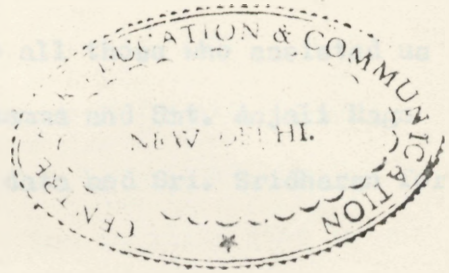


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A STUDY OF CHITTHALS - WOMEN
CONSTRUCTION LABOUR IN THE
CITY OF MADRAS.



P.L.T. Girija
Goetha Ramakrishnan
Shyamala Ramakrishnan

Bharathi

Institute For Studies on Women
15, New Colony
Josier Street
Madras - 600 054.

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CONCLUSION

In our study of Chithals, we have sketched the broad features of construction industry in Tamil Nadu and specific features of it in the City of Madras. Particular emphasis has been paid to the following aspects: We have tried to obtain as much data as possible on the size of construction, organizational structure, relations between size of construction and conditions of Chithals, working and living conditions of women labour, their social and cultural background, conditions of women labour giving rise to child labour and the intimate link between construction industry and the village economy leading to rural urban migration. Patterns of migration from rural to urban areas in this study however remains indicative rather than exhaustive. We have also attempted to outline the social cost that the vast majority of the people have to pay as a price of transition from a well organised rural society to a haltingly emerging industrial society.

Structure of the industry and Position of women:

The word 'Chithal' meaning small person, has become synonymous with women labour in construction industry. They form the lowest rung in the hierarchy of relations in this industry and their status is closely connected with the very structure of the industry itself. Whether she labours for the public sector or in the private sector makes little difference in her conditions of work and status. Everywhere the industry is based on the system of contract, subcontract and labour contract. There is no direct relationship between the employer and the worker.

Throughout her career Chithal remains invisible to the principal employer and to the prime contractor. Principal employers in both public and private sectors do not organize the labour process. The work is contracted out to private companies or individuals, who need have no knowledge of the production process or the labour organization but are mere financiers in this industry. As a result the entire management of production as well as the labour rests with the labour subcontractor.

There is no written contract at the lower levels of the hierarchy namely between the Chithals and the labour contractors or between the contractor and labour subcontractor. Formal agreements with conditions relating to labour however exists between the principal employer and the prime contractor especially in the public sector but these conditions are never meant to be honoured by either party. As a result a Chithal labouring under a particular contractor for several years, even though in public sector, has no evidence to prove her existence as a construction labour, her experience and her contribution. Therefore even in the case of fatal accidents at work site, the attitude of the contractor and principal employer is one of callous indifference towards the labour. And unlike public sector employees, Chithals enjoy no maternity benefits, social security or proper working conditions. Thus non-employment (lay off) during monsoon, sickness or pregnancy leads to severe indebtedness on the part of Chithals.

Size of Construction and Employment:

Unlike what is universally believed, i.e. bigger the size, higher the wage rate, in construction the bigger sites pay a wage lower than the wages of small and medium sites and they hold the labourers in virtual bondage.

The difference in wages between the big and the small may vary upto hundred percent. The differential wage rates are justified due to the regularity of employment that the big sites are capable of offering. To ensure a regular supply of cheap labour, companies recruit the workers from villages through subcontractors. This labour unlike the City labour is docile, unmindful of the hard labour, long hours of work, and low wages, with no roots in the City. They compare their wages with that of agriculture which can only offer them wages much less compared to construction. In this situation payment of minimum wages in big sites even in public sector is not realized. The entire families of migrants move from site to site with their contractors developing absolutely no links with the city. Because of the low wages and the entire-family-migration, even children are placed under the subcontractors for daily wages. Thus the highest incidence of child labour is witnessed among the big sites. The migrants live in small shacks provided by the contractor near the sites with no proper amenities for living.

Thus due to the system of subcontract in construction in the public sector, the conditions of Chithals is much worse in major sites in Public Sector than in the small house-building sites in private sector.

Labour Market:

The position of Chithals depend very much on the labour group to which she is a part. This is so even within the same site. Accordingly her work, wages, terms and conditions of work vary. Thus the Chithals do not form a homogenous category. At one end of the spectrum is the market

place labour from the City slums, who work in small constructions, who exercise their bargaining powers in wages, work time, types of work and choice of employer. At the same time they face high fluctuation in security of employment in small construction. At the other end are the company-attached Chithals and those attached to subcontractors living on site, who have no choice or bargaining capacity in matters relating to their employment. In between these two is the maistry-attached Chithals, whose conditions and terms of work depend largely on the terms and conditions the piece-work maistry is able to obtain. In skill and ability to twin out quality in work, the maistry-attached Chithals rank higher than the other two counter parts. This is due to the fact their employment is largely within the house-building sector, where the quality of construction is in general superior and often carried out even without assistance from engineers. In matters of wage, hours of work and regularity of employment, they remain midway between the company-attached labour and the market-place labour.

