New paradigms of labour relations: how much do they explain?

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In the 1990s and early 2000s, there was a general agreement among labour scholars that economic reforms had brought about a certain disempowerment of industrial labour, in terms of the fragmentation of the workforce and the weakening of trade unions. However, in recent times, the literature on labour appears to have done a volte face. Scholars, mainly western or at least western-based, appear to argue that labour, whether formal or informal, is doing well in terms of well-being, political agency and representation. Rina Aggarwal, (2012: Informal labour, Formal Politics and Dignified Discontent in India. Cambridge University Press.) studying bidi and construction workers in three Indian states, argues that informal workers act as a "class', that is, using their economic and occupational position, and represented by trade unions, look to the state for social security benefits, instead of battling with private employers for higher wages. Emmanuel Teitelbaum (2011: "Mobilizing Restraint: Democracy and Industrial Conflict in Post Reform South Asia", Cornell University Press) on the basis of studies of trade unions in three Indian states and Sri Lanka, has said that reform-minded political parties have successfully managed to balance the imperatives of marketization on the one hand, and the needs of labour on the other. These perspectives on labour appear to be anchored in recent theorizations of the capitalist state, which have highlighted the cenrality of state action in balancing the impact of the market, particularly on poorer sections. These perspectives attempt to provide a refurbished theory of the welfare state, while retaining the essential contours of globalization, marketization.

The portrayal of a win-win situation for both state and labour appears to be overly optimistic when we see first, that state attention to informal workers has actually been grossly inadequate; secondly, the argument that political parties need industrial workers and trade unions appears to be highly problematic in a context where political identities, programmes, or electoral rhetoric rarely, if ever,

relate to the industrial worker qua worker. The paper draws on empirical materials relating to construction workers to demonstrate that the state-capital-worker relation has worked against the workforce both in terms of attaining work-related benefits, and in terms of broader political empowerment. These findings challenge the new paradigms of labour scholarship emerging from the west. In section1, I provide a brief overview of recent literature on these themes. Section 2 presents material from a survey of three consruction worker settlements in South Bangalore. Section 3 presents a discussion on policies relating to consruciton workers and their channels of representation, parties, trade unions, NGOs. Section 4 sums up the discussion.

1: Introduction:

Labour studies in the current scenario is understandably in difficult times. Our traditional subjects of research are disappearing: strikes and other forms of industrial disputes, collective bargaining, trade unions, left parties and so on. Displaced from the spaces – factories and fields --in which labour scholars have historically imagined them, the so called working class is physically scattered and in what could be described as political wilderness. Informal work or the informal sector has become the most commonly used term for describing workers who work, but who do not have regular or assured work, income, or work-related social security. The domain of informal work is vast and diverse, Perhaps one of the most challenging tasks in labour studies has been to provide a definition which captures both the essence and the wide ranging complexity of informality, as well as a coherent imagination of a possible politics of informal workers qua workers. Neo classical economists have defined informality as absence of state regulations, and in recognition of the sector's diverseness have

conceded that there is a range (more or less) in terms of absence of regulations, and also, importantly, that formal and informal, therefore, must be seen in a continuum, rather than as mutually exclusive (Kanbur: 2009; Guha Khasnobis: 2006) This unifying defintional framework, is a useful first cut, but does not provide any clues to understand the complexity, or the historical specificity of informal work in the present times.

On the other side of the intellectual divide, left leaning critiques of capitalism, broadly, and Dependency inspired theories, in particular, explain informal work, particularly in developing countries, but also increasingly in the west, as generated by the contradictions of capitalism in a technologically driven world of global capital. Other left-leaning theorists have seen petty self employment as the domain of exclusion – the need economy – which provides subsistence to workers excluded by the global-capital driven economy. Informality, as a domain of exclusion, is, on this view, structured by global capitalism[1]. Such theories are intrinsically attractive for a broad understanding of the political economy of development; the push cart seller or the pavement vendor in third world cities may well be a product of the dynamics of global capital. It is nevertheless difficult to imagine the precise points of interface/conflict between the huge domain of self employed workers (who may also double up as casual wage earners) and global capital. This difusion of the class structure of the workforce is of course reflected in the domain of activism. The steady decline of trade union power, and the emerence of a large number of other actors into the domain of labour activism (NGOs, CSOs, Social Compliance agencies, global monitors, and so on), have greatly diffused the context in which labour related issues are addressed. Thus if informal work is hard to define, the domain of political agency or collective action relating to informal workers is even harder to conceptualize.

