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**A STUDY ON BRICK KILN AND ITS SOCIAL
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A Study on Brick Kiln and Its Social Assessment

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Abstract – The brick production sector in India depends upon fuel wasting units and techniques, which contribute to air pollution and emission of greenhouse gases, thus generating negative economic and environmental impacts. Besides, within the sector there are social dilemmas such as bonded labour, child labour, work-place adverse living environment, unhygienic water and sanitation conditions, poor education and adverse occupational health conditions etc., all of these problems need serious consideration.

Various designated public sector organizations are responsible for compiling statistics from a number of pre-determined sources. The statistical information usually responds to policy makers' requirements in different government departments. The available survey reports reveal that they are blind on various social indicators related to human vulnerabilities. For example, the labour force surveys do not have indices related to labour bondage.

Keywords: - Labour, Industry, Brick, Kiln

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INTRODUCTION

The sector is one of the major actors in the construction industry and yet due to its peculiar characteristics is reproached as a non-tax payer and is not recognized as an industry. Although the use of other advanced building materials, both locally manufactured and imported, has increased recently, bricks remain the basic and major ingredient of the expanding construction sector. It is interesting to observe that brick-making technology adopted and being used in India has yet to see any change unlike the competing sectors like ceramics, tiles, cement and marble business which have adopted modern techniques and earn reasonable profits and goodwill from the all the stake holders, having been sensitized toward their social responsibility by providing better occupational environment.

Further the occupation and sector categories for registering the workforce size are also very broad, overlooking the existence of a large workforce in the informal sector. Similarly, the economic census is limited to formal sectors covered under trade, services and manufacturing; there is no or little information about informal establishments. Such data deficiencies extend to the brick kiln and its workers as they fall within the informal sector.

The Society for the Protection of the Rights of the Child (SPARC), an NGO, has worked child rights protection. Their 2004 annual report emphasized the situation of child labour and bonded labour in India.

Report describes the laws regarding bonded labour in India, the projects being undertaken for its elimination, the Bonded Labour System (Abolition) Act 1992 as well as the National Plan of Action for the Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labourers (2001).

This report also questions whether child labour is actually helping to alleviate poverty or increasing it. The Human Rights Commission of India (HRCP) is also active for the protection of human rights in India. Since their inception, bonded labour is one of their areas of concern. They have documented the bonded labour issues consistently and extensively. They also report abusive acts against bonded labour in their annual reports (state of the human rights, various issues, available on their website).

NGO research provides detailed accounts of the role of labour in the brick production cycle. While mapping the vulnerabilities they have comprehensively covered all segments of workers categories. The poor living environment coupled with hazardous work conditions are also captured in these accounts. For data collection all these agencies rely upon information provided by workers, civil society groups and government statistics, while owner's perspectives are totally missing. Also there is a lack of evidence for tripartite efforts for improving poor socio-economic conditions of brick kiln workers. Another important issue is the easy access of research material on labour issues.

There are a number of organizations working in this sector, but their lack of coordination and information sharing affects their work and its impact. Beside research findings there is also a wide range of suggestions for multi-pronged strategies, ranging from policy reforms and their effective implementation to universalization of social protection for workers. For positive change these research reports only seek government support, which demonstrates that the thrust of research is upon government policy. There is little investigation about the lives, living standards, issues and opportunities available to workers from other sources like rural support organizations operating in India on a large scale. Many reports sensationalize the bonded aspects.

The perception of the workers is different, and raises questions about what conditions compel them to ask for advances. The ground realities have changed from the past due to increase in construction activities leading to a rise in work opportunities. Also, the intensity of bonded labour and associated conditions differ across the country. In North India, the situation is most appalling in comparison to the northern parts of the country. However, this does not mean that the conditions of workers in the northern parts of the country meet the basic minimum requirements of labour standards.

REVIEW OF RELATED LITERATURE

The observation and comments with questions from seminar participants highlighted that there is a lack of public awareness about the brick kiln sector, including –social, legal and technological aspects. . The missing links between government policy and development agencies and entrepreneurs were discussed.

Dr. Mahmood A. Khwaja from SDPI stated that there is ample evidence in the form of published work by the Environmental Protection Agency/Departments (EPA/EPDs) on the subject of environmental pollution due to brick kiln manufacturing. He stressed the need for conducting Initial Environmental Examination (IEE) before establishment of brick kiln manufacturing units to reduce the harmful effects of brick kiln emissions on the lives of workers and surrounding population.

