

## REPORT

# THE SOCIO ECONOMIC STATUS OF MIGRANT CONSTRUCTION WORKERS IN BANGALORE AND INTERVENTION PLAN TO IMPROVE LIVELIHOODS



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## Abbreviations

BCWA	- The Building and other Construction Workers Act
BCWWB	- The Building and other Construction Workers Welfare Board
BCWWCA	- The Building and other Construction Workers Welfare Cess Act
CEO	- Chief Executive Officer
CUTS	- Consumer Unity and Trust Society
FGDs	- Focused Group Discussions
FIR	- First Information Report
GOI	- Government of India
HIV	- Human Immunodeficiency Virus
ISMWA	- The Inter State Migrant Workmen Act
ILO	- International Labor organization
ICDS	- Integrated Child Development Scheme
MCWs	- Migrant Construction Workers
MRC	- Migrant Resource Centre
NALSA	- National Legal Service Authority
NGOs	- Non-Government Organization
PHC	- Public Health Centers
PWD	- Public Works Department
PDS	- Public Distribution Systems
RSBY	- Rashtriya Swasthya Bima Yojana
SHGs	- Self Help Groups
SDTT	- Sir Dorabji Tata Trust
STDs	- Sexually Transmitted Diseases
UP	- Uttar Pradesh

# REPORT

## The Socio Economic Status of Migrant Construction Workers in Bangalore and Intervention Plan to Improve Livelihoods

### Executive Summary

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Rural to urban migration is on the rise in India, and indeed, this phenomenon is on a steady increase in both short (seasonal) and long-term (sustained) movement. 50% of such migration takes place in the construction sector. It has been estimated that currently 80 million persons move from one state to another. Of these, 40 million are employed in the construction industry alone. Women constitute more than one-third of the work force. Closer home, the boom in construction industries in Bangalore, as well as other cities in Karnataka, is being sustained by almost 15 lakh migrant workers from places as far as Rajasthan, UP, Bihar, Orissa, Chhattisgarh and Jharkhand.

While evidently such migration is motivated by the promise of higher incomes, and therefore a higher standard of living, the real picture may not be as rosy. While the legal and regulatory prescriptions mandate a secure and safe working environment for migrant construction workers, they are still largely an under-represented group. Moreover, adequate research and targeted rehabilitation programmes have also excluded migrant construction workers, and by passing them from growth and development. In light of this, this study attempts to dig deeper into the work and life narratives of migrant construction workers, with the aim of influencing programmes and policies specifically designed for inter and intra-state migrant workers. More specifically, this study aims to design long term interventions that may enable migrant constructions workers to understand and access their rights as citizens/unorganized workers, both at the source and destination states, and thus improve their livelihoods.

The high-level methodology is facilitated through the appraisal of migration patterns and movements, and is encapsulated within the larger legal and regulatory environment, to finally identify and analyze gaps in the real story on the ground. More specifically, this study demonstrates the data collected through 363 profile surveys, 20 focus group discussions involving 395 workers, 20 personal, semi-structured interviews, and 4 individual case-studies, spanning 9 different construction sites and 2 labour colonies. Further, 15 personal, semi-structured interviews with government and non-governmental organization representatives, as well as exposure visits to 2 NGOs to the intervention areas complete the data collection process.

The findings from the data depict the high-level profiles of construction workers, with close to 70% of surveyed migrant workers being inter-state construction workers. This is decomposed into descriptive statistics of state-wise numbers, which further percolates to district-level numbers. The findings further aim to reconstruct demographic profiles for these construction workers by including details such as gender, gender-wise age break up, education details, and gender-wise education break-up details. To provide an overview, 86% of the surveyed construction workers were male. 46% of the surveyed construction workers were illiterate. Only 1% had a formal degree. The narratives also provide

## The Socio Economic Status of Migrant Construction Workers and Intervention Plan to Improve Livelihoods

an insight into the motivations for migration, such as the dearth of regular and well-paying jobs in towns or villages, the inability to develop one's skill sets for more gainful employment, as well as to satisfactorily access and utilize welfare schemes.

The findings provide a descriptive account of the living and working conditions for the construction workers. These span narratives that take into account housing facilities where workers reside in small spaces with ill-equipped protective material and poor ventilation. Essential supplies such as water and electricity are often disrupted or are inadequate. Health afflictions are frequent where workers suffer from dust infections, and other health issues as a result of the unhygienic living conditions. Thereafter, they have to avail of the expensive medical facilities. Moreover, food provisions and supplies are also expensive, because workers are unable to utilize their ration cards towards subsidized groceries at Public Distribution Systems.

Living conditions for labourers require more elaboration. Typically most labourers are illiterate which makes them vulnerable to exploitation. Their housing needs are fulfilled by unventilated, 4 by 5 feet small sheds that are made of plastic sheets. These small sheds accommodate between 5-6 members per family. If the sheds are located on the construction site, then accommodation is free for the residents. However, if the sheds are located on proximal vacant sites, then residents have to pay between 250 and 300 rupees per shed per month. Most sheds lack electricity (the project team found electricity in only 25% of the visited sites). Further, the cramped sheds lack privacy and security. The high living costs ensure that most of a laborer's wages go in consuming food items, as they are unable to utilize their ration cards properly. Therefore, workers are unable to build assets. Health afflictions are frequent amongst the workers due to the unsanitary conditions. Hospital expenses can be high especially for inter-state workers who cannot negotiate easily at government hospitals as they do not know the local language.

The working conditions for labourers also require more detail. Typically, the principal employer uses contractors to select and employ the labourers directly. While this system absolves the principal contractor from direct responsibility towards the construction labourers, it also removes any connection between the two, thereby rendering the labourers as vulnerable to exploitation at the hands of the sub-contractors. Most skilled and unskilled labourers work for 9-10 hours in a day and are paid minimum wages as per their skill levels and gender differentiation (that is, unskilled labourers and women labourers are paid lesser than their respective counterparts). Overtime is seldom paid to the workers, although the labour laws dictate as much. Identification is a major problem for migrant workers. Most migrant construction workers arrive in Bangalore for the first time when they are under 18 years of age (and thus, not legal adults as yet). Thereafter, their constant mobility impedes address verification checks. Further, migrant workers are seldom in their native villages when voters' cards are being issued. Intra-state labourers are typically at an advantage (as compared to inter-state labourers) since they are privy to the prevailing market rates and can negotiate with the contractors/sub-contractors in the local language. Therefore, they usually earn more than inter-state labourers. Moreover, inter-state workers often face police harassment, especially when they have to travel at night to the construction sites.

The findings also provide numeric details towards daily wages, which is further classified according to labour type, use or ownership of mobile phones, and use of and access to bank accounts. Indeed 85% of the surveyed migrant workers did not possess a bank account. This may be particularly poignant as migrant workers often tend to be heavy remittance facilities users since they send money back to their home towns or villages. For lack of better options, migrant workers send money through agents who charge a hefty fee for the remittance service. Inter-state workers might be at a bigger disadvantage as they must choose between saving money in their sheds or keeping the money with their sub-contractors. However, both are unsafe options, where in the former option money can easily get stolen, and in the latter option sub-contractors have been known to run away with the money. In this scenario, saving money in a bank account is a far more desirable and safer option.

The study continues to enumerate the existing legislative provisions and their states of implementation. Three such provisions are elaborated upon in greater detail: a) The Building and other Construction Workers (regulation of employment and conditions of service) Act, 1996 (BCWA), b) The Building and other Construction Workers Welfare Cess Act, 1996 (BCWWCA), and c) The Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (ISMWA). Each act is expanded in great detail to include details on legislation at the central and state level (if applicable), and the benefits available on registration. This section also touches upon the current state of these acts, and the lack of awareness regarding the same within the sample of migration construction workers. This lack of awareness about fundamental legal rights, that can potentially empower migrant workers, continues to remain a persistent problem. This problem is reflected in the dismal figures. For instance, only 0.29% of the Rs. 783- crores collected as Cess has been spent. This means that although 1.43 lakh workers are registered, only 3700 workers have received any benefits from the BCWWB. Further, neither the principal contractors nor the sub-contractors were aware of the Migrant Workers Act. The situation is made worse by the fact that even the state labour department ignores the implementation of this Act.

The majority of rural migrants are young people facing poor living and working conditions and a risk of early retirement from work because of poor education and skills. Conditions are even more challenging for the inter-state migrant construction workers who, in search of livelihood, leave their home states, thus losing their formal identity and political protection. The study findings demonstrate that migrant construction workers largely escape the purview of welfare and legal services, because they lack a permanent and proper identity as well as representation. To rectify these issues, the proposed programme interventions aim to support migrants in achieving sustainable livelihoods. The vision of project is to ensure that migrant constructions workers are safe and secure, and are able to access their entitlements as Indian citizens/unorganized workers, both at the destination and source states. To this end, the project enumerates a host of long-term interventions (both at source and destination): promoting awareness within the migrant workers community to sensitize members to vulnerability to discrimination and exploitation, as well as to their health, education and legal rights. The project also addresses the concerns of women migrants specifically, by promoting dialogue with the state and central governments for influencing policies, legislations and programs targeting migrant construction workers. The project fosters the collectivization of migrant workers to lend them a voice and thus, empower them, and aims to streamline the collaborative efforts among government



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organizations, NGOs, and community-based organizations to re-define and thus, establish migration as a development issue.

More specifically, and with actual deliverables in mind, the principal intervention will be to set up migrant resource centers at the destination states, which would in turn incubate activities related to research and advocacy (such as the collection and analysis of data on the state of migrant construction workers, assessing the viability of different types of remittances, facilitating the collectivization of migrant construction workers, as well as improved networks and linkages) and service and knowledge creation (which includes health, education, financial inclusion, social security and legal and human rights).

The service and knowledge creation activities are specifically planned in the health, education, finance and social security domains. These domain based interventions are further categorized according to awareness programmes, service-related programmes, and/or rights linkages within each domain. Each domain requires some detail. In the health domain, as the findings demonstrate, awareness regarding improved living conditions and adoption of preventive measures is necessary. Therefore, the health based intervention will seek to spread awareness through specific programmes that target general health and hygiene, reproductive health, and occupational health hazards and safety measures. Further, service related programmes will oversee the conduction of health camps and referrals, whereas the rights linkages will ensure that migrant workers and their families are able to avail of their rights through government schemes etc. In the education domain, educating the parents would ensure awareness regarding the long-term benefits of education. Further, service related programmes will oversee the maintenance of day-care systems that may provide meals, health care support, and capacity building of the teachers. Right based linkages will ensure that children have access to local government schools. In the finance domain, awareness programmes will be conducted on financial literacy. Moreover, local leaders will be trained to conduct transactions as intermediaries. The service-based programmes would seek to sign up more unbanked customers for formal bank accounts. Finally, the social security domain will conduct awareness programmes on labour laws and relevant schemes. The service based programmes will undertake registration, counseling, and placement responsibilities. The rights based linkages would facilitate linkages with the Building and other Construction Workers Welfare Board and its welfare schemes. To fulfill these ambitious goals, the project team has to bring on board a principal project manager, who will in turn supervise a health, education and legal expert. These experts will further supervise a team consisting of field workers, teachers, an administrative support team, accountants, and will also solicit the services of local leaders representing each site.

This project is also designing interventions at the source state which will be implemented in the second phase of the project. Sampark will work in the source villages of Karnataka (for inter-state migrant workers), and it will link with their SDTT partner NGOs in the other states (for intra-state migrant workers). Sampark will however support, monitor and build the capacities of the local NGOs in the source states to successfully administer the interventions. These interventions will seek to equip the local populations with vocational skills (for instance, in carpentry, plastering, electrical, welding, driving etc), life skills, enterprise trainings, and credit linkages. The goal is to ensure a steady stream of skilled workers between source and destination states.

At the end of the five years project period, it is expected that two Migrant Resource Centers will be established at the intervention sites with dedicated staff involved in enabling between 2000 and 2500 construction workers to live and work in improved conditions. To this end, this project concludes by outlining the expected impacts on the migrant construction workers: this includes general awareness on health and personal hygiene, occupational health hazards, and health, education and legal entitlements; increased confidence and better negotiations with principal employers, contractors and sub-contractors; increased employability, improved and fair wages in accordance with the prevailing market rates, and finally, improved living and working conditions.



## 01. Introduction

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The persistence of unsustainable rural livelihoods is resulting in increasing migration to urban areas, for both short and long periods. Much of this migration is seasonal, and even when it is for long periods, the status and conditions of those who migrate for work to urban areas is well below acceptable standards. 50% of such migration is in the construction sector. The unskilled migrants depend largely on the construction sector for employment in the urban sector. It is estimated that inter-state migration consists of about 80 million persons, of whom, 40 million are employed in the construction industry; and women constitute more than one third of the work force (Sarde, 2007). The boom in construction industries in Bangalore and other cities of Karnataka is being sustained by almost 15 lakh migrant workers from places as far as Rajasthan, UP, Bihar, Orissa, Chhattisgarh and Jharkhand. Construction companies no longer seek workers from Karnataka; in fact, they specifically ask contractors to employ labourers from these other states that are mentioned above, because they work "harder". In attempting to escape from poverty and disease at home, these workers get sucked into a labour economy that is characterized by exploitative labour practices, unsafe working environments, inhuman living conditions with little access to basic amenities, and almost complete social exclusion. Their story is a universal parable of sorrow that applies to all other migrant workers across the country (Sampark, 2008, Kameshwar, 2004).

