In all major divisions of the C.P.W.D. there are Labour Officers who are responsible for seeing that the various laws and regulations applicable to C.P.W.D. labour are being observed. They also look into the grievances of the workers.



## CHAPTER V

### Working of Labour Acts and Regulations

The only labour laws applicable to the building and construction industry are (1) the Workmen's Compensation Act, 1923, (2) the Minimum Wages Act, 1948 (3) the Indian Trade Unions Act, 1926 and (4) the Industrial Disputes Act, 1947. The application of the two last mentioned Acts is only in a general way as these Acts are applicable to all workmen and all industries. The Central and some of the State Governments have framed certain Rules and Regulations in respect of workers employed in the building and construction industry and, it is understood, that the Government of India have under consideration the preparation of a comprehensive Advisory Guide and a set of Regulations for Health and Safety in this industry.

The working of the Minimum Wages Act, 1948 in this industry has been described in some detail in the Chapter on Hours of Work and Wages. It was also stated in that chapter that the Payment of Wages Act, 1936 has not been made applicable to the building industry but that, in so far as labour employed in the C.P.W.D. is concerned, the contractor's labour Regulations give adequate protection to the workers regarding wage payments. It may be as well to extend this protection to all other sectors of the building industry in a uniform manner and this can best be achieved by the Payment of Wages Act, 1936 being made applicable to all sectors of the building and construction industry.

#### *The Workmen's Compensation Act, 1923*

In Schedule II to the Workmen's Compensation Act which lists the persons included in the definition of workmen, item (viii) enumerates the following :—

“any person who is employed in the construction, repair or demolition of—

- (a) any building which is designed to be or is or has been more than one storey in height above the ground or twenty feet or more from the ground level to the apex of the roof ; or
- (b) any dam or embankment which is twenty feet or more in height from its lowest to its highest point ; or
- (c) any road, bridge or tunnel ; or
- (d) any wharf, quay, sea wall or the marine work including any moorings of ships.”

Item (xii) specifies employment on Railways as follows :—

“Any person employed upon a railway as defined in clause (4) of section 3, and sub-section (1) of section 148 of the Indian Railways Act, 1890, either directly or through a sub-contractor, by a person fulfilling a contract with the railway administration.”

Accidents, however, in the building and construction industry are very rare and if at all they occur they are of a minor nature. One of the conditions of contract in all public works is that the contractor shall be responsible for and shall pay any compensation to his workmen payable under the Workmen's Compensation Act for injuries caused to the workmen. If such compensation is paid by Government as principal it shall be recoverable by Government from the contractor. Some of the big contractors in Bombay have insured themselves against their liabilities under the Workmen's Compensation Act.

On account of the nature of work in dam construction being different from ordinary building operations accidents are more common in this sector. The following table shows the number and the nature of accidents at Bhakra-Nangal during 1953.

TABLE 19  
*Accident cases at Bhakra-Nangal Dam Project, 1953*

Nature of Accident	Number of cases
Machinery .. .. .	42
Trucks .. .. .	23
Electric shocks .. .. .	7
Loading and Unloading .. .. .	6
Falling of bricks and stones .. .. .	32
Blasting .. .. .	5
Miscellaneous .. .. .	94
Total ..	209

The following table shows the number of accidents in the Damodar Valley Project.

TABLE 20  
*Accidents at the Damodar Valley Project*

Year	Damodar Valley Corporation Cases	Contractors' cases	Total
1951-52 .. .. .	44	141	185
1952-53 .. .. .	67	277	344
1953-54 (9 months) .. .. .	34	37	71

Of these 600 cases of accidents during 1951-52—1953-54, 157 were major and 443 were minor accidents. Compensation was paid in 214 cases; in 155 cases compensation was not payable; 197 cases are pending; and in regard to 34 cases the persons are not traceable. The accidents were usually caused by falling of materials while being hoisted by crane, falling of materials while being handled by men, workers stepping out of position, electric shock, injury caused by flying stone particles from stone breakers' hammer, vehicular accidents, blasting operations and by the collapse of sides of excavated earth work.

At HiraKud the Labour Officer stated that the accident rates, calculated per 100 persons employed were :—

Fatal	...	...	...	007
Non-fatal	...	...	...	006
<b>TOTAL</b>				<b>.013</b>

In Railway construction also accidents are very rare as can be seen from the following analysis of accidents in Railway Workshops and certain other places. Accidents on lines under construction formed only 0.083 per cent. of all accidents during 1952-53.