There has now emerged an overall consensus around an umbrella-like formulae that informal workers must look to the state rather than to private employers, and must ask for social benefits, rather than for

wages. This perspective of a redefined relationship between workers and the state, is anchored in a broader, emerging world view of the possibility of bringing back a more proactive state, particularly in the context of globalization and economic liberalization. Iconic scholars like Stiglitz and Sen, who have criticized unbridled globalization/marketization, have fallen back on the state to smoothen the market's sharp edges. According to Stiglitz, state interventions, such as job creation, must go hand in hand with macro economic restructuring, as happened, for example, in China. (Stiglitz: 2000). Similarly, Sen recommends combining extensive use of markets with the development of social opportunities as part of a broader comprehensive approach to development (Sen: 1994), removing the under-activity of the state in the continuing neglect of elementary education and other social opportunities" (Sen: 2000). Interestingly, the call for a refurbished welfare state finds an echo amongst Marxist scholars. For example, responding in part to the creeping emergence of informal work, particularly amongst ethnic and racial minorities in Europe and North America, Manuel Castells said that " the task under the new circumstances, is how to redefine the struggle for equality in terms other than wage levels, working hours and benefits attached to conventional employment….. a new Social Contract in which governments would guarantee minimum living standards to people as people and not as workers (Castells, 1987). Castells' thesis, in the context of Europe and North America, can be understood as a positive gesturing towards the creation of more robust social policy systems rooted in capitalism and democracy.

A certain nostalgia for the old, post-war, welfare state thus cuts through this varied literature. What is signidicant is the reiteration of the state's centrality, at a time when the market had gained legitimacy of hegemonic proportions. These and other scholars have, in a manner of speaking, re-theorized the capitalist developmental state, that is, to hold on to the logic and efficiency aspects of globalization/marketiztion while re-asserting the state's normative responsibilities.

In the Indian context, of course, state sponsored welfare remains the superscript. The contradictions between marketization and welfare have been a sustained theme with left leaning scholars; but the idea of a negotiated balance between state sponsored welfare and capitalist growth – as somehow to retain the best of both -- has struck the imagination of the larger scholarly and policy fraternity, and remains an enticing possibility. Thus NREGS is presented, for example, as the state's response to rural poverty with an universalized provision of minimum income, a plethora of policies, such as mid day meals, right to education, and various health schemes, exist, at least on paper, as a signal of the state's good intentions. Several scholars in recent times have highlighted that social sector policies can and do balance the possibility of the market's inegalitarian impact, and many have gone so far as to say that following liberalization, the creation of more wealth made it possible for the state to engage in more welfarist activities (Nayar: 2009; Panagariya: 2008, 2010; Varshney: 2004). Democracy is of course the touchstone of this imagined relationhsip between capitalism and welfare, between the state and the poor. In an important article in 2008, Partha Chatterjee, echoing Kalyan Sanyal's arguments regarding the dispossession that occurs in the process of capitalist accumulation (appropriation of agricultural land, displacement of people from traditional habitats and livelihoods, denial of space to small sellers on city pavements, loss of public sector jobs, loss of small businesses and so on), made the argument that in our old understanding, all of these interests were seen as opposed to that of the industrial bourgeoisie. The state, however, can no longer afford to ignore the claims of these sections, made via a democratic electoral system and expressed through various associational activities in political society. While the state may be predominantly pursuing a capitalist growth path which benefits a narrow class, willy nilly it also brings some welfare to the poorer classes, not because it has good or bad intentions, but because it is forced/persuaded by the democratic imperative to ensure some sharing of the fruits of growth.

Debates around democracy and poverty are not new. Without entering into that terrain, for the purposes of the present paper, one could say that any theorizatiion of the relationship between

democracy and welfare must necessarily be related to the political economy specificities, particularly the class structure that might have a determining impact on state welfarism at a given point in time. A central question which has not been addressed in the lierature outlined above is : historically welfare or redistribution have rarely been gifts of states, and are in fact closely linked to political struggles of the poor, led by trade unions, social democratic or left leaning political parties. In the current context, the economic structure, broadly speaking, and the world of informal livelihoods, in particular, shape and constrict the political agency of the poor. In what ways, for example, does the shrinking of the organized labour force determine the dynamics of welfare politics? Given the centrality of informal work in the economies of developing countries, can we indeed make a substantive set of connections between the political economy of the informal sector, a possible politics of welfare, and the state?

Two new works on labour in South Asia which have appeared in the recent past. (coincidentally both are Cornell University Press publications), are important interventions into the debate on labour and political representation in South Asia broadly, and in particular in India. Providing a broad endorsement of labour practices in the informal sector, both scholars appear to hold the view that informal workers hold the state acountable, via the democratic system, the state needs indistrial workers as workers, and as voters. This underpins a fundamental mutuality, labour works for unregulated wages, while empowered to bargain for social benefits from the state. Rina Aggarwal (2012) in a comparative study of bidi and construction workers across three Indian states found that early workers movements in these sectors strove to transform the informal workforce in the mirror of formal workers. More contemporary movements reflect a gradual shift of attention from employer to the state, from work and wage related issues to more general social welfare related rights. According to her, this represents class politics (workers use their worker identity cards to get state sponsored social insurance) and an alternative labor movement model. "Significantly, their emerging identity simultaneously asserts their informality and their position within the working class. Their identity is not expressed as an antithesis to capital". This then leads Aggarwal to the conclusion that this

alternative model “incorporates the informal sector as an active participant in capitalist growth”. informal sector workers are pressing for these rights to housing, health and eduication, and doing so in some kind of a redefined version of “class” politics. No longer are workers interested in wage or other work related issues. Nevertheless, class still acts as an agency for putting forward the claims of the dispossessed. Tietelbaum (2011) in a study of industrial disputes in three Indian states came to similar conclusions. Democracy, according to him, facilitates the peaceful resolution of disputes, and therefore enhances the prospects of industrial and economic growth. Political parties need industrial workers’ political support during elections. Therefore, it is to the interest of political parties to facilitate the resolution or prevention of industrial disputes (through trade union activities)