Although cash incomes in this sector tend to be high, especially for skilled jobs, the migrants lack access to basic services such as health and education, and often their living conditions deny them both safety and decency - this is true especially with regards to women. Unfortunately, upon entry into cities, rural migrants find themselves living below acceptable standards, in terms of work, dignity and livelihood security. Nonetheless, millions of villagers continue to travel to cities in the hope that migration will prove to be a path out of poverty. Employment opportunities for migrant construction workers are at best irregular, the wages are low, their access to basic services like health care, affordable food, shelter, and sanitation is woefully inadequate, and the migrant workers are often subject to workplace malpractice (Sampark, 2002). Overall, the working conditions and the facilities provided at the construction sites are far from satisfactory and migrant construction workers are a most marginalized and vulnerable group.

Ninety two percent of the migrant workers come under the unorganized sector; as against this, only 8% are in the organized sector (Salve, 2005, Berman, 1996). Being part of an unorganized sector of labourers, they are unable to bargain for fair wages. They are not paid the minimum wage; and often, even the agreed upon wage is not paid on time. Moreover, their working time is not set and the hours they spend working are not well regulated. They do not get overtime rates for excess work. Even after the construction work is completed, substantial dues remain with the builders or the contractors, who withhold these due wages on some flimsy pretext. Construction labourers work under very hazardous conditions as basic safety norms and measures are hardly met. In the case of an accident,

**There are about 15 lakh migrant workers in Karnataka, migrated from within and outside state.**

generally, there is no provision for either financial or medical aid. It is up to the workers themselves to arrange for their own treatment, as there is no provision like ESI coverage for them; and even when a labourer/labourers dies, nobody owns responsibility (Sarde, 2007).

With regard to women and children, the problems at the worksites get compounded and multiplied, more so if the woman is pregnant or has small children. There is no provision at all within the system to take care of the children at worksites. The women can neither afford to leave the children unattended nor absent themselves from work as they would face extreme financial hardship. Living conditions of migrant workers are often sub-standard with no provision for clean drinking water, toilets and sanitation (Sampark, 2008; Kumar, 2005).

Despite the existence of adequate policies and legal provisions, unfavourable working conditions exist. As early as in 1979, the Government of India (GOI) introduced the "Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979". More recently, the government enacted "The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996" -. Almost all labour legislation is with reference to the organized sector, but the construction workers fall under the unorganized sector, this Act mandates that they are entitled to better working and living conditions, welfare, safety and health measures (GOI, 1996). There is a huge gap between the legal provisions and ground realities. Contractors can be penalized for not providing these services to the construction workers and for violation of the Act. Needless to say, the Act remains only on paper. The record of prosecutions or dispute settlements for the migrant workers is almost nil (Sampark, 2010, Thakur, 2008).

Although several existing laws mandate secure and safe working and living conditions for migrant construction workers, they are still an excluded group. There is neither proper research being conducted nor are there any programmes that strive for inclusive growth of the migrant construction workers. This study is an attempt to understand the situations of migrant construction workers in greater depth so that programmes and policies can be deigned for the inter and intra-state migrant workers.

**Migrant construction workers are unorganized and unable to bargain for fair wages or good living and working conditions. The living conditions are dismal causing suffering especially women and children. The relevant laws are not implemented and government by passes them for schemes of assistance**

## 02. Objectives

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The overall aim of the study is to understand the livelihood status of inter and intra-state unorganized migrant construction workers employed in Bangalore and to design long term interventions which would facilitate migrant constructions workers to access their entitlements as Indian citizens/unorganized workers, both at the destination and source and improve their livelihoods.

The specific objectives of the study are to:

- Understand the reasons for migration at source states whether migration is distress migration or to increase economic levels and see if there is a possibility to develop a band of support services that helps the migrants both at source and destination states.
- Examine the socio-demographic profile, including gender distribution, marital and family status, educational and skill levels of the internal and out of state unorganized migrant workers engaged in the construction sector in Bangalore, Karnataka.
- Examine the status of the health services available to migrant workers engaged in the construction sector in Bangalore
- Examine livelihood status and earning capacity.
- Document the living and working conditions.
- Examine the existing policy and law that protects the rights of these workers, and to undertake a gaps analysis in the implementation of the law at ground level.
- Document the possibilities of construction workers for collective action such as Self Help Groups, Cooperatives and Unions.
- Understand what social security schemes are available to migrant labour.
- Uderstand and learn about the types of interventions required for improved livelihoods of inter and intra state migrant workers from the NGOs like Aajeevika Bureau<sup>1</sup>, Disha Foundation<sup>2</sup> and others who are working with migrant construction workers.
- To design long term interventions for inter and intra state migrant construction workers which would improve livelihoods and access to their entitlements as Indian citizens.

The study focused on understanding migration patterns, the reasons for migration at source states, socio-demographic details including gender distribution, marital and family status, educational and skill levels, earning capacities, status of health, and the working-living conditions at the work place. It also focused on examining the existing policies and laws that protect the rights of these workers, and undertook a gaps-analysis in the implementation of the law at the ground level.

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<sup>1</sup> Aajeevika Bureau is a non-profit, public service organization, provides solutions, services and security to seasonal migrants who leave their villages to find work in cities, factories and farms.

<sup>2</sup> Disha Foundation, an NGO based in Nasik, Maharashtra is dedicated to work on inter and intra state seasonal labour migration & public health, and related development issues.

### 03. Methodology

Karnataka is one of the high economic growth states in India with a GSDP (Gross State Domestic Product) growth of 8.2% in the fiscal year 2010-2011 Bangalore is the largest city and the capital in Karnataka, with a sizeable base of IT employees who come in from different parts of India. Due to the increase in the number of employees in IT sector there is lot of demand for housing in private sector and in infrastructure development in public sectors, such as construction of flyovers, metro and new International airport etc. The boom in construction sector created a demand for construction labourers in Bangalore.

Due to this reason the construction industries in Bangalore is being sustained by almost 15 lakh migrant workers who migrate from places as far as Rajasthan, UP, Bihar, Orissa, Chhattisgarh and Jharkhand. Therefore, the study was conducted in Bangalore, Karnataka a big urban metropolis; also known as the silicon capital of India - it offers plenty of employment opportunities in the construction sector. The study used quantitative and qualitative research methodology and collected data from



primary and secondary sources. The data was collected through survey, focused group discussions (FGDs) and case studies involving workers in the construction sector and personal interviews with the key stakeholders. The key stakeholders interviewed include: Officials from the Building and Other Construction Workers Welfare Board Board (here onwards referred to as Board), Public Works Department (PWD) and other relevant government departments, including the Labour, and Women and Child Development departments, builders like Suncity Corporate Leisures and Property Developers Pvt. Ltd, Premier Vasthu Developers, Paras Builders, Reddy Structures Pvt. Ltd, other private contractors; representatives of unions, and NGOs working with migrant construction workers. The details of these are given in **Table 1**.



**TABLE 1: Survey, FGDs and Interviews with Stakeholders.**

Particulars	Number
Profiles of workers collected through survey	363
Construction sites visits	9
Labour colonies set up on roadsides or on vacant sites and working for small contractors	2
FGDs with construction workers and sub-contractors	20
Number of workers participated in FGDs	395
Personal interviews with contractors of 9 construction sites, roadside labour colonies and representatives of unions	20
Case studies of construction workers	4
Personal interviews with officials of government departments and NGOs	15
Exposure visits to NGOs	2

**Table 1** shows that visits have been made to 9 labour colonies, ongoing construction sites, and 2 labour colonies set up on roadsides and neighbours' vacant sites. The profiles of 363 migrant construction workers who live in these labour colonies have been collected using the quantitative survey format, and is given in Annexure 1. About 20 focused group discussions were conducted with 395 construction workers using open ended research questions. Each FGD consisted of 15 to 30 members with an average size of an FGD was 25 members. Those included in the FGDs are individual workers, families, women and men from both within the state i.e. Karnataka and from other states as well. This also led to better understanding with respect to various issues such as, gender, child rights; inter and intra-state migrant workers' requirements, and also in ensuring that these issues (across the private and public sectors) are represented. Previous study experience in Gujarat (Sampark, 2010) had revealed that when women and men are placed in the same group, the woman are shy and do not participate adequately in the group discussion. Hence, for this study, separate FGDs were conducted for women and men, as a result of which information was gained on gender specific issues.

## Methodology

- **Survey**
- **FGDs**
- **Interviews with contractors and officials from government departments**

The details of the construction sites visited and number of profiles collected are given in **Table 2**.

**TABLE 2: Builders and Number of MCWs Contacted**

Builder/Contractor's name	Number of MCWs
<b>CONTRACTORS</b>	
Contractor - Hanumantappa	23
Contractor- Vasanth Rao	8

BUILDERS	
JMC	35
Paras maître	34
Premier- Galaxy	35
Premier Vasthu	12
Reddy Structures Pvt . Ltd.	48
SIMPLEX	25
Suavity amuulya builders	52
Suncity	70
Vasthu Builders - Lavender	21
<b>Total</b>	<b>363</b>

**Table 2** shows that 363 profiles of migrant construction workers (MCWs) were collected from the ongoing construction sites and also from labour colonies set up on roadsides or on neighbours' vacant sites (the labourers work for builders on molding and plastering on contract basis). Nine construction sites belonging to the following six builders were visited: JMC Projects (India) Ltd, Paras Builders, Premier Vasthu Builder, Reddy Structures Pvt. Ltd, Suncity Corporate Leisures and Property Developers Pvt. Ltd and Suavity Amuulya Builder.

Twenty personal interviews were conducted with the contractors and representatives of unions and fifteen personal interviews were conducted with the officials of various departments, including, labour, Building and other Construction Workers' Welfare Board, women and child development and ICDS programme, representatives of NGOs such as .Aajivika Bureau in Rajasthan and Disha Foundation in Maharashtra, LabourNet, APSA, GMR Foundation and Outreach in Bangalore, who are all involved in activities related to improving livelihoods of migrant construction workers.

Two exposure visits were made to the intervention areas of Aajvika Bureau in Rajasthan and Gujarat and Disha Foundation in Maharashtra. These visits helped to appreciate our understanding of the interventions that they are doing with migrant workers at the destination and source places, and reflect on the viability of replication of some of these interventions in Bangalore and source districts in Karnataka.





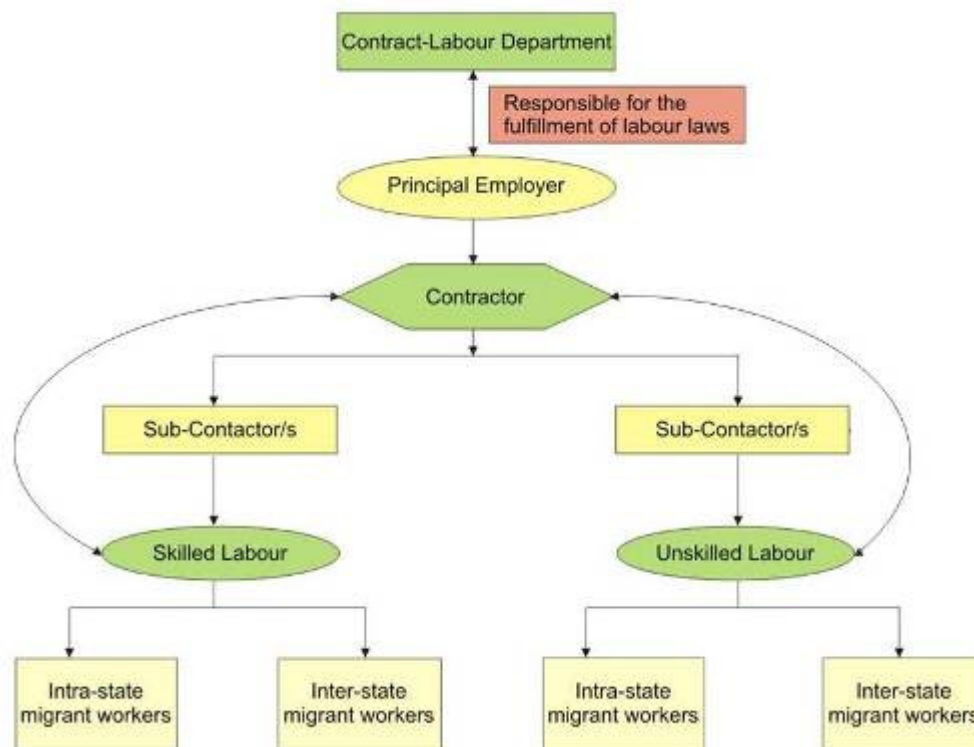
## 04. Contracting System in the Construction Sector

The principal employer is supposed to register the company with the Labour Department. The principal employer then appoints the contractor/s to take up the construction activities. This contractor is required to get the license from the labour department through submitting required documents along with application form which contain all the necessary details of the contractor as well as the employer certificate stating that the contractor is being employed by him. Under the Certificate of Contract Act, the principal employer declares that he is bound by all the requirements of the Contract Labour (Regulation & Abolition) Act, 1970 and Contract Labour (Regulation & Abolition) Rules, 1970.