TABLE 21

*Accidents in railway workshops and certain other places affecting railway servants, 1952-53.\**

Category of work	Number of persons involved			Total
	Killed	Serious injury	Minor injury	
1. Railway workshops .. .. .	6	481	19,938	20,425
2. New works not opened for traffic ..	..	..	1	1
3. Lines under construction .. .. .	1	3	13	17
4. Lines not used for the public carriage of passengers, animals and goods.	1	2	5	8
5. Steamers or flats working in connection with the railway.	..	..	34	34
-Total ..	8	486	19,991	20,485

\* Report of the Railway Board, 1952-53, Vol. II, p. 266.

#### *Maternity Benefit Legislation*

Although women are employed in large numbers in the building and construction industry maternity benefit legislation has not been

made applicable to this industry. However, the conditions of contract of the C.P.W.D. contain a clause relating to maternity benefit as follows :—

“*Clause 19-F.*—Maternity Benefit Rules for female workers employed by contractor. Leave and pay during leave shall be regulated as follows :—

1. *Leave.* (i) In case of delivery—Maternity leave not exceeding 8 weeks, 4 weeks up to and including the day of delivery and 4 weeks following that day.  
(ii) In case of miscarriage—Up to 3 weeks from the date of miscarriage.
2. *Pay.* (i) In case of delivery—Leave pay during maternity leave will be at the rate of the woman's average daily earnings calculated on the total wages earned on the days when full time work was done during a period of three months immediately preceding the date on which she gives notice that she expects to be confined, or at the rate of twelve annas a day whichever is greater.  
(ii) In case of miscarriage—Leave pay at the rate of average daily earnings calculated on the total wages earned on the days when full time work was done during a period of three months immediately preceding the date of such miscarriage.
3. *Conditions for the Grant of Maternity Leave.*—No maternity leave benefit shall be admissible to a woman unless she has been employed for a total period not less than 6 months immediately preceding the date on which she proceeds on leave.”

Women employed by contractors in the C.P.W.D. are on a purely casual basis and very few of them work continuously for the same contractor for any appreciable length of time. In many cases even the duration of a particular work under a contractor may be less than six months. Practically, therefore, the maternity leave clause in the conditions of contract is a dead letter. Before any maternity benefit legislation can be introduced in this industry it may be necessary to devise some suitable scheme for decasualising the workers.

#### *The Factories Act*

Although the Factories Act does not apply to the building and construction industry as such, in some of the major works such as the River Valley Projects and building under some of the statutory bodies large workshops are maintained for the maintenance and repair of machines, trucks, etc. Often these workshops are governed by the Factories Act and the Factory Inspectors regularly inspect the workshops. In some cases, however, it was noticed that although the workshops employ more than 20 workers they were not brought under the Factories Act. For instance, one contractor under the Madras Co-operative House Construction Society was having a carpentry works manufacturing and supplying doors, windows, shutters, etc., to other contractors and employing 40 to 60 workers on the average daily. His workshop was not registered under the Factories Act nor was it being inspected by Factory Inspectors.

*Rules and Regulations in the Building and Construction Industry*

The Central and some of the State Governments have framed certain rules and regulations in regard to the labour employed in public works. They have besides incorporated in the conditions of contract embodied in their item rate tender certain clauses relating to labour. So far as the C.P.W.D. are concerned, the main rules and regulations are (i) the C.P.W.D. Contractors Labour Regulations and (ii) Model Rules for the protection of Health and Sanitary Arrangements for workers employed by the C.P.W.D. or its contractors. The text of these regulations and rules is given in Appendices I and II respectively.

The Central Government have recently recommended to the various State Governments that they should, as far as possible, follow the provisions contained in the model rules regarding health and sanitary arrangements in their public works.