Dr. Sultan M. Khan shared that the equipment to measure air pollution is available with the EPA but the lack of human resources prevents its utilization. He highlighted some of the adverse occupational health hazards associated with brick kiln manufacturing due to the unusual working conditions and exposure to polluted air and contaminated water, the brick kilns workers are often prone to diseases such as hepatitis A and E, polio, dengue fever, T.B, backache, and hernia. He deplored that the workers stressful working conditions mostly led workers to drug addiction, gambling and sexually transmitted diseases.

Syed Mahmood Nasir, visiting research associate from SDPI, said that the brick production sector in India

operates on centuries-old technology that depends upon coal and other more hazardous fuels (e.g. the use of plastic bags and rubber tires) that pollute the air and emit greenhouse gases (GHGs). Such technologies lead to negative economic and environmental impacts. He emphasized the need to explore innovative scientific technologies to address these negative effects. Some participants expressed interest in helping owners access the carbon trading mechanism while others showed an interest in learning more about alternative technologies. Focusing on the social aspects, participants wanted to know why the brick kiln sector is outside the purview of labour laws, the extent of child labour in this sector and the presence of Afghan migrant workers in this sector.

Dr. Saba Gul Khattak said that rough estimates place the number of workers at approximately one million and being part of the informal sector, brick kilns are outside the purview labour laws. She highlighted the anomaly that exists in financial sector policies that treat brick kilns as an industry and provide loans and government policy that makes brick kiln workers unprotected by labour laws.

Dr Saba underlined the need for direct support and facilitation from government rather than more legislation in this context. It was also observed that the existing environment and labour related laws and regulations in the country are sufficient but need effective implementation. She also underlined the need for forming the organization/association of brick kilns workers to take care of their interests and concerns.

Mr. Maqsood Jan from SDPI called upon the NGOs to extend their cover to brick kiln sector as the brick kiln workers and their families lack government support at present. He also emphasized the need for brick kiln owners' active involvement in developmental projects for workers. On the basis of the public seminar, we can conclude that that while public awareness is low, interest in promoting workers' well-being and ensuring environmentally responsible practices is high among those who find out about the issues. Further, there are stakeholders in the private sector who wish to promote alternative technologies due to their business interests; an interface between donors, businesses and direct stakeholders, i.e., workers and owners would result in a holistic approach for designing effective interventions.

LIVING STANDARDS AND ECONOMIC PROFILE

The primary data indicates that the living standards of the workers require urgent improvement as basic facilities are lacking whether in terms of housing needs, or access to social services. Most of the workers are in poor and very poor categories and though many report that their remuneration has increased over the past year, yet it does not match the increase in the rate of inflation. Half the expenditure of

the household was consumed by food items, and the remaining was spent upon education, health and spending upon social interaction (e.g. spending upon guests or attending a wedding or some other special occasion) and a small amount on transportation. Access to education is lower than national level data and access to health care facilities provided by the public sector or employer is non-existent.

A few workers during informal conversations indicated that some employers had engaged doctors to visit the site but the quality of service provided by these doctors was low. There is some debate about the connection between workers' health and work. We believe that the large number of complaints about backache, leg aches and joint aches indicate that the manual labour involved in brick making is tough. This is reinforced by field observations as well. Some enumerators also reported use of drugs, hashish in particular, to cope with body pains and aches.

This aspect of work needs to be addressed. Similarly, our observations indicated that sanitation issues play a critical role in children's health. Some children were suffering from skin infections, caused by the open sewage/lack of proper drainage facilities (confirmed by field observation). The complete lack of latrines for a large number of family's needs to be addressed. The open wells for drinking water were dangerous as two girls who had gone to fetch water were reported to have fallen into the well. Overall, the workers felt vulnerable as many complained about police harassment and poverty. The managers and employers confirmed police harassment. Workers, when they left the site to visit the local market or use public transport, were hauled up by the police and asked for an NIC. Almost 50% workers in our sample do not possess an NIC, but even if this was produced, the police accused them of having a fake NIC and would let them off after receiving some money.