The principal employer hires a contractor/ s who in turn either hires workers directly or further hires sub-contractors who then hire the workers. These workers could have migrated from within Karnataka or might be brought from other states. This contracting system in the construction sector is depicted in the **Figure 1**.

**The principal employer uses contractors who in turn employ the workers. This system absolves the principal contractor from direct responsibility towards the construction labourers**

**FIGURE 1: Construction Sector Contracting System**



The principal employer thus is the only entity who is responsible and accountable to the labour department for the fulfillment of all the required norms and legalities under the relevant Acts. On the other hand, the contractors and sub-contractors, who actually work directly with the workers, are not legally bound to do so.



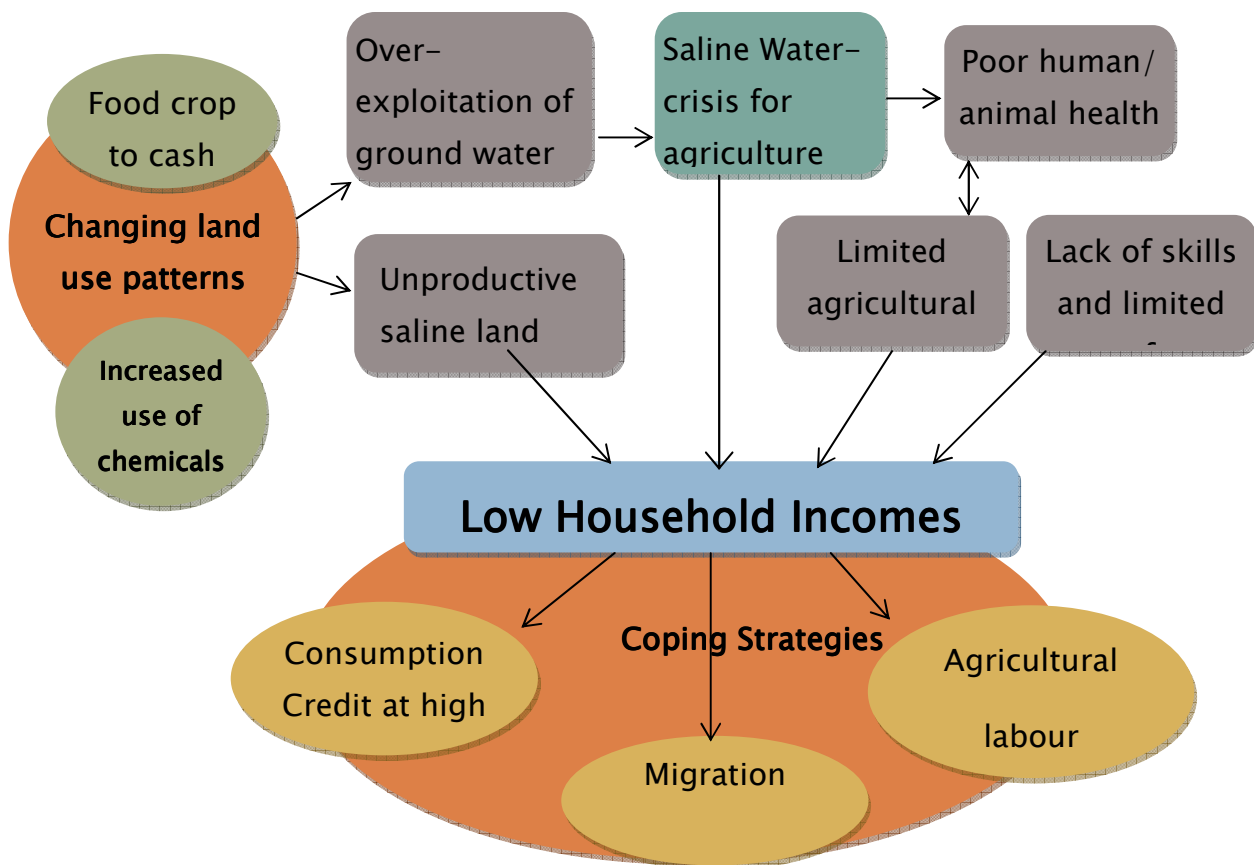
## 05. Source and Profiles of Migrant Construction Workers

This section consists of the details about the source from which the migrant construction workers have come, reasons for migration, migration patterns and demographic details including gender, age, and education and skill levels.

### 5.1 Source and Migration Patterns

The visits to source villages in Karnataka, Maharashtra and Rajasthan showed that migration is an important coping strategy. Unsustainable rural livelihoods are the main reason for migration. Most of the migrant workers are landless and are BPL card holders. The few, who are land-owners, have dry and arid lands. Some of the workers own goats and poultry in their villages. The ecological context could not sustain livelihoods, which depended on unpredictable rainfall, availability of wage labour, and on the quality of the natural resources to which they had access or control. The livelihoods constraints and resulting coping strategies are thus summarised in **Figure 2**.

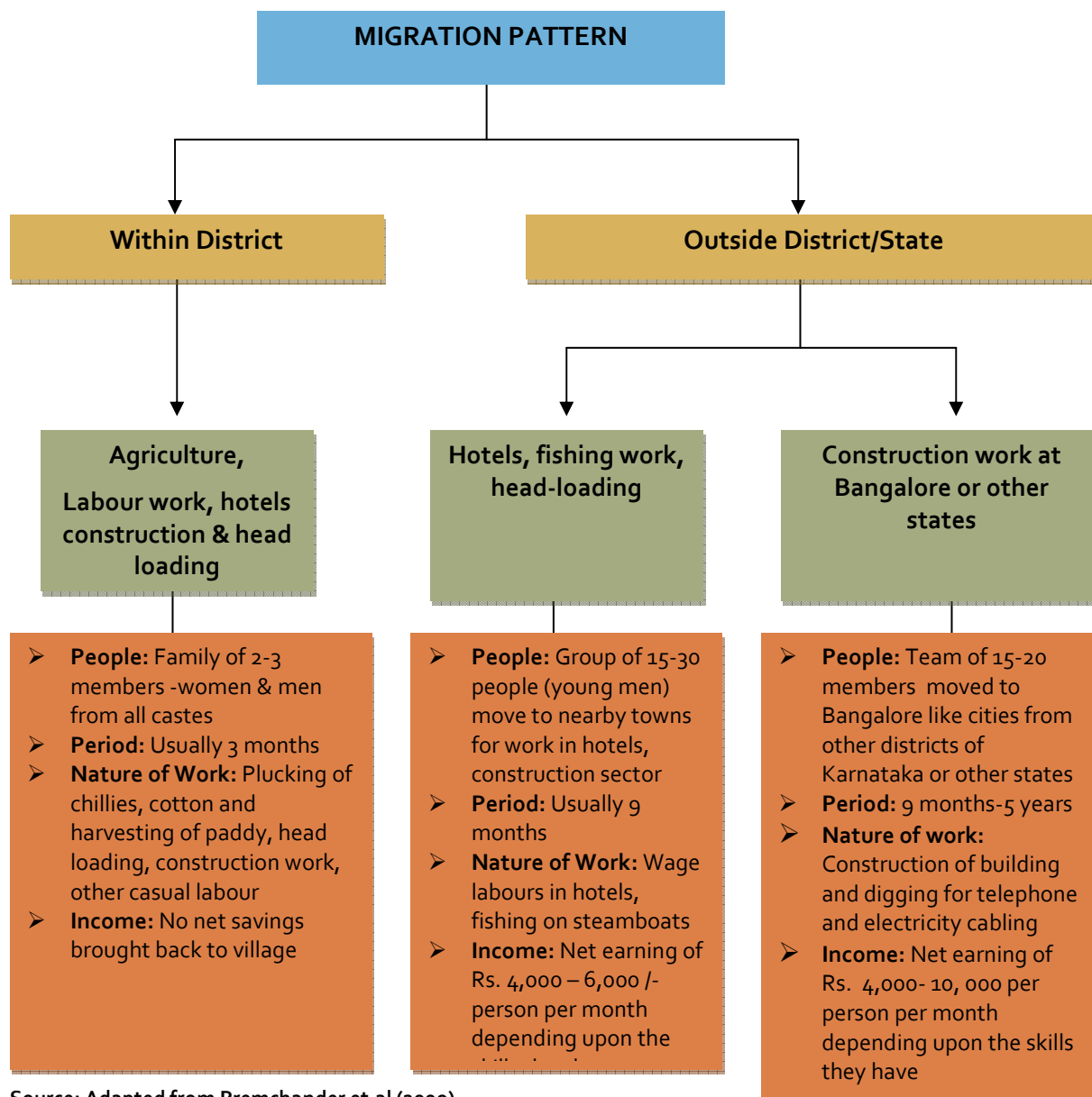
FIGURE 2: Ecological and Economic Context



Despite degraded land and soils, farmers tried to access water through bore-wells whenever they could afford, and switched from food crops to a combination of food and cash crops to earn money. Over time the soil lost its productivity due to salinity and eventually they tried to find labour elsewhere. Those who have poor lands in arid regions or are landless demonstrate a greater push for migration.

As a result of this there is an increasing pressure to migrate. Twenty percent of households had one or more family members migrating within and outside the district or state for labour work, as described in Figure 3. In rural areas, the migrant workers do not have regular work in agriculture and do not have any other business opportunities. There is need to earn money to meet the regular household expenses, for children’s education and for marriages and other family functions. Due to all these factors the construction workers migrate from rural to urban areas within (intra-state) and outside the state (inter-state).

**FIGURE 3: Observed Migration Pattern**



Source: Adapted from Premchander et.al (2009).

Though several anti-poverty programmes have been planned and implemented to reduce poverty and also migration, they have not reached migrant workers in a significant way. This is mainly due to their frequent mobility and the fact that they no longer belong to either the origin or destination state. Therefore, the migration policy should be linked with improved and well-integrated planning strategies for development and poverty eradication.

The survey on construction sites in Bangalore showed that migrant construction workers migrate to Bangalore from various states and districts. These details are given in Table 3.

**TABLE 3: Statewide distribution of MCWS (survey sample (n= 363))**

Name of the State	Number	% of MCWs Migrated to Bangalore
Karnataka	117	32%
Andhra Pradesh	75	21%
West Bengal	58	16%
Bihar	39	11%
Madhya Pradesh	29	8%
Orissa	21	6%
Maharashtra	11	3%
Tamil Nadu	8	2%
Chhatisgarh	3	1%
Jharkhand	2	1%
<b>Total</b>	<b>363</b>	<b>100%</b>

**Table 3** shows that 32% of the migrant workers are intra-state migrants and the remaining 68% of them are inter-state migrants. Among the inter-state migrants, 21% are from Andhra Pradesh followed by 16% and 11% from West Bengal and Bihar respectively.

The district-wise distribution of migration details are given in Annexure 2. Among the southern states, in Andhra Pradesh migration is high from the districts of Kurnool (61%) and Mehabubnagar (17%) and in Karnataka migration is high from the districts of Raichur (45%), Gulbarga (19%) and Bellary (10%). In West Bengal people migrate from about 14 districts, of which the maximum numbers are from Koch Bihar (19%), Murshidabad (17%) and Malda (14%). In Madhya Pradesh all the workers (8% as shown in Table 2), are from same district, i.e. Balghat. Within Bihar highest migration is from the districts of Begusaral (39%), Samastipur (32%) and Patna (21%). In Orissa, migration is more from the districts of Cuttack (43%), Kendrapara (19%) and Bhadrak (19%), all of which belong to dry and non irrigated regions where income from agriculture is not only meager but also uncertain.

In Karnataka, most of the workers migrate with the aid of either a contractor/sub-contractor or their neighbors and relatives as shown in the Figure 1. After reaching Bangalore, they work for several builders through the contractor but not directly with any principal employer. Though these workers work for big builders like Suncity or Reddy Structures Private Ltd., most of the times the workers do not have any direct relationship with the principal employer or even the contractor, they only know the sub-contractor, who brought them to the city for work. In a few cases, the workers have even lost wages as the sub-contractor had taken money from the principal employer and disappeared from the site. Some of the principal employers and their contractors said that they do not have any control over the workers' payments, as they pay the sub-contractors, who in turn pay the labourers. Due to this system, the sub-contractors and contractors earn lot of money as they do not pay the full amount that had been paid to them by the principal employer (builder), to the workers. For example, Mr. Chamanlal, who works as a contractor for a builder, has migrated from West Bengal and brought about 200 workers from that state over a period of 10 years. At present he owns a house in Bangalore and has also booked two apartments with the builder with whom he works (more details given in Annexure 4). Though some of the workers he got from West Bengal have been staying in Bangalore for over 12 – 14 years, almost all of them said that eventually they would like to go back to their native place; none of them want to stay in Bangalore permanently.

The migrant workers in the construction sector in Bangalore are of two types - inter and intra-state. Most of the migrant workers shared that the main reasons for migration include the following: they are small land holders or landless people; they are not able to find regular work in the local construction sector; they are paid low wages when they work in the local areas; they have very limited resources and are therefore unable to acquire advanced skills for employment; the lure and attraction of the large cities, especially for the youth is irresistible, and also because they do not get proper support from government schemes to enhance their resource base. Even if some of them had land, it was in the dry areas and they could not grow anything except a few stable food crops, and even then, the production was so low that it was sufficient only for their own household consumption.