The Government of Madhya Pradesh have framed a set of regulations called the Central Provinces and Berar P.W.D. Contractors' Labour Regulations. These are printed as Appendix 150 to the Central Provinces and Berar Public Works Department Manual. The Regulations are more or less similar to the C.P.W.D. Contractors Labour Regulations. Labour is defined as workers employed by the contractor directly or indirectly through a sub-contractor or other person or by an agent on his behalf. Wages are defined in the same manner as under the Payment of Wages Act. The Regulations provide that wages due to every worker shall be paid to him direct in current coin or currency, that the wage period should not exceed one month and that wages should be paid on a working day. They also provide for the maintenance of wage registers and wage cards in respect of each worker showing the rate of his daily or monthly wages, the nature of work on which he is employed, the number of days worked in each wage period, deductions from wages, etc. The Executive Engineer may, however, exempt a contractor from the maintenance of wage register and wage cards if the contractor does not employ more than 50 workers. The Regulations also contain provisions regarding fines and deductions similar to those in the Payment of Wages Act.

No more convincing proof that the provisions contained in these Regulations are not being observed is required than the fact that many of the officers in the P.W.D. were not even aware of the existence of these regulations. Nor at the works of the P.W.D. visited in connection with the present enquiry were these regulations being observed.

Some of the State Public Works Manuals contain a few conditions relating to labour. These mainly relate to fair wages in public contracts, employment of children, employment of women in cantonment areas, Sunday work and the contractors' liability for workmen's compensation in case of accidents. A few manuals also contain clauses relating to hutting and sanitary and medical arrangements for labourers. For instance Section 44 of the C.P. and Berar Public Works Department Manual reads as follows :—

“When a large number of people are to be employed, the Executive Engineer should consult the Civil Surgeon. The Civil Surgeon should inspect the arrangements and report to Government any case in which the Executive Engineer finds himself unable to accept any important suggestion. Any reasonable outlay for—

- (i) Such temporary huts or shelters as may be needed for large numbers of workpeople,
- (ii) the marking out, cleaning and drainage of their temporary stations,
- (iii) the employment of the necessary policemen, hospital establishment and sweepers,

may be authorised as forming part of the contingent outlay on the work under construction. But, except under the special orders of the Chief Engineer or Superintending Engineer, no such outlay should be incurred on works which are being executed by a contractor.”

The Madras Detailed Standard Specifications for use in the P.W.D. of Madras State contain the following paragraphs among a few others relating to labour :—

37. Sheds for housing workmen shall be provided at the contractors' expense, if in the opinion of the Executive Engineer such are necessary or desirable.

39. The contractor shall provide and erect, prior to the commencement of the work sufficient latrines for the use of the workpeople, male and female, and shall keep the same disinfected and clean at all times during the progress of the works and shall remove the same, disinfect the ground and make good all damage on the completion of the works.

A few States such as Mysore and Travancore-Cochin do not embody any conditions relating to labour in their contracts. Some States like, Madhya Pradesh, Bombay, West Bengal and Madras put in a few labour conditions. Typical of these conditions relating to labour are those given in the C.P. and Berar P.W.D. Manual in Appendix 34. The following are the clauses relating to labour :

“*Clause 19.*—No female labour shall be employed within the limits of a cantonment.

*Clause 19A.*—No labourer below the age of 12 years shall be employed on the work.

*Clause 19B.*—The Contractor shall pay not less than fair wage to labourers engaged by him on the work.

#### EXPLANATION

(a) ‘Fair Wage’ means wage whether for time or piece work notified at the time of inviting tenders for the work and where such wages have not been so notified, the wages prescribed by the P.W.D. for the division in which the work is done.

(b) The contractor shall, notwithstanding the provisions of any contract to the contrary, cause to be paid a fair wage to labourers indirectly engaged on the work, including any labour engaged by

his sub-contractors in connection with the said work, as if the labourers had been immediately employed by him.

(c) In respect of all labour directly or indirectly employed in the works for the performance of the contractors' part of this agreement, the contractor shall comply with or cause to be complied with the C.P. and Berar P.W.D. Contractors Labour Regulations contained in Appendix 150 of the P.W.D. Manual, Vol. II.

(d) The E.E./S.D.O. shall have the right to deduct, from the moneys due to the contractor any sum required or estimated to be required for making good the loss suffered by a worker or workers by means of non-fulfilment of the conditions of the contract for the benefit of the workers, non-payment of wages or of deduction made from his or their wages which are not justified by their terms of the contract or non-observance of the Regulations.

(e) The contractor shall be primarily liable for all payments to be made under and for observance of the Regulations aforesaid without prejudice to his right to claim indemnity from his sub-contractors.