Although our data indicates a lack of interest in vocational training and adult literacy programs, this is because the respondents work between 11 and 13 hours a day. They believe that if they join a literacy or vocational training program, they would lose money as they would be unable to produce the requisite number of bricks. Thus, if any intervention to provide alternative skills training has to be undertaken, it should be done with consideration of worker's loss of income. However, the provision for children's schooling is demanded. Interestingly, workers preferred to send their children to schools rather than madrassas, where religious education is imparted.

OPPORTUNITIES FOR IMPROVEMENTS AND MITIGATION MEASURES FOR MECHANIZATION

According to the workers, they would prefer improvements in their working environment, e.g. protection from harsh weather conditions, reduced working hours and better/fair remuneration. Mechanization is not viewed as an opportunity for improvement of working conditions though the workers agreed that it would result in increased production. However, they were concerned that mechanization would result in unemployment and also pointed out that brick quality would be an issue. Thus the trade-offs of mechanization did not appear to be appealing to workers.

For employers, mechanization is a mixed bag. Some spoke in favor of mechanization as a means of getting rid of the stigma of bonded labour, and losing money through the advance system. However, they were concerned about the quality of bricks. One employer explained that as machine made bricks are more compact due to the application of high pressure, they have less water absorption capacity and are heavier in weight than the manually made bricks. Almost all employers expressed reservations about the effectiveness of mechanization. They said they would rather wait and see instead of jumping into mechanization. They did not know of successful mechanization where the quality was not affected and production increased. Some employers also pointed out the high capital investment in mechanization with uncertain results/outcomes. They were more comfortable with paying labour advances than in investing in a new system.

Employers/owners also appreciated the attempts at fuel efficiency and explained that coal had become costlier without any standardization of quality assurance. They explained that they place orders telephonically and have no means of checking if the promised quality would actually be delivered. They often received truckloads of substandard coal, which is expensive to return. Aware of the negative environmental impacts, they clarified that to start off coal fire, wood and old/used vehicle tires are used. They were aware of the environmental damage caused due to burnt tires but termed it an economic compulsion. One employer also said that the firemen/bakers demand rubber to ensure that temperatures do not fall beyond a particular point. He said that if they do not give them rubber tires, the bakers lose interest in their work, which affects the quality of bricks. Thus, they are cornered in a situation where the quality of bricks is affected and they suffer the economic loss.

CONTRACTUAL/WORKING RELATIONSHIP BETWEEN KILN OWNERS AND KILN WORKERS

Findings from both quantitative and qualitative data indicate that there are in place informal agreements among the workers and employers. Contracts are largely verbal in nature or 'do not exist' even at the verbal level. However, there is an understanding prevalent in the area that is followed by workers and employers. The Jamadars are the workers main guarantors for receiving advance payments and also step in when the workers need relief (in case of illness, injury, death or marriage in the family) in terms of more advances and leave.

As the advance does not accrue interest, workers are able to pay it off though the process is slow. This distinguishes the India context from the Indian context where the advances accrue interest. The work is physically demanding and involves extra ordinarily long hours without overtime or any protection from hazardous conditions. Although some employers make a small annual contribution to the government for workers security, the workers have no means of accessing help from the government.

The absence of NICs with almost half the workers makes it even more difficult for them to be eligible for any relief from government. There are ample mechanisms through which workers and munshis/managers interact to settle complaints or resolve issues; the relationship is not adversarial as the munshi/manager, though he monitors work, is also responsible for the smooth functioning of the kiln. Thus the munshi or the employer addresses the issues that arise. This indicates that workers do exercise some degree of agency, especially because their work is specialized and not everyone can perform it.

ANALYSIS

86 % respondents said that they access a health facility; everyone said that they rely upon private doctors rather than government services. It may be noted that 'private doctors' include dispensers, quacks and other doctors who charge a low fee. The government Basic Health Units are ill-equipped to deal with anything more than the common cold and are open during office timings, which often do not suit workers. Thus most prefer to go to private service providers. Health related problems predominantly related to backache (56%), pain in legs (38%), pain in joints (36%) fever and cold (36%), high blood pressure (23%) and eye infections (19%). There is not a wide variation among these complaints from a gender perspective.