As most of them are illiterate (Table 7), they are unable to get any jobs other than as daily wage labourers. There is pressure on them to earn money to meet the regular household expenses, for children's education and for marriages and other family functions. Some of the villagers migrate to the big cities in the hope that they can earn more money in a city and repay the big loans that they have taken to meet marriage and medical expenses.

The details whether the workers migrate with or without family are given in Table 4 on the following page.

**TABLE 4: Family Details of Inter and Intra-State MCWs**

Row Labels	With family	without family	Grand Total
Andhra Pradesh	85%	15%	100%
Karnataka	76%	24%	100%
Chatisghar	67%	33%	100%
Jharkhand	50%	50%	100%
Madhya Pradesh	45%	55%	100%
West Bengal	17%	83%	100%
Maharashtra	9%	91%	100%
Orissa	5%	95%	100%
Bihar	3%	97%	100%
Tamil Nadu	0%	100%	100%

Eighty five percent of the migrant workers from Andhra Pradesh migrate to Bangalore with their families, the highest amongst all states. This is followed by Karnataka state where 76% of the workers migrate with their families. Most of the inter-state migrant workers, especially from the northern states such as Bihar and Orissa, migrate to Bangalore without family, the main reasons for this being distance and language. For workers who migrate from the northern states, Bangalore is far away, whereas for the migrants from the southern states, the distance from their hometowns and Bangalore is not that much. Language is another issue for the inter-state migrant workers, especially for those from the northern states; apart from the fact that they themselves have difficulty in communication, a major factor is that their children cannot be put in the local schools wherein it is compulsory to learn the local language. Hence, workers from the northern states are not interested in bringing their wives and children as they would then have to discontinue their children’s education.

Most of the intra-state migrant workers migrate with family, and are usually seasonal migrants, as they stay in Bangalore for 8 - 9 months and then go to their native places during the harvest season. On the other hand, most of the inter-state workers migrate without family and stay in Bangalore for more than 2-3 years duration - they go to their native places at the most twice a year i.e. during the festivals - Diwali or Dasara/Holi. Inter-state migrants do not go to their native places during the sowing or harvesting season as their wives and other family members look after their lands. Apart from these visits inter and intra-state migrant workers also go to their native places in cases of emergency and also to attend marriages or deaths of the family members. Marriages are usually conducted in the months of October or March when Diwali or Holi is celebrated; so that the workers can use the visit for both purposes i.e. to celebrate the festival and also attend the marriages of the family members.

## 5.2 Demographic Profiles

The demographic profiles of workers were studied in terms of gender, their age, education and skills. The gender division of migrant workers covered in the study is given in Table 5.

**TABLE 5: Gender Division of MCWs**

Name of State	Female	Male	Total
Andhra Pradesh	29%	71%	100%
Bihar	18%	82%	100%
Chhatisgarh	15%	85%	100%
Jharkhand	14%	86%	100%
Karnataka	13%	88%	100%
Madhya Pradesh	10%	90%	100%
Maharashtra	9%	91%	100%
Orissa	0%	100%	100%
Tamil Nadu	0%	100%	100%
West Bengal	0%	100%	100%
<b>Total</b>	<b>14%</b>	<b>86%</b>	<b>100%</b>

Eighty six percent of migrants workers are male and only 14% are female. The main reason for fewer female migrants is that there is no safety and privacy in the sheds which are made on ongoing construction sites. As mentioned earlier the female members of the family generally stay back at home to look after their children and the older members the family.

The details of the age break up of 363 migrant construction workers are given in Table 6.

**TABLE 6: Gender-Wise Age Break Up Of MCWS**

Age in Years	Percentage	% of Female	% of Male
Less than 18 years	1%	0%	100%
18-25	45%	10%	90%
26-30	20%	14%	86%
31-35	13%	17%	83%
36-40	11%	26%	74%
Above 46	6%	19%	81%
41-45	4%	27%	73%
<b>Total</b>	<b>100%</b>	<b>14%</b>	<b>86%</b>

As overall sample, only one percent of people fall in the under 18 years group, and 45% and 20% of people are in the age group of 18-25 years and 26-30 years respectively. In the age group of 18-25 years, 90% of workers are male and only 10% of workers are female.

Men tend to migrate when they are young and unmarried. They suffer from diseases and burn-outs as they grow older. By contrast young women stay in their homes in the reproductive age, migrating later when child and family care responsibilities are fewer



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the main reason for this is that at these ages the male workers are not yet married and are willing to move and work at any other place. On the other hand, only 10% of female workers fall under this age group i.e 18-25 years; the reason for this is that at this age female workers are either not married or are just married and their parents or in-laws do not send them to new places where there is no safety and privacy.

As the men's age increases, the percentage of those migrating decreases; whereas the percentage of migration of female workers increases. The main reason for this is that once the female members of the family become 40 to 45 years old, their children are older; women have fewer family obligations and are able to move to new places for work.

The educational qualifications and gender break up are given in **Table 7**.

**TABLE 7: Education of MCWs**

Education	Percentage	% of education among women	% of education among men
Illiterate	46%	33%	67%
Primary	26%	18%	83%
High School	22%	14%	86%
PUC	5%	12%	88%
Degree	1%	12%	88%
<b>Total</b>	<b>100%</b>		

Forty six percent of migrant construction workers are illiterate; 26% and 22% of them have studied up to the primary and secondary levels. Low education levels is one of the main reasons for people to migrate to other places as they do not get any jobs given the level of education and types of skill that they have. Male workers are better educated when compared to the female workers.

Of the workers, 56% of MCWs are unskilled and the remaining 44% are skilled workers. These skills include plastering, carpentry, marble fitting, painting, electrical, bar-bending, masonry and plumbing. Most of the workers migrated as unskilled workers, but over a period of time they have learnt these skills on the job.



## o6. Working and Living Conditions

The lack of opportunities in the rural areas is drawing thousands of people from rural and semi-rural areas to migrate towards the big cities like Bangalore. As a burgeoning industry, the construction sector offers work. With limited skills and little or no formal education (Table 7) migrant construction workers face a lot of problems in their work areas. Some of these are detailed in the following sections.

### 6.1 Living Conditions

Most inter and intra-state migrant workers are illiterate and unskilled, which makes them very vulnerable to exploitation. The workers stay in small sheds, either on the construction sites/basement or on neighbouring vacant sites or on roadside. These tents/sheds, are made with plastic sheets with size of 4 by 5 feet and do not have any ventilation. About 5-6 members live in these types of sheds. Those who work for construction companies and



stay on sites do not pay for these sheds but the workers who work for small contractors and stay on the neighbour's vacant sites have to pay Rs. 250 to Rs. 300 per month for the 4 by 5 feet place where they pitch the tent. Out of the 12 (9 ongoing sites and 2 labour colonies on vacant sites/roadside) sites visited there was electricity only in 3 sites; the construction companies provided electricity, but none of them had provided sanitation and bathroom facilities. Because of the lack of privacy, the female workers find it difficult to bathe during the day time. The workers who stay on construction sites get water which is used for construction purpose but the workers who stay on roadside tents/sheds have to buy the water from the neighboring houses. Lack of safety is a major issue in these sheds, because several workers complained about losing money and mobiles.

**As the cost of living in Bangalore is a high, migrant don't eat vegetables and fruits and economies on living expenses**

Most of the workers cook their food in the temporary sheds or outside the sheds. They purchase the food items from the local markets in Bangalore. Despite having ration cards they are not able to purchase the subsidized groceries from the PDS (Public Distribution Systems) shops. Thus, 60-80% of the workers spend a lot of their earnings to buy food items because the cost of living is very high in Bangalore. In order to save money some of the male workers avoid the salon and get their hair cut by

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their friends (research team observed during their data collection). A few of the intra-state migrant workers purchase rice from the PDS shops when they go back home on a visit, and they purchase all the other food items in Bangalore. Usually, the intra-state migrants eat rice, jowar and dhal, whereas the inter-state migrants eat wheat and dhal. Also, most of the migrant workers said that except for onions and tomatoes they cannot afford to buy other vegetables and fruits.

As Bangalore is a very expensive place most of the workers said that they have not been able to save and create any assets; whatever they earn is just enough to send some money back to their families and to meet their own living expenses. Though Bangalore is an expensive city most of workers are happy to stay here as they get good wages, and the weather is pleasant so they do not get tired even after working continuously for 9-10 hours.

### **BOX 1: Illness depletes migrant workers savings**

*"When I fall sick I have to spend a lot of money on my treatment. Due to water stagnating near the construction area there are a lot of mosquitoes near the shed. I used the same water for drinking also. Because of the mosquito bites, I got fever and went to the local doctor for treatment but did not get cured. The doctor insisted that I must go to the Victoria hospital, where I was admitted for about 2 months; I also had to undergo stomach operation and spend Rs. 10000-15000/-for the medication. Whatever money I had saved to send back home to my family has been spent on my treatment. I had managed to save money with great difficulty to send it to my family. Finally all my 4 months savings I have spent on my illness and also could not work for 3 months."*

**- A migrant worker**

The workers often suffer from cold, cough, skin diseases, back pain, lung infections due to dust; infections of the stomach and throat, and ulcers in mouth. The intra-state migrant workers go to the government hospital as they can speak the local language Kannada, whereas, the inter-state migrants workers, especially those from the northern states cannot speak Kannada and hence go to private doctors/hospitals where the doctors and nurses speak both in Kannada and in Hindi. In private hospitals they spend about 300/- to Rs 400/- per person in a month for the treatment of normal ailments such as fever, cold and cough. Sometimes, they spend huge amounts for treatment of severe illnesses such as infections in stomach/lungs or skin disease (Box 1: Illness depletes migrant worker's savings). The reasons for frequent illness are dirty water and surroundings, due to which there are a lot of mosquitoes and house flies in and around their sheds. The workers who stay in basements suffer more because most of the times their sheds are wet as the walls of building/apartments are watered for curing purposes.

When the female workers become pregnant, most of the intra-state migrant workers who migrate with family go to their native places where they go to the nearest PHC (Public Health Centres) for regular check ups and also consult the anganwadi workers in their villages. The women workers do

**Children of construction workers play on the construction sites and are prone to accidents. They are not admitted to aganwadis or local schools because they are mobile and/or do not know Kannada.**

not get any maternity leave. After delivery they come back with the child. These infants do not get any immunizations because the parents' lack knowledge and even when they are aware about immunization, they do not know where to avail these facilities in Bangalore. The workers who have migrated with their entire family cannot go back to their village, so they have to stay back in their sheds and do not go to any doctor/hospital for regular checkups and even for the delivery unless there are any critical health issues. Some of the women workers said that they had 2-3 miscarriages as their work involves hard labour and also because they do not take nutritious food; due to this they face harassment from their in-laws as well as their husbands. Their infants often suffer from malnutrition, cholera, cold and cough caused by inhaling paint fumes and cement/dust particles. On an average, each family has 3 children; a few of them have as many as 5 girl children to have a boy child. Except for one site (where Sampark has set up a crèche for the children of construction workers), none of the other sites have crèche facility for the children of construction workers. In all the construction sites children are found playing in work areas and are prone to small accidents in the sites. Although the children of intra-state migrant construction workers can be enrolled in local government schools, they do not do so as they move frequently. In case inter-state migrant families, along with frequent moving their children do not know the local language which is a barrier for admission in local schools. The women can neither afford to leave the children unattended nor absent themselves from work as they would face extreme financial hardship.



Most workers used mobile phones as a means of communication; details of whether the workers have mobile phones or not are given in **Table 8**.

**TABLE 8: Means of Communication**

Gender	% of MCWs without mobiles	% of MCWs with mobile phones	Total
Female	63%	37%	100%
Male	32%	68%	100%
<b>Total</b>	<b>37%</b>	<b>63%</b>	<b>100%</b>

Sixty three percent of the MCWs have mobile phones and use them to talk with their family members and know about their welfare on a day to day basis. This makes them feel happy and also not feel home sick though they stay away from their families for long periods. The workers also use mobile phones to keep in touch with contractors to talk about work details. Gender analysis shows that 68% of male workers have mobile phones as compared to 37% of the female workers.

## 6.2 Working Conditions

As mentioned in Section 5.2 most (56%) of the migrant workers are unskilled and illiterate which makes them vulnerable to being exploited by the subcontractors/contractors. They have low bargaining power because when the workers demand more wages they fear that they may not get work regularly. Most of the unskilled workers get Rs. 150 to Rs. 220 per day depending upon the sub contractor/contractor. Skilled workers get Rs. 250 to Rs. 400 per day which clearly shows that the workers get the minimum wages



stipulated by the state (Table 9). The workers work from 8 am to 6 pm, with a one hour break for lunch. Most of the skilled and unskilled labourers work for about 9 - 10 hours in a day. According to the labour law, workers have to be paid double the amount of the actual wages for working overtime, but on all these sites the contractors pay them regular wages and not overtime rates. Except in one of the sites, in all other sites, there is difference in wages among female and male workers; for example, if a female worker get Rs 150, the male worker get Rs 170 for the same type of work. The female workers have accepted this as they believe that male workers do more hard work so they get Rs 20 more, for example the women workers carry bricks only up to two floors, whereas the male workers carry bricks even up to 7 floors.