(f) The Regulations aforesaid shall be deemed to be a part of this contract and any breach thereof shall be deemed to be a breach of the contract.

*Clause 20.*—No work shall be done on Sundays without the sanction in writing of the Engineer-in-Charge."

#### *Fair Wage Clauses in Public Contracts*

For a long time now the C.P.W.D. have been incorporating a fair wage clause in their public contracts. The clause is more or less in the same terms as given under clause 19-B of the C. P. & Berar P.W.D. Manual reproduced on page 51. Some State Governments have also been incorporating such a clause in their contracts. Recently, however, as a result of the fixation of minimum wages for the building industry by the Central and the State Governments, the fair wage clause is not as significant as it used to be.

#### *Observance of Rules and Regulations*

Although it may appear to be a very sweeping statement one cannot help remarking that the various Rules and Regulations relating to labour in the building and construction industry are observed more in their breach than in their compliance. The only probable exception is the Contractors' Labour Rules of the C.P.W.D. regarding protection of wages. The Central Government have appointed Labour Officers in all important divisions of the C.P.W.D. for the proper implementation of the Fair Wage Clause, the Contractors' Labour Regulations and the Model Rules for Health and Hygiene. Several Labour officers have complained about the lack of practicable penalty provisions in the various regulations for ensuring their observance. At present no penalty is provided for the infringement of any of the clauses by the contractors except the extreme penalty of forfeiture of security, rescinding of contract, etc., which are, as a rule, never resorted to. In cases of non-payment of wages to the worker, however, the Labour Officer is authorised to advise the

Executive Engineer concerned to withhold the sum in question from the contractor's bills for disbursement to the workers. It is understood that a recent committee appointed by the Ministry of Works, Housing and Supply on Rationalisation of contract forms of the C.P.W.D. has recommended the imposition of a fine of Rs. 50 for each infringement of these clauses by a contractor.

Another difficulty in the way of the proper implementation of these Rules and Regulations is the predominance of small units in the building industry. In a recent report furnished to the Chief Labour Commissioner (Central), the Labour Officer in the Construction Division of the C.P.W.D. in Delhi has given a frequency table of the size of the contractor's establishments he inspected during a period of 8 months in 1953. The table is given below :—

TABLE 22

*Size of Contractors' Establishments inspected, May-December 1953*

Size of units (Number of persons employed)	Number of units
Less than 25 .. .. .	38
25—49 .. .. .	23
50—74 .. .. .	26
75—99 .. .. .	6
100—124 .. .. .	8
125—149 .. .. .	3
150—174 .. .. .	5
175—199 .. .. .	4
200—224 .. .. .	4
225—249 .. .. .	4
250—274 .. .. .	6
275—299 .. .. .	2
300 and above .. .. .	3
Total .. .. .	132

It is seen that nearly half the establishments inspected employed less than 50 workers each and, therefore, the model rules regarding Health and Sanitary arrangements were not applicable to them. Under clause 6(3) of the Contractors' Labour Regulations, the Executive Engineers are authorised to exempt contractors not employing 50 workers per day from maintaining Wage Books and Wage Slips and the Executive Engineers have been freely issuing such exemption. Of late the legal position in this regard has changed. The



Minimum Wages (Central) Rules which are also applicable to contract labour make provision for the maintenance of Wage Books and Wage Slips. They do not contain any provision for the exemption of small establishments and this fact has been brought to the notice of the authorities concerned. In spite of this, however, exemption certificates are still being freely issued by the Executive Engineers.

In the opinion of the officers of the Governments concerned and several contractors, the main factor responsible for the non-observance of the various rules and regulations regarding labour was the cost factor in the public works. The Executive Engineers and several Superintending Engineers were of the view that if the various conditions regarding labour were enforced they would not any longer get competitive tenders for works and the cost to Government on public works would increase. Several contractors on the other hand stated that they were prepared to give all necessary amenities to the labour and conform to the various rules and regulations but their quotations would also be proportionately higher and Governments would ultimately have to foot the bill. There is no doubt much to be said in favour of both these arguments. These arguments, however, should not weigh at least in regard to the works of the C.P.W.D. and the works in certain States which have incorporated varying conditions relating to labour in their agreements with the contractors. So long as clauses relating to labour are a part of the contract, it is to be assumed that the contractors concerned have entered into the agreements with their eyes open and having fully considered the financial implications of the clauses relating to labour in their respective contracts. How then can the parties justifiably advance the plea of further financial burden on the State? Speaking of the States' obligations in the matter one is inclined to ask why, if the States are not able to bear the financial burden enjoined by the various rules and regulations, should they insist on having these rules and regulations at all.