58% respondents said their children attend school. Some of the respondents' families live in their hometowns so it is difficult to surmise how many children living on the kiln site have access to schooling but it can be safely asserted that the percentage would

be lower than what is reported. Among those who attend school, 57% access private schools while 41% go public/government schools and the remaining 2% attend madrassahs (religious schools). The distance from home to school for 92% children is one kilometer or less. In 29% cases, there are separate schools for girls but the majority (71%) do not have separate school facilities. Adult literacy opportunities are available for very few (8%). However, the existence of the facility indicates that it can be useful and perhaps there can be a push for more adult literacy programs.

A small percentage said they continue in this work due to the advance system. When asked their opinion about the advance system, most respondents from all categories said that they feel bound by the advance system and that they must work to pay off their loan to the employer. Very few (3%) indicated that they are paid less due to the advance system. However, 48% said that their remuneration has not increased over the last one year while 30% (majority of bakers and kharkars) said that their remuneration has increased once over the past one year. 20 % (a majority moulders and kharkars) said that their remuneration has increased more than once. It should be noted that the increase was not significant.

23% respondents, a majority of them moulders, said that they do not have a contract at all while 57% said that they have a verbal understanding. 21% said that the amount of minimum remuneration is settled and 11 percent said that they have leave with pay. The duration of working hours is not discussed; however, payment to moulders and kharkars is based upon the amount of work done, which is measured by the total number of bricks moulded/transported/placed for baking. 80% said that they are paid on a piece rate basis while only 1-2 % said that they are paid on a daily basis and 17% on lump sum basis. Bakers/firemen receive a standard wage each month.

All categories of respondents said they work between 11 and 13 hours. The work is performed mostly during the day but the bakers/firemen said that their work is evenly divided across the day and night while for kharkars it was approximately 3.5 hours at night. Moulders perform their work mostly in the day.

This was an open-ended question therefore we received a variety of responses. We have categorized the responses into three broad categories related to health issues, work and remuneration and working conditions. The largest number of concerns were health related (52%) with most respondents complaining about the tough work; some pointed to specific ways in which they are affected ranging from eyesight problems to problems with mud and strong sun in their eyes. Many also complained of aches and pains and one respondent said that he had to sell his kidney in order to pay off his advances.

In case there are negative incidents, 70% said that they can report these while 30% felt that they cannot.

Most said that they could report these to the manager/munshi (52%) followed by employer (22%) and jamadar (21%). This indicates that there are conflict resolution systems that are being used by a majority of workers. In response to specific harassment of women and children, 16% said that they face harassment. Of these, 9% said it is verbal while the others said that it is physical in the form of physical fights or beating of children. Sexual harassment was not reported. This is probably because women workers work besides their men folk and not all by themselves.

92% workers said that they do not have a union or representative body where they can raise work related issues. Those who said such a forum is available explained that they approach the middleman to solve their problems. Usually these pertain to demand for advance, leave in case of illness or sometimes they wish to raise the issue of misbehavior of the munshi with the employers. However, most of the respondents had faith in the munshi and 62% relied upon him to solve their problems. Thus it appears that there are no unions or formal forums that the workers access. The few persons who were aware of workers unions had a low opinion about union leadership, saying that they are mostly corrupt. We can conclude that the relations between workers, managers and employers are highly personalized. There is a suspicion of formal organizations hence there is no initiative to contact the workers' organizations.

CONCLUSION

There is little trust in organized forums such as workers unions and associations. There were no unions or associations in the brick kilns and the areas that we visited for fieldwork. Workers prefer to resolve their problems through the jamadar, the munshi or by talking directly to the employer. While this is a positive indication, it also means that workers issues, e.g., maintenance of minimum standards of work and protection against hazardous work are not brought to any forum for discussion. Workers' own awareness about such issues in terms of demanding such facilities as a right is also very low. This is due to their poverty and illiteracy that place them in a disadvantaged position in harsh economic conditions.

Thus, while workers are able to exercise limited agency, it does not extend to negotiating for better living arrangements or rights to education, health services or other utilities. In contrast, employers feel relatively powerless in the context of the advance system as this is a given. They claim that there is no assurance that the worker will stay and that usually workers demand heavy advance from the next employer before he joins work. Both sides have an issue and the best resolution would be through government-sponsored mechanisms that would be

acceptable to both sides. However, there is no move from any government agency to bring brick kilns within the ambit of the formal sector.

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