In Karnataka the minimum wages valid from 01/04/2010 to 31/03/2011 are given in Table 9. Compared to other states such as Gujarat, the minimum wages for skilled and unskilled labourers is low in Karnataka.

**TABLE 9: Minimum Wages for Skilled and Unskilled Workers**

Classification of Employees	Daily wage in Rs In Karnataka		Daily wage in Rs In Gujarat	
	<sup>3</sup> Zone I	<sup>4</sup> Zone I	Zone I <sup>5</sup>	Zone
Skilled labourer - (carpenters, painters, blacksmiths, plumber stone	135.60.	135.60.	150.00	148.40
Semi skilled labourers (driller, brick molder, mason, formen, cleaner, supervisors, colour washer, pump operator, fitter,	131.60	131.60	138..40	137.60
Unskilled labourers	131.60	131.60	136.90	135.50

<sup>3</sup> Zone-I = Bangalore city agglomeration areas and district head quarters agglomeration areas

<sup>4</sup> Zone- II = Other than places mentioned in Zone I.

<sup>5</sup> Zone-1 = comprises of the areas within the limits of the municipal Corporation and the areas falling within a peripheral distance of ten kms from the aforesaid limits

<sup>6</sup> Zone-2 = comprises of the areas within the limits of the cities having a population of one lakh and above according to the figures of states census available and falling with a peripheral distance of twenty kms from the aforesaid limits.

Between the skilled and unskilled workers, the intra-state workers get better wages as compared to inter-state migrant workers because the intra-state workers know the local market rates and are able to bargain with the sub-contractors/contractors. Most of the intra-state migrant workers do not depend on any single sub-contractors/contractors and are confident that they can get work easily from some other contractor.

Sunday is a holiday for all the workers, but if interested they can work on Sundays. Since inter-state migrants do not have their families with them, they prefer to work half day on Sundays and earn money. Though the workers refused to accept that they spend part of their wages on alcohol and gambling, the research team noticed that on Sundays 75% of the men are drunk and some of them gamble in one of the sheds usually that of a bachelor.

The inter-state migrant workers, especially those who work through the sub-contractors have lost money several times. As there is no safety for their money in the sheds, most of the inter-state migrant workers who migrate without family take only 50% of the payment and the remaining payment is kept with the sub-contractor so that they can take the money home when they go to their native places. In few instances the sub-contractors suddenly disappeared overnight with the money of all the workers; they had even changed the sim card of their mobile phone so that the workers could not trace them.

These workers do not know the principal contractor and they could not trace sub-contractor, due to which they not only lost money, but also work – in such times the workers become helpless as they do not have money even to go back home.

Some of the inter-state migrant workers face police harassment, especially when they travel late night to work on the construction sites. Most of the intra and inter-state migrant workers do not have any identity proof, such as voter ID card or ration card. Most migrant construction workers come to Bangalore when they are about 17 to 18 years old and from then onwards, they go to their native place only once or twice in year. Due to frequent migration, the workers are not available when the voters' cards are being issued in their villages. As these workers do not go to vote during election times, the political parties also do not show any interest to get them the voter's cards or to provide any welfare schemes for these workers.

**Intra state  
migrant workers  
get better wages  
than inter -state  
migrant workers.  
Inter state  
migrants also  
lack a safe place  
to keep their  
money. They do  
not valid identity**

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Out of the 9 ongoing sites visited, only in 4 sites were the workers provided with helmets as safety measures. Other safety measures such as usage of spectacles during welding and stone cutting were not followed in any of the work sites visited. On the remaining 5 sites, the workers work for small contractors, there was no safety officer and no safety measures were being followed. In some cases, the contractors have provided helmets but the workers do not wear them. This is especially true of the women as they are shy and are also not aware of the importance of helmets. Workers are prone to small accidents like getting pricked by nails lying on the construction sites, which leads to infections; or falling from a height while doing plastering or roof moulding work, etc. None of the inter and intra-state migrant workers have health or life insurance.



**Other than a few sites where helmets are provided, there are no safety measures for construction workers. They are prone to accidents and have no health or accident**

The details of whether the migrant workers have a bank account or not are given in Table 10 according to their states of origin.

**TABLE 10: Bank details of MCWs**

Names of States	Do not have bank account	Have bank account	Place of having bank account	
			Bangalore	Native place
Assam	100%	0%	0%	0%
Chhatisgarh	100%	0%	0%	0%
Uttar Pradesh	100%	0%	0%	0%
West Bengal	93%	7%	0%	7%
Maharashtra	91%	9%	0%	9%
Bihar	89%	11%	0%	11%
Madhya Pradesh	86%	14%	0%	14%
Orissa	86%	14%	0%	14%
Andhra Pradesh	85%	15%	4%	11%
Karnataka	79%	21%	2%	19%
Tamil Nadu	75%	25%	0%	25%
<b>Total</b>	<b>85%</b>	<b>15%</b>	<b>2%</b>	<b>13%</b>

Only 15% of the migrant workers have bank accounts and the remaining 85% of them do not have bank accounts. Among the workers who have bank accounts, 13% of them have it in their native place in the name of the one of the family members (i.e. brother, father etc). Only 2% of them have a bank account in their names in Bangalore, and these are mostly those who have migrated from southern states i.e Karnataka or Andhra Pradesh. The main reason why the workers don't have a bank account in Bangalore is their lack of knowledge on how to open bank account and also lack of documents related to identification and address proof. Intra-state migrant workers send the money to their families, either by going home themselves for this purpose or through neighbours and relatives. Whereas, inter-state migrant workers cannot travel frequently due to the long distance involved; they transfer the money to the bank account of a neighbour or a commission agent who charges them Rs. 25 per Rs 1000 as a commission to pass on money to the workers' families. The intra-state migrant workers said that they could not open bank accounts in the names of their wives or other family members in their native places, because they do not know how to open a bank account. Moreover, they noted that since opening up an account requires several visits to the bank, they find it difficult to make time for this process as they stay for only 15 days to one month in their native place.

Child labour is not predominant in the construction sector; out of the 9 ongoing sites visited, only in one site there were 2-3 children aged below 18 years working. Interestingly, in this site the company works for one of the government departments i.e. the Bangalore Development Authority, to construct a bridge for the open drainage chamber.

The principal and sub-contractors and workers did not know about The Building and other Construction Workers Welfare Board, which has been specially set up for the welfare of construction workers. The principal contractor knows that they have to pay 1% Cess of the total costs but they are unaware that this money goes to the Board, and is to be used for the welfare of the construction workers. Instead, the principal contractors thought that the Cess goes towards the salaries of the labour inspectors who regularly visit the construction sites to implement labour laws.

**Most migrant construction workers are financially excluded. Only 15% have bank accounts and these are from the states of Tamil Nadu, Karnataka and Andhra Pradesh. who are financially included.**

**Contractors and sub contractors are largely unaware that the 1% Cess that they pay is to be used for welfare of the construction workers. Most workers also do not know about the Board and its schemes.**



## The Socio Economic Status of Migrant Construction Workers and Intervention Plan to Improve Livelihoods

Most of the intra and inter-state migrants were happy to meet the research team and talk about issues relating to their work and living conditions. One of the participants in a focused group discussion said, "I have been staying in Bangalore since the last 13 years, nobody has ever come and asked me all that you asked now". When the research team gave information about the BCWWB and its schemes to the constructions workers, most of them, showed interest in registering with the Board and enquired about the procedures for the same. As these workers are in an on-going construction site (which may takes 2 years to complete) they do not have any issues to get a regular job and are also happy about their wages.

Regarding collectivization, most of the female intra-state migrants and those from the neighbouring state of Andhra Pradesh are members of self help groups (SHGs), and sends monthly savings home every month through their relatives or friends who go back to their village. But several inter-state migrant workers are not familiar with SHGs or trade unions. Due to lack of awareness about these concepts, they did not show interest to become members of these institutions. Even SHGs movement has bypassed the migrant workers. In summary the issues related to supply and demand are summarized in **Table 11**.

**TABLE 11: Issues of Supply and Demand**

Supply side	Demand side
<ul style="list-style-type: none"> <li>• The exiting supply and contracting systems help to avoid labour laws</li> <li>• No inspection systems in place</li> <li>• BCWWB is not yet active in implementation of its schemes</li> <li>• Lack of awareness among contractors about use of Cess</li> </ul>	<ul style="list-style-type: none"> <li>• Low awareness of rights</li> <li>• Lack of collectivization</li> <li>• No individual or group identity</li> <li>• No voice to access the entitlements</li> <li>• Ecological context is vulnerable and makes dependent</li> </ul>

The study results shows that migrant construction workers lack access to decent employment and basic living conditions, education, health and subsidized food from PDS, pre and post natal care. Lack of access to these basic living and working conditions is mainly due to lack of awareness among migrant construction workers about entitlements. This prevents them to claim what is due to them as their right. They usually do not have a voice to claim their rights because of the existing contracting and sub-contracting systems as shown in Figure 1 earlier. On the other hand the principal employers and contractors do not know about the BCWWB and its welfare schemes especially designed for the construction workers.

## 07. Policy and Legal Frameworks

The International Labour Organisation (ILO) sets minimum standards for basic labour rights. Its “core labour standards” include freedom of association, the right to organize and bargain collectively, the abolition of forced labour, equality of opportunity and treatment and the effective abolition of child labour. To maintain these labour standards ILO forms conventions which are ratified by the countries and made into rules and Acts by the governments. Implementation of labour laws has several advantages. The freedom from discrimination reduces the risks of skills and capabilities being wasted; and elimination of child labour also improves economic prospects because children get more educated. The implementation of labour standards also contributes to social and political stability; it has been recognized as one of the poverty reduction strategies (Consumer Unity & Trust Society (CUTS), International, 2005). The conventions which are ratified by the GOI are given in Table 12.

**TABLE 12: Consolidation of Migrant Construction Labour Related Conventions**

S. No	Name of Convention (C)	Date of Ratification
1	C-1 Hours of Work (Industry) Convention, 1919	1921
2	C-14 Weekly Rest (Industry) Convention, 1921	1923
3	C-19 Equality of Treatment (Accident Compensation) Convention, 1925	1927
4	C-26 Minimum Wage-Fixing Machinery, Convention, 1928	1955
5	C-42 Workmen’s Compensation (Occupational Diseases) Convention (Revised), 1934	1964
6	C-81 Labour Inspection Convention, 1947	1949
7	C-100 Equal Remuneration Convention, 1951	1958
8	C-118 Equality of Treatment (Social Security) Convention, 1962	1964
9	C-144 Tripartite Consultation (International Labour Standards) Convention, 1976	1978
10	C-122 Employment Policy Convention 1964	1998

These ratified conventions were used to form various relevant Acts for the welfare of migrant construction workers. This section provides details about the laws for the welfare of the construction workers that were formed post ratification and the status of their implementation at the ground level.

## **7.1 Existing Laws and Status of Implementation**

The existing special legislative provisions that would protect the interest of construction workers are as follows:

- a. The Building and other Construction Workers (regulation of employment and conditions of service) Act, 1996 (BCWA).
- b. The Building and other Construction Workers Welfare Cess Act, 1996 (BCWWCA).
- c. The Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (ISMWA).

Along with these special laws for construction workers various other Labour Laws i.e., Minimum Wages Act 1948, Contract Labour (Regulation & Abolition) Act 1970 are also applicable to the building and other construction workers.

The details of these Acts are given below.

### **7.1.1 The Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.**

#### **Central Legislation:**

This Act is a comprehensive legislation for regulating the safety, health, welfare and other conditions of service of the building and other construction workers. It came into force on 1<sup>st</sup> March, 1996 and it applies to every establishment which employs, or has employed on any day of the preceding year, ten or more building workers in any building or other construction work. This Act also includes other relevant Labour Acts such as Minimum Wage Act, 1948, the Contract Labour Act 1970, Equal Remuneration Act, 1976, Workmen's Compensation Act, 1923, and Employment of Children Act, 1979. The Act provides to fix the hours of a normal working day, weekly paid rest day, wages for overtime, basic welfare amenities such as: accommodation, drinking water, latrines, crèches, first aid and canteens etc. for the construction workers.

Under the Act, the Building and Other Construction Workers' Welfare is set up with a chairperson, a person to be nominated by the Central Government and such number of other members, not exceeding 15, as may be appointed to it by the State Government. The Secretary of the Board shall be its CEO.

The details of the Act are given in Annexure 3.

#### **State legislation:**

At the State level, the Building and other Construction Workers (Regulation of Employment and Conditions of Service) rules, were framed on 1<sup>st</sup> November 2006. On 18<sup>th</sup> January 2007, the Karnataka State Building and Other Construction Workers Welfare Board was formed to implement welfare measures for construction workers. The Government of Karnataka assigned the work of implementation of the Act to the Labour Department as a separate wing with complete powers to the Secretary of the welfare board. The Minister of Labour is the chairperson of the Board. The Board works with thirty fulltime staff and 1 secretary in all the districts of Karnataka. The Karnataka State

Construction Workers Central Union is active in the registration of workers to the board and also in bringing the required amendments in the Act.