## CHAPTER VI

### Summary

The building and construction industry includes several sectors of building activity such as the works of the Central and State Public Works Departments, the various river valley projects, works of the Defence Ministry, Statutory Housing Boards, Co-operative House Building Societies, building activities of local bodies, railway construction, etc. According to the Census of India, 1951 over 11 lakhs persons are engaged in construction and maintenance of buildings, roads, bridges and other transport work, telegraph and telephone lines, irrigation and other agricultural work, etc., as employers, employees and independent workers. Building activity is seasonal in character and employment in building trades is subject to seasonal fluctuations influenced largely by climatic conditions. As a rule, building activity is at its peak during the winter months while it is more or less at a standstill during the rainy season.

One special feature of work in the building and construction industry is that the execution of the work has, by far and large, been entrusted to contractors. In fact the bulk of the labour employed in the building industry is employed through contractors. In the C.P.W.D. contract labour forms 69 per cent. of total employment, in the Public Works Department in Madras 99 per cent., in Orissa 86 per cent., in Mysore 80 per cent. and in Delhi nearly 100 per cent. In the works of the Damodar Valley Corporation it forms 44 per cent., in the Hirakud Dam Project 74 per cent. and in the Manimuthar Project in Madras 83 per cent. In railway construction in Travancore-Cochin 88 per cent. of the labour employed were through contractors.

Women form about 13 per cent. of the total labour employed and constitute a much larger proportion of the unskilled labour in the building trades. Children are not usually employed in the building industry except in Madras and Mysore.

Skilled workers in the building trades constitute from 20 to 40 per cent. of the total labour employed. Skilled workers comprise masons, bricklayers, stone cutters, carpenters, blacksmiths, etc. Work on dam construction, etc., requires also a large number of technicians and drivers of trucks and machinery. In some of the highly mechanised works such as at the Bhakra-Nangal Project skilled workers form as much as 85 per cent. of the labour force.

Except in some of the major works which maintain personnel departments there are no special arrangements for the recruitment of workers. Generally skilled and unskilled workers come to the work sites in search of employment. There is evidence of inter-district and inter-State migration in search of employment particularly among some categories of skilled and semi-skilled workers.

Hours of work in the building and construction industry are 8 per day and 48 per week although there are no statutory restrictions in this regard. Occasionally overtime work is required and in such

cases several contractors pay wages at double the ordinary rates. Except on the works of the Central Public Works Department, the workers in building and construction do not get any paid weekly holiday. However, they get a weekly day of rest. Only the workers departmentally employed in the C.P.W.D. and the public works in certain States and some of the dam projects get leave with wages.

'Road construction and building operations' is one of the industries scheduled under the Minimum Wages Act, 1948. The Central Government and several State Governments have fixed minimum rates of wages for workers in building and construction. The minimum rates fixed vary from State to State and even from one district to another within a State. Some State Governments have fixed uniform minimum rates for men and women but generally the rates fixed are different. The prevailing rates of wages in the building industry are substantially higher than the minimum rates fixed, although instances were noticed in which rates of wages were lower than those fixed under the Act.

The working and living conditions of labour in building and construction need considerable improvement. In regard to the provision of rest shelters, washing facilities, sanitary arrangements, etc., little or nothing has so far been done while the arrangements regarding drinking water and protective equipment leave much to be desired. Housing conditions of building workers are deplorably poor and welfare facilities, except in some of the major dam projects, are almost non-existent.

Except, again, in some of the major dam projects and the C.P.W.D. works in Delhi and Calcutta, the workers have not organised themselves and have no bargaining strength. The C.P.W.D. and the River Valley Projects have labour or personnel officers to enquire into the grievances of the workers.