Sex Differentials:

On all sites a woman construction worker remains a Chithal, an unskilled category throughout her career. The male unskilled category is called Perial who performs a slightly different work from that of Chithal. Within the unskilled category, the wage differentials can and to be based entirely on sex difference. There seems to be no basis for rating one set of unskilled work lower or higher in value than another. For instance, the work of Chithals namely carrying construction materials is rated lower in value than the work of Perial which is mixing these materials. Even on sites where Chithals perform the work of Perial as in small construction sites, they are not entitled to a higher wage equal to that of a male worker.

The Chithal remains an unskilled hand throughout her career, while the male unskilled workers can move up in the hierarchy by acquiring skills. Thus the sex-based discrimination of the workers in wages and acquisition of skills is a characteristic feature of construction industry.

Child Labour and Women Labour:

The existence of child labour in construction industry is inevitably linked with the conditions of the women labour. They are the children of Chithals working mostly in big and medium size constructions. The child worker supplements the meagre income of the mother and the mother in turn provides the industry with a continuous supply of cheap labour. Thus denial of fair wages to women and lack of child care and educational facilities for children, perpetuates this situation. The highest incidence of child labour is witnessed in the public sector construction. Children earn wages equal to that of Chithals and are made to work just as hard. Even here the incidence of female child labour seems to outnumber the male. The only way to prohibit children from construction work therefore is by improving the conditions of women labour.

Maintenance work in Public Sector:

Even though maintenance work is of perennial nature, women are employed as temporary hands, denied opportunities for acquisition of skills and are the victims of the divide and rule policy of the public sector departments.

Social Factors:

A striking feature common to all categories of Chithals is the total lack of or poor housing facilities available to them. They live in

the City slums on Government and Private lands or in make shift arrangements in the company shacks.

The lack of child care and educational facilities for the children of Chithals is one of the major issues confronting the women labour. In all sites children are carried to the work place and left exposed to the hazards of this occupation. They grow up amongst the construction materials foregoing altogether educational and other opportunities in life and often ending up as child labour.

Labour Laws:

An instrument of protection namely the labour laws in general, including social security laws, are designed to suit the organized sector. Even where the laws are framed keeping in view the sweated labour, such as minimum wages act and contract labour act, they make no provision for the women labour to enforce the laws and provide no means by which they can be protected in the face of victimisation. The Tamil Nadu act for the construction workers suffer from the same malady. Moreover, a mere extension of existing social security laws to construction labour, without at the same time regulating employment will not benefit the women.

Suggestions:

Employment in construction industry should be regulated by creating a tripartite board (representatives of Government, workers and employers) through enactment so that registration and recruitment of labour, licensing of contractors and commencement of construction can be routed through the board. Fair wages, lay-off compensations, and social security

implemented by the board by way of suitable levies imposed on principal employers and contractors. Proportionate representation of women as elected worker representatives on the board is imperative for the participation of women in decision-making process.

Equal pay for all types of unskilled work and schemes for skilled upgradation for women should be undertaken.

Provisions of housing and creche facilities must be ensured to women on all sites.

Existing laws should be amended to provide powers to women in inspection and prosecution and protection from victimisation.

Violation of laws by the contractor should result in cancellation of licenses and increased penalty.

Hours of work for construction labour should be restricted to six hours, from early morning till noon. Safety norms should be evolved and enacted as a law.

Number and list of workers must be collected from contractors at the time of signing the contract with public sector departments. Principal employer should especially government as a model employer should penalise contractors and cancel contracts in case of labour-law violations.

When fatal accidents occur, it should be made mandatory for the principal employer to inform authorities and deposit the compensation before the labour commissioner. Otherwise it should be treated as homicide.

Workers education programmes in literacy and awareness generation should be organized on a large-scale.

In the end we wish to point out certain areas about which almost nothing has been said in the study and which are quite relevant towards the total understanding of this community and its position in India. It has been often claimed in this study that the organization of this industry still retains a number of traditional features and the structure currently prevalent has been modelled after the British system of subcontract. Many of the evils in the industry have been directly attributed to the system of subcontract. We feel a detailed study on the organisation of construction industry in the pre-British India will give a clearer picture of how in a different time and different social milieu, these traditional features of the industry were integrated with the rest of the society. We believe that an investigation in the above mentioned areas along with better statistics on the industry and its work force and broaden investigation of the issues like the migration of workers and their socialization will prove a fairly complete picture of construction industry. Such a study will go a long way towards the sociological understanding of the transition to urban industrial set up of a newly industrializing country like India.