From January, 2007 the board has implemented several welfare schemes. In order to avail of the schemes the construction workers need to register with the Labour officer or senior Labour Inspector as a beneficiary of the Board. The required documents for registration of construction workers with the Board are certificate of age proof, three passport size photographs and certificate of 90 days working as construction worker. If the workers find it difficult to get the 90 days work certificate, they can get this certificate from any of the trade unions. The welfare schemes of the Board are as follows:

#### **Benefits available immediately after registration**

- Funeral benefit scheme: Rs. 4,000 - Funeral expenses for death of the beneficiary and Rs. 15,000/- : an ex-gratia payment to the deceased's family.
- Assistance to accident beneficiaries: Rs. 1,00,000 - Compensation payable to the nominees of the beneficiary on account of his death due to accident during the course of employment or while traveling from the place of work to the residence or from the residence to place of work or resulting in total permanent disablement to the beneficiary. Rs. 50,000 - Compensation payment to the unregistered beneficiary resulting in accidental death due to collapse of a building under construction. Rs. 10,000- to 20,000: Compensation payable to the unregistered beneficiary who is grievously injured due to accident as a result of collapse of a building under construction.
- Medical expenses for treatment of major ailments of beneficiaries or dependents is Rs. 400 to Rs .2000 - Hospitalization assistance to the beneficiary.

#### **Benefits available after one year of registration**

- Maternity benefit : Rs. 6,000 - per delivery to female beneficiary limited to two deliveries
- Education assistance to 2 children of the beneficiary: Rs. 3,000 ITI/ Diploma students Rs. 3,600 (one time ), general degree students Rs .3,000 ( one time ), P.G. course students Rs. 6000 ( one time ), Medical / Engineering / Technical Degree course students Rs . 10,000 (one time).
- Marriage assistance: Rs. 5,000 to the beneficiary or to her/his 2 children

#### **Benefits available after two years of registration**

- Loans: Rs. 5,000- Loan for purchase of tool / instruments

#### **Benefits available after five years of registration**

- Old age pension: Rs. 300 p.m. to the female and male beneficiary who have completed the age of 50 years and 55 years respectively
- Disability pension: Rs. 300 p.m. owing to paralysis , leprosy, cancer and T.B. and Rs. 5,000 ex-gratia based on percentage of disability
- Loan: Rs. 50,000 - Loan for the construction or purchase of house.

In October, 2009, the Government of Karnataka made a few amendments to the Building and Other Construction Workers Act, 1996. Generally, when a worker dies in an accident at the worksite, the contractors always try to avoid mentioning it in the complaints to avoid the police and labour laws; because of this the deceased worker's family are not able to claim the Rs. 1,00,000 compensation available to them from the welfare board. In-order to overcome this, the state government has ordered that the First Information Report (FIR) must be considered as a valid document, this will enable the person who meets with an accident eligible to avail benefit from the Board. In the beginning only if the beneficiary met with an accident in the working sites was he/she eligible for the Rs. 1 Lakh compensation; later it was amended that if a person met with an accident and died while traveling from home to work place, his/her family is also eligible for getting the Rs. 1,00,000 compensation.

As on 21<sup>st</sup> September 2011, out of the estimated 15 lakhs workers throughout the state only 1.43 lakhs workers have registered with the Board. Out of the Rs. 783- crores (703 crores collected as Cess plus 80 crores as interest) collected as Cess, only Rs 2.29 crores (0.29%) has been spent. Though 1.43 lakh workers are registered, only 3700 workers received benefits from the BCWWB. The secretary of the Board mentioned that one of the main reasons for low registration of workers is lack of awareness about the Board and the benefits that can be got from it, both among the workers as well as the contractors. In case of inter-state migrant workers, language is the biggest problem for them to interact with labour inspectors; also they think that registering with the Board in Karnataka is of no use to them as this will not be valid when they return to their home states. It must be mentioned that this problem cannot be handled unless there is an amendment to the Central Act so that identity cards issues by a State Welfare Board should be valid in other states. In order to encourage registration of workers, the Board has announced that a special incentive of Rs. 5 per registration will be given to NGOs or trade unions who facilitate the process of registration.

## **Migrant construction workers are isolated and lack information about The Building and Other Construction Workers Welfare Board and its welfare schemes**

### **7.1.2 The Building and other Construction Workers' Welfare Cess Act, 1996**

#### **Central legislation:**

This Act is set up to provide for the levy and collection of a Cess on the cost of construction incurred by employers with a view to augment the resources of the Building and other Construction Worker's Welfare Board constituted under the Building and other Construction Workers' Welfare Cess Act, 1996. The Act applies to every establishment which employs, or has employed on any day of the preceding 12 months, 10 or more building workers in any building or other construction work.

Under this Act the Cess will be collected at a rate not exceeding 2% but not less than 1% of the cost of construction (excluding the land cost) incurred by an employer. In the case of government or of a public construction work, the Cess is deducted at source. When the contracts are assigned to private

contractors, the principal employer pays the Cess to the relevant local authority at the time of plan of sanction of the construction work. The details are given in Annexure 3.

### **State legislation:**

The Government of Karnataka with a view to enforce the provisions of the Building and Other Construction Worker's Welfare Cess Act, 1996 has formulated rules on the 1<sup>st</sup> November 2006, and on the 18<sup>th</sup> January, 2007, Cess Act. The Government of Karnataka has enforced the provisions of the Building and Other Construction Workers Welfare Cess Act, 1996 and ordered the following rules:

- The provisions of the Act are not applicable to individual residential houses whose total cost does not exceed Rs .10 Lakhs. In other cases, they are liable to pay the cess.
- All government departments, public sector undertakings and other governmental agencies / bodies carrying out any building or other construction works, in case the work is carried out through a contractor deduct 1% of the amount of the cost approved as per the tender notification from the bill at the time of making, bill shall be remitted by way of account payee cheque in favour of the Karnataka State Building and other Construction Workers' Welfare Board within 30 days of making payment.
- In case the aforesaid work is carried out internally or departmentally without engaging contractors, the 1% of the total cost shall be remitted by the chief executive of the department or organization by account payee cheque drawn in favour of the KSBCWWB the government departments, public sector undertakings and other government bodies.
- Where the approval of the construction work by local authority is required all local authorities, mainly Bangalore Mahanagara Pailke, and all city corporations, municipal corporations and town municipalities, panchayats etc., shall obtain the estimated cost of the construction along with building plans, which are submitted for approval by the concerned employers, i.e., owners / contractors/ builders etc; such bodies shall collect upfront an amount of 1% of the estimated cost furnished along with building plans, and remit by way of a crossed demand draft payable in favour of the Karnataka State Building and other Construction Workers' Welfare Board. The local bodies before remitting the amount of Cess of the Board can deduct 1% of the total amount collected for meeting their administrative expenses.

The provisions specify who should pay the Cess and the process by which to pay it. To collect the Cess, the systems are in place so the State is able to collect about Rs 783- crores, but there is no proper system existing to spend the collected Cess for the welfare of the construction workers. Due to this only 0.29% of the collected Cess has been spent.

### **7.1.3 The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979**

#### **Central Legislation:**

The inter-state migrant workers are generally illiterate, un-organised and normally work under extremely adverse conditions. In view of these hardships, some administrative and legislative arrangements, both in the state from where they are recruited and also in the state where they are engaged for work, are necessary to secure effective protection against their exploitation. This Act was thus introduced to regulate the employment of inter-state migrant workers and to provide for their conditions of service and for matters connected therewith.

It applies to every establishment in which five or more inter-state migrant workers are employed or who were employed on any day of the preceding twelve months and to every contractor who employs or who employed five or more inter-state migrant workers on any day of the preceding twelve months. Under this act, the following rules have been made to protect inter state migrant workers:

- Employment of inter-state migrant workers in any establishment is prohibited unless it is duly registered under this Act.
- Every inter-state migrant worker is entitled to a displacement allowance at the time of recruitment, which may be either seventy-five rupees or half of the monthly wages payable to him, whichever is higher.
- Every inter-state migrant worker is entitled to payment of wages during the period of journey, and is also entitled to journey allowance for outward and return journeys from the place of residence in his state to the place of work in the other state.

The details of the Act are given in Annexure 3.

On all the sites visited, none of the principal contractors or sub-contractors was aware about the migrant workers Act and even the state labour department ignores the implementation of this Act. During their inspection they just check whether the principal contractors follow the general labour laws such as Minimum Wages Act 1948, Contract Labour (Regulation & Abolition) Act and Child Labour Act.

## o8. Lessons from Field Exposure Visits

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As an ongoing part of the methodology, some of the SDTT supported projects were visited in, Rajasthan, Gujarat and Maharashtra. These projects were implemented by the Aajivika Bureau in Rajasthan, Gujarat and the Disha Foundation in Maharashtra. Through these visits, the research team learned several valuable lessons as they were able to see and evaluate all the activities, both at source and destination in these three states. Some of these are given below:

All the activities planned at source and destinations were not only absolutely necessary, but were also effective and strong. Several efforts were made to create awareness among migrant workers about general and occupational health as well as the legal aspects. The strong trade unions which were formed through the collectivization of migrant workers empowered them; supported them in bargaining for higher wages and also in settling legal disputes between the migrant workers and the contractor/employer. A strong and effective MIS system was set up at the Migrant Resource Centres to maintain and track the details about migrant construction workers. Identity cards (ID) were made for the migrant workers, which helps them avoid harassment from the police and the contractors and is also useful as a reference to get work at the destination without much difficulty. Skill building activities were organized for youth to develop skills so that they can compete in the labour market and also have the benefit of exploring new avenues. Efforts were made to open bank accounts for the migrant workers in the larger financial landscape.

Several sustainable ideas were developed through continuous pilot research studies, including: setting up of a common kitchen; supplying afternoon lunch; formulating creative methods to increase awareness about birth control measures, especially usage of condoms and oral pills; and the setting up of a labour bank. Onsite child care centres were set up and linked with official schemes such as the ICDS programme and the Sarvasiksha Abhiyan. Strong linkages were made with several government departments and official schemes such as: The Revenue department, Public Distribution System (PDS), the Labour department, the Health department, Public Health Centres (PHCs), the Education department, and Sarvasiksha Abhiyan. The migrant workers benefited from these linkages and were able to claim their entitlements. A Legal cell was set up, and in conjunction with the Labour department, it acted as a platform to settle disputes between the workers and contractors/employers.

Several research studies were conducted on different aspects of migration to create a knowledge data base regarding the sector, such as: magnitude and nature of migration, profiles of migrant workers, migration process, mapping the presence of the migrant workers in their destinations and listing the problems faced by them there,, understanding and describing the occupational streams of the migrants, analyzing the livelihood needs of migrants at source and destination and the impact and outcomes of migration.

Taking into consideration these lessons, the research team designed suitable interventions for ensuring sustainable livelihoods for the migrant construction workers, the details of which are given in the following sections.



## 09. Interventions for Sustainable Livelihoods of Migrant Workers

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The study findings showed that though their contribution to growth is immense, migrant construction workers remain largely invisible. They lack proper identity and representation; thus they remain excluded from public services (PDS, health, education and legal facilities), protection and opportunities for advancement in a growing economy. The majority of rural migrants are young people who face poor living and working conditions and a risk of early retirement from work because of poor education and skills. Conditions are even more challenging for the inter-state migrant construction workers who, in search of livelihood, leave their home states, and lose their official identity and political protection. Based on the findings of the working and living conditions of the workers; and on the basis of discussions held with the migrant construction workers, various enforcement officials, trade union members and NGOs, this study has envisaged and designed a 5-year project with long term interventions.

The vision of the project is to facilitate the process whereby the migrant constructions workers are safe, secure and are able to access their entitlements as Indian citizens/unorganized workers, both at the destination and source states with focus at destination and thereby improve their livelihoods. To make this a reality, the following objectives need to be fulfilled.