In India, the technical aspects of the building and construction industry have also not received the attention they deserve. The Planning Commission has, however, emphasised the need of research in building techniques and materials and organising the building trade in all its aspects including training of labour and technical personnel of all grades. The Commission has suggested the setting up of a National Building Organisation with the following principal objectives :—

- (a) to co-ordinate and evaluate results of research on building materials and technical development now being carried on in different institutions ;
- (b) to suggest from time to time subjects of further research and development with due regard to their relative importance and urgency ;
- (c) to incorporate the results of such research in actual building practice ;
- (d) to ensure effective utilisation of all available building materials including non-traditional materials ;
- (e) to guide industry and public in general on the use of new materials and techniques in building construction :

- (f) to initiate proposals for increased production of building materials and their proper distribution ;
- (g) to examine building costs with a view to reducing in overheads and other expenses particularly in the public sector ;
- (h) to provide museums or standing exhibitions where methods of cheap houses and techniques for economic building can be displayed, explained and demonstrated ;
- (i) to take necessary steps for the standardisation of building components and to organise production and distribution of such standardised components on a large scale ;
- (j) to advise Government on technical matters including experiments, research, building education and new techniques ; and
- (k) to provide for training in building work and improved techniques and to organise refresher courses for engineers and architects.

Such a body should consist of persons who are eminent in their professions and whose decisions would carry weight. It must also have facilities for experiments in various types of building materials and it must be associated with a Ministry of the Central Government which should act as its executive wing to translate its recommendations into actual practice.



## APPENDIX I

## Central Public Works Department—Contractor's Labour Regulations

1. *Short title.*—These regulations may be called "The Central P.W.D. Contractor's Labour Regulations."

2. *Definitions.*—In these regulations, unless otherwise expressed or indicated, the following words and expressions shall have the meaning hereby assigned to them respectively, that is to say :

- (i) 'Labour' means workers employed by a Central P.W.D. contractor directly, or indirectly through a sub-contractor or other person or by an agent on his behalf.
- (ii) 'Fair Wages' mean wages notified at the time of inviting tenders for the work and where such wages have not been so notified, the wages prescribed by the C.P.W.D. for the district in which the work is done.
- (iii) 'Contractor' shall include every person whether a sub-contractor or headman or agent, employing labour on the work taken on contract.
- (iv) 'Wages' shall have the same meaning as defined in the Payment of Wages Act and includes time and piece-rate wages.

3. *Display of notices regarding wages, etc.*—The contractor shall—

- (a) before he commences his work on contract, display and correctly maintain and continue to display and correctly maintain in a clean and legible condition in conspicuous places on the work, notices in English and in the local Indian language spoken by the majority of workers giving the rate of wages which have been certified by the Executive Engineer, the Chief Engineer or Regional Labour Commissioner, as fair wages and the hours of work for which such wages are earned, and
- (b) send a copy of such notices to the certifying officers.

4. *Payment of wages.*—(i) Wages due to every worker shall be paid to him direct.

- (ii) All wages shall be paid in current coin or currency or in both.

5. *Fixation of wage periods.*—(1) The contractor shall fix the wage periods in respect of which the wages shall be payable.

- (2) No wage period shall exceed one month.

(3) Wages of every workman employed on the contract shall be paid before the expiry of ten days, after the last day of the wage period in respect of which the wages are payable.

(4) When the employment of any worker is terminated by or on behalf of the contractor, the wages earned by him shall be paid before the expiry of the second working day on which his employment is terminated.

- (5) All payments of wages shall be made on working day.

6. *Works register and wage cards, etc.*—(1) The contractor shall maintain a wage book of each worker in such form as may be convenient, but the same shall include the following particulars :—

- (a) Rate of daily or monthly wages.
- (b) Nature of work on which employed.
- (c) Total number of days worked during each wage period.

- (d) Total amount payable for the work during each wage period.
- (e) All deductions made from the wages within indication in each case of the ground for which deduction is made.
- (f) Wages actually paid for each wage period.

(2) The contractor shall also maintain a wage card for each worker employed on the work.

(3) The Executive Engineer may grant an exemption, from the maintenance of wage book and wage slips, to a contractor who in his opinion may not directly or indirectly employ more than 50 persons on the work.

7. *Fines and Deductions which may be made from wages.*—(1) The wages of a worker shall be paid to him without any deductions of any kind except those authorized, namely :—

(a) Fines.

(b) Deductions for absence from duty, i.e., from the place or places where by the terms of his employment he is required to work. The amount of deductions shall be in proportion to the periods for which he was absent.

(c) Deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or fault.

(1A) The Central Government may, from time to time, allow deductions other than those specified in clause (1) above.

(2) No fines shall be imposed on a worker and no deductions for damage or loss shall be made from his wages until the worker has been given an opportunity of showing cause against such fines or deductions.

(3) The total amount of fines which may be imposed in any one wage period on a worker shall not exceed an amount equal to half-an-anna in a rupee of the wages payable to him in respect of that wage period.

(4) No fine imposed on any worker shall be recovered from him by instalments or after the expiry of 50 days from the date on which it is imposed.

8. *Register of fines, etc.*—(1) The contractor shall maintain a register of fines and of all deductions for damage or loss. Such register shall maintain the reason for which fine was imposed or deduction for damage or loss was made.

(2) The contractor shall maintain a list in English and in the local Indian language, clearly defining acts and omissions for which penalty or fine can be imposed. He shall display such list and maintain it in a clean and legible condition in conspicuous places on the work.

9. *Preservation of registers.*—The wage register, the wage slips and the book of fines deductions required to be maintained under these regulations shall be preserved for 12 months after the date of the last entry made in them.

10. *Powers of Labour Welfare Officers to make investigation or enquiry.*—The Labour Welfare Officer, or any other person authorized by the Central Government on their behalf shall have power to make enquiries with a view to ascertaining and endorsing due and proper observance of the Fair Wage Clauses and the provisions of these regulations. He shall investigate into any complaint regarding the default made by the contractor or sub-contractor in regard to such provisions.

11. *Report of Labour Welfare Officer.*—The Labour Welfare Officer, or other person authorized as aforesaid shall submit a report of the result of his investigation or enquiry to the Executive Engineer concerned indicating the extent, if any, to which the default has been committed, with a note that necessary deductions from the contractor's bill be made and the wages and other dues be paid to the labourers concerned. In case an appeal is made by the contractor under clause 12 of these regulations, actual payment to the labourer will be made by the Executive Engineer after the Regional Commissioner has given his decision on such appeal.

12. *Appeal against the decision of Labour Welfare Officer.*—Any person, aggrieved by the decision and recommendation of the Labour Welfare Officer or other person so authorised, may appeal against such decision to the Regional Labour Commissioner within 30 days from the date of decision forwarding simultaneously a copy of his appeal to the Executive Engineer concerned, but subject to such appeal, the decision of the Officer shall be final and binding upon the contractor.

12A. *Prohibition regarding representation through Lawyer.*—No party shall be allowed to be represented by a lawyer during any investigation, enquiry, appeal or any other proceedings under their regulation.

13. *Inspection of registers.*—The contractor shall allow inspection of wage book, the wage slips and the register of fines and deductions to any of his workers or to his agent at a convenient time and place after due notice is received or to the Labour Welfare Officer or any other person authorised by the Central Government on his behalf.

14. *Submission of return.*—The contractor shall submit periodical returns as may be specified from time to time.

15. *Amendment.*—The Central Government may, from time to time, add to or amend these regulations and on any question as to the application, interpretation or effect of these regulations, the decision of the Chief Labour Commissioner to the Government of India or any other person authorised by the Central Government in that behalf shall be final.

## APPENDIX II

**Model Rules for the Protection of Health and Sanitary Arrangements for Workers Employed by C.P.W.D.-or its Contractors**

1. *Application.*—These rules shall apply to all construction works in charge of Central P.W.D.

2. *Definitions.*—(i) Work place means a place at which at an average fifty or more workers are employed in connection with construction work.

(ii) Large work place means a place at which at an average 500 or more workers are employed in connection with construction work.

3. *First aid.*—(a) At every work place there shall be maintained in a readily accessible place, first aid appliance, including an adequate supply of sterilized dressing and sterilized cotton wool. The appliance shall be kept in good order and in large work place they shall be placed under the charge of a responsible person who shall be readily available during working hours.

(b) At large work places where hospital facilities are not available within easy distance of the works, first aid posts shall be established and run by a trained compounder.

(c) Where large work places are remote from regular hospital an in-door ward shall be provided with one bed for every 250 employees.

(d) Where large work places are situated in cities, towns or in their suburbs and no beds are considered necessary owing to the proximity of city or town hospital, an ambulance shall be provided to facilitate removal of urgent cases to those hospitals. At other work places, some conveyance facilities, such as, a car shall be kept readily available to take injured persons or persons suddenly taken seriously ill, to the nearest hospital.