- Enhance awareness among the migrant workers regarding their vulnerability to discrimination and exploitation at every stage of the migration process
- Enhance awareness of the migrant construction workers about their entitlements in health, education, and legal sectors and facilitate the process of availing them
- Address the concerns of women migrant workers throughout the migration cycle
- Promote a dialogue with the state and central governments to evolve policies, legislations and programmes that protect and empower the migrant workers
- Promote and strengthen collectivization of migrant construction workers in order to empower them, which would in turn facilitate the process of availing their entitlements on their own easily
- Promote co-ordination and collaboration among multiple stakeholders such as government, NGOs, and community based organizations (trade unions, private sectors (builders, contractors, developers) to address migration as a development issue

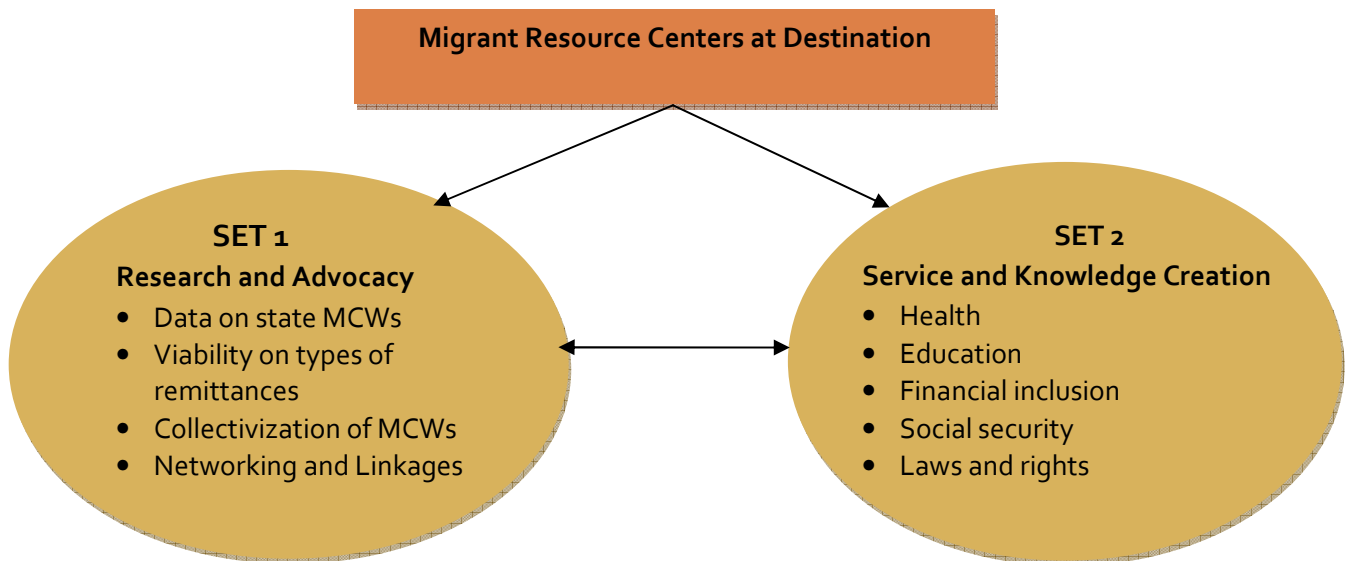
### 9.1 Interventions at Destination

The project implementation strategy includes establishment of two Migrant Resource Centres (MRC) in Bangalore (one in North and another in South of Bangalore), which would be a common meeting place for all the migrant workers. These centers will support the migrant construction workers; assist them to minimize their hardship in migration and facilitate institutional building of the 'Migrant Construction Worker's Forum' to become empowered and access their entitlements. These

centres will cover 40 – 50 on-going construction sites, covering about 2000 – 2500 construction workers over a period of five years. These centres will facilitate the process of implementation of all the activities mentioned in the following sections. Over period of 5 years, these two migrant resource centers will become sustainable and will be run by the unions that are formed and build during the implementation.

These objectives will be achieved through implementation of two broad sets of activities as shown in **Figure 4**.

**FIGURE 4: Interventions at Destination**



The first broad set relates to filling knowledge gap in the sector by generating relevant and authentic data and information. This in turns can be used for advocacy purpose. The ultimate objective of the data gathering and advocacy is to change policies in favour of migrants and create a positive enabling environment for them.

The second large set of activities is directed at the destination. The three broad types of issue based interventions are knowledge creation, provision of services and rights based linkages with official programmes as shown in Table 13.

TABLE 13: Snap Shot of Issues and Interventions

Field of Interventions	Existing Issues	Types of Interventions
Health	<ul style="list-style-type: none"> <li>▪ Unsanitary living conditions. Mosquitoes and flies breed in large numbers.</li> <li>▪ High levels of dust which cause frequent infections, lung diseases, skin diseases etc amongst the workers.</li> <li>▪ Inadequate levels of security measures at the construction sites.</li> <li>▪ Inter-state workers go to the more expensive private hospitals since they cannot speak the local language.</li> <li>▪ No maternity leave for women.</li> <li>▪ Lack of awareness results in low levels of immunization for the workers' children.</li> <li>▪ Small children prone to accidents on the construction sites.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Awareness                             <ul style="list-style-type: none"> <li>○ Preventive measures</li> </ul> </li> <li>▪ Service                             <ul style="list-style-type: none"> <li>○ Health camps</li> <li>○ Nutrition/food</li> <li>○ Immunization</li> </ul> </li> <li>▪ Rights based linkages                             <ul style="list-style-type: none"> <li>○ Linkages to BCWWB and PHCs</li> </ul> </li> </ul>
Education	<ul style="list-style-type: none"> <li>▪ Migrant workers have low levels of education.</li> <li>▪ Lack of a suitable system at the work site that can take care of the workers' children while the parents are at work.</li> <li>▪ Children of inter-state workers cannot study in local schools as studying a local language is mandatory.</li> <li>▪ Constant mobility, and therefore the absence from schools, impedes the momentum for learning amongst the children.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Awareness                             <ul style="list-style-type: none"> <li>○ Parents meetings</li> </ul> </li> <li>▪ Service                             <ul style="list-style-type: none"> <li>○ Health camps</li> <li>○ Day care centres</li> <li>○ Capacity building of teachers</li> <li>○ Nutrition/food</li> <li>○ Immunization</li> </ul> </li> <li>▪ Rights based linkages                             <ul style="list-style-type: none"> <li>○ Linkages with government anganwadis and schools</li> </ul> </li> </ul>
Financial inclusion	<ul style="list-style-type: none"> <li>▪ Only 15% of the surveyed workers have formal bank accounts</li> <li>▪ Oh this sample, only 2% have bank accounts in their names in Bangalore.</li> <li>▪ Lack of knowledge regarding account opening process.</li> <li>▪ Lack of suitable documents and identification to complete the process.</li> <li>▪ Migrant remit money through informal means which are expensive and unsafe.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Awareness                             <ul style="list-style-type: none"> <li>○ Financial literacy</li> <li>○ Leaders' development</li> </ul> </li> <li>▪ Service                             <ul style="list-style-type: none"> <li>○ Opening bank accounts</li> </ul> </li> </ul>
Social security, laws and rights	<ul style="list-style-type: none"> <li>▪ Lack of suitable documents and identification due to which workers are unable to access relevant government schemes.</li> <li>▪ Lack of awareness about BCWWB and its schemes amongst the workers, contractors and sub-contractors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Awareness                             <ul style="list-style-type: none"> <li>○ Labour laws</li> <li>○ Government institutions and schemes</li> </ul> </li> <li>▪ Service                             <ul style="list-style-type: none"> <li>○ Registration with BCWWB</li> <li>○ Legal counselling</li> <li>○ Placements</li> <li>○ Formation of trade unions.</li> </ul> </li> <li>▪ Rights based linkages                             <ul style="list-style-type: none"> <li>○ Linkages with BCWWB and NALSA centres</li> <li>○ Linkages with formal organizations and trade unions</li> </ul> </li> </ul>

The details of the activities planned to implement at destination are given in the following sections.

### **9.1.1. Research and Advocacy**

MRCs will make significant contributions at the local, state national and international levels to share their experiences about possible solutions/strategies for migrant issues, ways to collaborate with other stakeholders such as government, trade unions, builders and contractors, research sharing and policy recommendations. In-order to gain experience and play its advocacy role, MRCs will implement the following activities.

**Research and Development of Education Materials:** MRCs conduct research on the impacts of existing activities (mentioned in Section 9.1.2) and viability of new activities. The immediate research needs are:

- Data on state level migrant construction workers
- Viability of transferring money through mobile phones/other methods for cash remittances.
- Identification of credit providers and suitable credit products such as micro loans, insurance products and pension schemes for migrant construction workers
- Assessment of trade unions to analyze how unionization will be done

The results of these research studies will help to have better understanding about migrant construction workers and their issues at destination and source. This will enable to influence policy and programmes related to promotion of sustainable livelihoods for migrant construction workers.

**Collection and development of training materials and posters:** In order to create awareness on health (mentioned in section 9.1.2) existing materials will be collected from department of health and NGOs who work in health sector. This material will be tailor-made and used for creating awareness about health among migrant construction workers. There are no training materials existing on the relevant Karnataka state government laws for migrant construction workers. In order to create awareness among workers simple one day training materials on the relevant existing laws (mentioned in section 7) will be developed and used for to create awareness among migrant construction workers.

Posters about the welfare schemes of the BCWWB will be developed in Kannada, Telugu and Hindi. These posters will be displayed in the construction sites, and various labour colonies to create awareness about welfare of Board.

**Mobilization and strengthening migrant construction workers forums:** The learning of exposure visits to Aajivika Bureau and Disha Foundation is that the trade union form of institution is suitable for collectivization of migrant workers. Based on these learnings, migrant construction workers will be mobilized as forums and will be registered as trade unions. After formation, these forums will be strengthened through:

- Several capacity building trainings on concept, principles and process of registration of trade unions.

- Exposure visits to the active and successful trade unions for the selected interested active leaders.

These forums will help workers to come together for increased visibility, empowerment for better bargaining and dispute resolution. These forums also act as vehicles of association, advocacy and services.

**Network meetings:**

Project team will attend the networking meetings organized by other organizations (especially partners of SDTT), and departments who are involved in working with migrant construction workers. MRCs in Bangalore will host two networking meetings over the 5 year project period. In these two meetings Sampark will involve representatives from relevant departments, trade unions, builders and contractors. These meetings would act as platforms for the organizations/institutions to exchange their best practices and grassroots level challenges that they come across in dealing with issues of migrant construction workers.

**Linkages with institutions:**

In order to bring the convergence of official schemes which would help migrant construction workers to avail all relevant welfare schemes several linkages will be made with various departments such as:

- BCWWB situated in department of labour, to avail welfare schemes framed for construction workers
- Local anganwadis from department for women and child development to access nutritious food and immunization by the children and pregnant women of migrant construction workers
- Official scheme of Rashtriya Swasthya Bima Yojana (RSBY) to provide health insurance to the construction workers

Other official schemes will be made accessible as and when necessary during the project intervention period.

This set of research and advocacy related interventions will help to promote dialogue with the state and central governments for influencing policies, legislations and programs targeting migrant construction workers, fostering the collectivization of migrant workers to lend them a voice and thus, empower them, and finally streamlining collaborative efforts among government organizations, NGOs, and community-based organizations to re-define and thus, establish migration as a development issue. Some initial thoughts on a potential project team and its capacity building, monitoring and evaluation systems and specific outputs of the project interventions are given in Annexure 5 which will be expanded during proposal development.

### **9.1.2 Service and Knowledge Creation Activities**

The service related and knowledge creation activities are planned in the health, education social security and finance sectors and will be the means through which the project operators will interact with migrant construction workers, contractors and builders in ongoing construction sites and build a

relationship of understanding and trust. In each of the sectors three type of interventions i.e., creation of awareness, provision of services and rights based linkages will be carried out. The more details of these are as follows:

### **9.1.2.1 Health**

Most of the construction workers suffer from cold, cough, skin diseases, back pain, lung infections due to dust; infections in stomach and throat, and ulcers in their mouths. The reasons why the workers fall ill frequently are that the water in the construction sites is dirty and not potable the areas surrounding their shed is also dirty, due to which there are a lot of mosquitoes and house flies in and around their sheds. The workers lack awareness about good health practices and also of their right to access public health services.

The health intervention strategy is to raise awareness to improve living conditions and take measures for prevention. Health camps will be held for preliminary identification and de-addiction.

**Sampark designed project with rights and service based approach to improve living and working conditions of migrant construction workers**

## **Awareness programmes**

### **General health and hygiene:**

A lecture cum interactive module<sup>7</sup> on general health and hygiene will be delivered for the workers, both women and men. The objective of this session is to create awareness about general health and hygiene and link these aspects to illnesses such as cold, fever etc. The contents of the module will include: personal hygiene, healthy food habits, cleanliness of the house and the surroundings - its importance and consequences, general health of the family members.

### **Birth control and reproductive health:**

A lecture module on safe sex, birth control and reproductive health will be conducted on the construction sites. The objective of this session is to create awareness about safe sexual behaviors, of contraception and pre and post natal care. The content of this module includes: different types of birth control measures, importance of regular visits to the PHC during pregnancy, and details about TT injection and booster dose for pregnant women, importance of a balanced diet and exercise during pregnancy, importance of immunization for infants and how it would protect them from six vaccine preventable diseases, namely - poliomyelitis, diphtheria, tetanus, tuberculosis and measles. For men awareness about safe sexual behaviour, Sexually Transmitted Diseases (STDs) and HIV Aids will be imparted.

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<sup>7</sup> The research findings showed that getting the time of workers on the sites is difficult so 2-3 hours modules are developed

### **Occupational health hazards and safety measures:**

A module on occupational health issues and the safety measures will be developed and conducted for the migrant construction workers on the construction sites. The content of the module will include the main occupational issues, and safety measures that the workers should follow while working on the construction sites.

## **Services related programmes**

### **Health camps and Referrals:**

Health camps will be conducted involving doctors (Physicians) from the local Physical Health Centres (PHCs), and include three to four specialists (Gynecologist, Pediatrician, Psychiatrist, etc). In the health camps each member will get a health ID card which would have details such as the name, age and the disease/ailment, if any. These cards will be used to identify if any workers suffers from any severe diseases, and if it is so, he/she will be referred to the respective hospital/department. In these health camps, care will be taken to add a few de-addiction related components and create awareness about the diseases that are associated with alcohol consumption.

### **Rights based linkages :**

After the health camps, follow up action in terms of referrals to the local PHCs will be organized for those who were identified with severe diseases. The pregnant women will be linked to the local anganwadis so that they can access ante-natal and post-natal services available under the government health schemes.