4. *Drinking water.*—(a) In every place, there shall be provided and maintained at suitable places, easily accessible to labour, sufficient supply of water pit.

(b) Where drinking water is obtained from an intermittent public water supply, each work place shall be provided with a storage where such drinking water shall be stored.

(c) Every water supply of storage shall be at a distance of not less than 50 feet from any latrine, drain or other source of pollution. Where water has to be drawn from an existing well, which is within such proximity of latrine, drain or any other source of pollution, the well shall be properly cleaned before water is drawn from it for drinking. All such wells shall be entirely closed in and be provided with trip doors which shall be dust and water proof.

(d) A reliable pump shall be fitted to each covered well, the trap door shall be kept locked and opened only for cleaning or inspection which shall be done at least once a month.

(e) The temperature of drinking water supplied to workers shall not exceed 90° F.

5. *Wash and Bath places.*—(i) Adequate washing and bathing places shall be provided separately for men and women.

(ii) Such places shall be kept in clean and drained condition.



6. *Scale of accommodation in latrines and urinals.*—These shall be provided within the precincts of every work place, latrines and urinals in an accessible place, and the accommodation separately for each of them shall not be less than the following scales :—

	No. of seats.
(a) Where the number of persons employed does not exceed 50 ... ..	2
(b) Where the number of persons employed exceeds 50, but does not exceed 100 ... ..	3
(c) For every additional 100 ... ..	3 per 100

In particular cases, the Executive Engineers shall have the power to vary the scale where necessary.

7. *Latrines and urinals for women.*—If women are employed, separate latrines and urinals screened from those for men and marked in the vernacular in conspicuous letters "For Women only" shall be provided on the scale laid in rule 6. Those for men shall be similarly marked "For men only". A poster showing the figure of a man and a woman shall also be exhibited at the entrance of latrines for each sex. There shall be adequate supply of water close to the urinals and latrines.

8. *Latrines and urinals.*—Except in work places provided with water flushed latrines connected with a water borne sewage system, all latrines shall be provided with receptacles on dry earth system, which shall be cleaned at least four times daily and at least twice during working hours and kept in strictly sanitary conditions. The receptacles shall be tarred inside and outside at least once a year.

9. *Construction of latrines.*—The inside walls shall be constructed of masonry some suitable heat resisting, non-absorbant material and shall be cement washed inside and outside at least once a year. The dates of cement washing shall be noted in a register maintained for this purpose and kept available for inspection.

10. *Disposal of excreta.*—Unless otherwise arranged for by the local sanitary authority, arrangements for proper disposal of excreta incineration at the work place shall be made by means of a suitable incinerator approved by an Assistant Director of Public Health or the Municipal Medical Officer of Health, as the case may be, in whose jurisdiction the work-place is situated. Alternatively excreta may be disposed off by putting a layer of a night soil at the bottom of pucca tank prepared for the purpose and covering it with a 6 in. layer of waste of refuse and then covering it up with layer of earth for fortnight when it will turn into manure.

11. *Provision of shelter during rest.*—At every work place there shall be provided free of cost two suitable sheds one for meals and the other for rest, for the use of labour. The height of the shelter shall not be less than 11 ft. from the floor level to the lowest part of the roof.

12. *Crèche.*—At every work place at which 50 or more women workers are ordinarily employed, there shall be provided two huts for the use of children under the age of 6 years belonging to such women. One hut shall be used for infants' games and the other as their bed room. The huts shall not be constructed on a lower standard than the following :—

- (i) Thatched roof.
- (ii) Mud floor and walls.

(iii) Planks spread over the mud floor and covered with matting. The huts shall be provided with suitable and sufficient openings for light and ventilation. There shall be adequate provision of sweepers to keep the place clean. There shall be two dais in attendance. Sanitary utensils shall be provided to the satisfaction of the Health Officer of the area concerned. The use of the huts shall be restricted to children, their attendants and mothers of the children.

13. *Canteen*.—A cooked food canteen on a moderate scale shall be provided for the benefit of workers wherever it is considered expedient.

14. The above rules shall be incorporated in the contracts and in notices inviting tenders and shall form an integral part of the contract.