All these set of activities will enable migrant construction workers to understand importance of cleanliness and its impact on their health and also able to access public health services. This will reduce their expenses spent on the treatment of severe illnesses

### **9.1.2.2 Education**

Women and children are more vulnerable at the worksites especially when they are pregnant or have small children. There is no system at all to take care of these children at work site. The women can neither afford to leave the children unattended nor absent themselves from work as they would face extreme financial hardship. For inter-state migrants, it is worse because they cannot send their children to schools as they do not know the local language i.e Kannada.

In order to enable the women earn their daily wages, 10 daycare cum learning centres will be set up on the construction sites during the 5 years project period. The primary objective of the centres is to:

- Provide care, safety, health and education for younger children and facilitate the learning process of older children, which would enable these children belonging to a marginalized and mobile population develop certain competencies, literacy skills and become confident individuals.

The specific objectives of these centres are to :

- Care for the children in the age group of 1-12 years old so that their parents, especially their mothers, can work uninterrupted and without tension about the safety of their children.
- Create a safe environment where the children of construction workers attend classes regularly and learn with fun through a structured but non-formal education programme.
- Keep up the momentum to learn when they are away from their native place, which will help to bridge the time span of absence from mainstream schools.

The activities of these centres include:

## **Awareness programmes**

### **Educate the parents:**

A meeting with the parents will be conducted once in a month to educate them on child care, hygiene and nutrition.

## **Service related programmes**

### **Run day care cum non-formal education centres:**

Caring for children aged between 1 to 3 years old and facilitating the learning process of children between the ages of 3 and 12 years. An 'Aaya' (helper) will be appointed to look after the 1 to 3 years old infants and the teacher will facilitate the process of learning for the 3 to 12 years old children. .

### **Nutrition/food:**

Wherever possible midday meal will be organized for the children by linking the daycare centres with the Akshaya Patra Foundation. For children below 6 years old, linkages will be made with the ICDS programme in local anganwadis so that they can avail of nutritious food.

### **Health care and immunization:**

Once in two months health camps for children will be organized wherein pediatricians will conduct general health check ups. Linkages will be made with local Anganwadi workers so that children below 6 years can avail immunization and vaccination facilities.

### **Capacity building of teachers:**

In these centres the teachers need to handle different age groups and children from different areas, the teachers need training in informal methods of education and one to one teaching methods. In order to acquire these skills, the teachers will be trained for about one week on the teaching methods and advocacy skills (which can be used while enrolling the children in local government schools).



## Rights based linkages

### Mainstream children into local government schools:

Once the children can speak in Kannada and have learnt the Kannada alphabets, they will be enrolled in the local government schools. Where ever possible an attempt will be made to link with the Sarva Shiksha Abhiyan and take support of labour and education departments.

The two day care cum learning centres run by Sampark in Bangalore has benefited children in terms of continuation of education as well as provision of safety environment.

### 9.1.2.3 Financial Inclusion

The study findings indicate that only 15% of the workers have bank accounts, of which, only 2% have bank accounts in their names in Bangalore (especially those who have migrated from southern states i.e Karnataka or Andhra Pradesh). The main reason why the workers don't have a bank account in Bangalore is their lack of knowledge on how to open bank account and also lack of documents related to identification and address proof. Intra-state migrant workers send the money to their families, either by going home themselves for this purpose or through neighbours and relatives. Whereas, inter-state migrant workers cannot travel frequently due to the long distance involved; they transfer the money to the bank account of a neighbour or a commission agent who charges them Rs. 25 per Rs 1000 as a commission to pass on money to the workers' families.

Migrant workers  
need to have  
identity cards and  
address proof for  
financial inclusion

As the primary reason for migration is to be able to send money to their families it is important to include migrant workers in the larger formal financial landscape. The means of remittance needs to be safe, reliable, quick, and reasonably priced. Having access to a bank account may solve this problem, as long as the recipients also have bank accounts in their names. Besides solving the remittance problem, having access to a bank account helps them to store money in a safe place, build credit history which gives them access to multiple loan options, and in maintaining balances in savings accounts that earn interest. In order to include migrant construction workers in the larger formal financial landscape, the following interventions are planned:

### Awareness programmes

#### Financial literacy:

An awareness programme on financial literacy will be conducted for migrant construction workers on the construction sites. The content of this programme will include: Importance of having a bank account, how to open bank account, what are the documents required to open a bank account, meaning of zero balance current savings account, and how to transfer money to the bank account.

**Training of local leaders:**

A few young workers who can read and write will be identified as leaders. These leaders will be trained on bank transactions procedures and relevant forms such as withdrawal and deposit forms and how to fill up these forms to transfer money to send their families. These trained leaders will help those migrant workers who are illiterate to fill up the forms and transfer money.

**Service based programmes****Opening of bank account:**

Bank accounts will be opened for interested migrant construction workers in the destination place. This process would include: Advocacy with the bank manger to open bank accounts for migrant workers, fill up the application forms along with required documents, submit the applications and follow up with bank; and finally hand over the bank pass book to the workers. These accounts will be opened in nationalized banks as current savings account with zero balance so that migrant workers can receive their wages on a weekly basis. The more frequent, but smaller value payments may result in small value transactions on the bank account.

This package of services will enable migrant construction workers understand importance of financial literacy and have bank accounts which will lead to financial inclusion. Thus access to formal financial systems is crucial for migrant workers.

**9.1.2.4 Social Security and Legal Aid**

The migrant workers face issues of identification and are not able to access any of the state government schemes. Lack of awareness about BCWWB and its schemes among the workers, contractors and sub-contractors, is one of the main reasons for the ineffectiveness of the implementation of its schemes. To have awareness and access their entitlements from the BCWWB the following interventions have been designed:

**Awareness programme****On labour Laws:**

Awareness programme on relevant labour laws such as Minimum Wages Act 1948, Contract Labour (Regulation & Abolition) Act1970, The Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (ISMWA), The Legal Services Authorities Act, 1987 (LSAA) will be conducted for the construction workers. The objective is to create awareness about these Acts which would empower workers to avail their entitlements under these Acts.

**About the BCWWB and Its Schemes:**

Awareness programmes on the relevant Acts will be conducted for construction workers, contractors and project managers of builders/developers. The objective is to create awareness about these Acts and BCWWB, its welfare schemes and process of registration. The content of this module includes information about three Acts: 1.The Building and other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (BCWA), 2. The Building and other Construction

Workers Welfare Cess Act, 1996 (BCWWCA) and 3. Right to Information Act, 2005 and welfare schemes available in the BCWWB and registration and renewal process.

## **Services based programmes**

### **Registration with BCWWB:**

Facilitates the process of registration of inter and intra state migrant workers with Board, which includes: collect application forms from the Board, help the workers to fill up the forms, collect required documents (age proof, three passport size photo graphs and certificate of 90 days working as construction worker) from the workers., submit the filled applications along with the required documents to the Board and following up with the Board, collect the ID cards from the Board and giving them to the workers, facilitate the process of availing Board's welfare schemes (mentioned in section 7) to the eligible workers. For migrant workers who are not in construction sector Sampark will provide ID card which would help them to avoid from police harassment.

### **Legal counseling cell:**

Provide counseling for individual workers with respect to any disputes with her/his contractor on wages, employment etc. At the first level the disputes will be handled directly with the contractor, if it cannot be solved then it will be taken to the labour department. The legal counseling cell will be linked to local National Legal Service Authority (NALSA) centres. which are set up under The Legal Services Authorities Act.

### **Placement service:**

Employment linkages will be made for new migrant construction workers especially for inter-state migrant workers who are new to the city and have difficulty to find employment. These linkages will be facilitated by organizing meetings between migrant workers and principal employer and contractors. This service will help workers to get regular employment and fair wages as per the market rates, and there will be no exploitation by the contractors/sub-contractors.

## **Rights based linkages**

The project facilitates linkages with BCWWB and its welfare schemes. The need for legal counseling and support will be met through the project as well as links and references to NALSA centres.

These set of interventions will enable migrant construction workers to know about their rights and demand their rights from the systems – both public and private. It helps to have an (national/state) identity and access to official assistance and get regular work and wages as per the market rates.

## 9.2 Intervention at Source

Rural livelihoods especially in dry and semi arid regions are strained causing push for outward migration of the poor. Most of the poor people in source village are illiterate, have very limited resources and are therefore unable to acquire advanced skills for employment; due to lack of skills they are not able to find regular work in any of sectors, they are paid low wages when they work in the local areas. Due to all these reasons the pressure to migrate to large cities/towns, especially for the youth is irresistible, and also because they do not get proper support from government schemes to enhance their resource base.

In these types of villages, Sampark's has implemented the set of integrated and holistic interventions for sustainable livelihoods of people of poor families. These interventions include: form and strengthening of people's institutions such as women SHG and cooperatives, enterprise trainings, and credit linkages to improve livelihoods. Health activities including awareness about hygiene and general health, integrated with a community based mental health programme. Educational activities include: reducing schools dropouts, improve the quality of education in government schools and empowering women through functional literacy centres ([www.sampark.org](http://www.sampark.org)). The issues in source villages are the same of the Sampark's intervention villages, therefore the source villages need an integrated and holistic approach to create sustainable rural livelihoods. However in this proposed programme, the focus is on migrant workers, hence the attention to activities at the destination is of prime importance. The activities to be taken up in the source villages are selected carefully. The focus will be on those which will improve livelihoods both at source and destination. These will include: life skill promotion, skill building, credit linkages and enterprise promotion.

Sampark works only in source villages of Karnataka and in other states it will link with SDTT partner NGOs who are involved in dealing with issues of migrant workers. The strategy to implement these activities in source villages will be through working with the existing local NGOs.. In source villages Sampark's role is to provide technical and monitoring support and build the capacities of the local NGOs in these activities.

The details about these activities are given below:

### 9.2.1 Skill Building

Skill trainings will be conducted for people who are interested to work in construction sector. The areas of the skill trainings are carpentry, plastering, electrical, welding, driving, security guard etc. Over period of implementation of the project the list of skill training areas will be upgraded as per the need. This would help migrant workers to compete in the labour market and take benefit of new avenues and also get high wages as skilled workers gets higher wages than unskilled workers.

### 9.2.2 Life Skills Promotion

A life skill training module will be developed and conducted for youth to address the issues related to personal growth and holistic development. Life skills refer to a large group of psychosocial and interpersonal skills that help people make informed decisions, communicate effectively and develop coping and self management skills to lead a healthy and productive life. They are skills that enable individuals to deal effectively with the demands and challenges of everyday life.

### **9.2.3 Credit Linkages**

In Karnataka most of NGOs form SHGs and use them as platforms to implement all development interventions. The project encourages local NGOs to include migrant families in their SHGs. These SHGs will be linked to local banks to open bank account as well as to provide loans. Along with credit availability the workers also develop savings habit as members of SHGs.

### **9.2.4 Enterprise Promotion**

The objective of this intervention is to increase the incomes through motivating and encouraging youth and members of SHGs to start enterprises. This would help people who do not want to migrate and even for people who migrate but do not work in the construction sector, especially women as it is hard job for them.

#### **Enterprise awareness programmes:**

In all source villages enterprise awareness programmes will be conducted for the youth and members of SHGs in the source villages. The purpose is to create awareness and motivate them to start enterprises. After the completion of the programme the list of interested youth and members of SHGs who would like to start an enterprise will be made.

#### **Enterprise trainings:**

Enterprise trainings will be conducted for youth or members of self help groups who are interested to start an enterprise. The content of the training will include: generation of business ideas and identification of viable business idea and development of business plans.

These set of interventions will help people from poor families at source to improve their capacities to start an enterprise and increase their incomes and have sustainable livelihoods. This may reduce migration from source villages or helps workers to get more daily wage due to their improved skills at destination.

After completion of two years of implementation of these interventions, will be refined and also new interventions will be added based on the issues identified at source villages.

## 10. Conclusion

The majority of rural migrants are young people who migrate due to poverty, face poor living and working conditions and lack of education and skills. Conditions are more challenging for the inter-state migrant construction workers who, in search of livelihood, leave their home states, thus losing their formal identity and political protection. Therefore, the study findings demonstrate that migrant construction workers largely escape the purview of welfare and legal services, because they lack a permanent and proper identity as well as representation.

The vision of the project designed based on study results is to ensure that migrant constructions workers are safe and secure, and are able to access their entitlements as Indian citizens/unorganized workers, both at the destination and source states. To this end, the project enumerates a host of interventions: promoting awareness within the migrant workers community to sensitize members to vulnerability to discrimination and exploitation, as well as to their health, education and legal rights, addressing the concerns of women migrants specifically, promoting dialogue with the state and central governments for influencing policies, legislations and programs targeting migrant construction workers, fostering the collectivization of migrant workers to lend them a voice and thus, empower them, and finally streamline collaborative efforts among government organizations, NGOs, and community-based organizations to re-define and thus, establish migration as a development issue.

The proposed programme interventions aim to support migrants to have sustainable livelihoods. The expected impacts of interventions on the migrant construction workers will include improved awareness about: general health and personal hygiene, occupational health hazards, and health, education and legal entitlements; increased confidence and better negotiations with principal employers, contractors and sub-contractors; increased employability and getting wages as per the market rates, and finally having improved living and working conditions.

The project interventions will prove to be a pathway for migrant construction workers to be empowered, have a secure and safe migration with improved living and working conditions in their work place and be able to access their entitlements as construction workers and most importantly as Indian citizens.

## 11. References

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