Can one indeed talk about industrial worker welfare through state-sponsored social security, in a context where the issue of wages remains unadressed? What are the political spaces available to informal workers to press their social welfare claims on the state? Finally, within a democratic framework, what are the ideologies and institutions which are constitutive of informal workers as a political force, if at all?

I draw below from a recent study of construction workers in Bangalore. This study highlights that close to half of the workers surveyed earned less than the minimum wage, work availability was insufficient and irregular. State sponsored social security, through Welfare Boards, is given in terms of accident insurance, pension, scholarships, and so on. The claims recognized by the state, and sought to be implemented through the Boards do not speak of wages, income, and housing, the three most important points of deprivation in the lives of construction workers. The number of workers registered in the Boards is low, and awareness and implemenation of the welfare measures remains partial and inadequate. My findings are confirmed by other studies of construction workers, conducted across the private and public sectors. Overall the situation speaks of deprivation on both fronts, wages and social security. These findings raise serious questions about the emerging

paradigms in labour studies, discussed above, that state sponsored social security can address the plight of industrial workers whose wages are low and unregulated. More broadly, these findings throw open central question of collective action and political representation of informal workers.

2:Construction Workers in Bangalore: In 2009-10, Construction workers constituted 10% of the total unorganized workforce, and the industry accounted for 12% of GDP. The Construction industry is the second largest employer after agriculture.. Infrastructure development has been a central agenda of successive governments in Karnataka.[ii] In Bangalore, the Construction industry has expanded greatly, following the city's recent IT-driven growth. In Karnataka state there are some 1.5 million workers involved in the construction industry. In Bangalore city, the strength of the construction workforce is 0.35million [iii] , although the enumeration of this workforce can only be approximate, given the cyclical character of a large proportion of the migrant workforce.

A number of legislative measures have been taken, both at central and state levels, to address wages, working conditions and other welfare related measures relating to workers in this sector. Most significant among these are the Building and Construction Workers (Regulation of Employment and Conditions of Service) Act and the Building and Construction Workers Cess Act, 1996[iv]. By these Acts, state governments are empowered to create Welfare Boards in which Construction workers would be registered, and through which they can claim a number of benefits relating to pension, accidents, medical and children's education related expenses, and so on[v]. The Karnataka Building and Other Construction Workers Welfare Board was set up in 2006[vi]. The Board's mandate is in the domain of welfare provisions --accident insurance, medical benefits for major ailments and diseases, educational assistance for children, loan facilities for housing, and a pension scheme -- rather than fair wages. The state government periodically revises the minimum wage for workers in this sector.

The study was conducted in three different sites in the city of Bangalore[vii]. This selection was made in order to represent different kinds of habitations of migrant construction workers : the first two are independent rental housing, the third is employer–provided [viii]. Each of the three sites is located in South Bangalore[ix]. A total of 300 migrant construction worker households were covered by the study, which used both a questionnaire and qualitative discussions[x]. Construction workers in these three sites are predominantly recent migrants, who came to the city anywhere between a few months to 15 years. The largest number (61%) appeared to hail from Northern Karnataka. (Tables 1 through 6 show the socio- economic background of migrant construction workers in their place of origin. This confirms conventional understanding of the migration pattern in Karnataka, where dry and unirrigated land in the Northern regions have historically generated extremely low agricultural incomes, leading to distress migration of poor agricultural families. Thus most of the migrant construction workers (73%) had been employed as daily wage earners in farming and construction activities. In terms of social profile, the majority of construction workers in this study belonged to the scheduled castes. Illiteracy was high (at 58.44%.).

2:a Work and Income

The largest number in this study, close to 72 %, described themselves as "kuli", or "worker". This refers to work such as digging earth, breaking or carrying bricks, carrying cement or other items such as water, in short, any work relating to construction which does not require any kind of skills or training, and can be performed by any person. Comparatively, the percentage of skilled workers was very low, at 21%, including maistry, electrician, carpenter, grinder/welder (table 7). The industry itself offers little scope to migrant workers to acquire skills that would enable them to improve their occupational status.

As this study was conducted during 2011-12, one could look at the wage structure table:8), in terms of the minimum wage which was stipulated in 2010, as Rs 135.60 per day, (which amounts to Rs 3254

for twenty four days of work per month) [xi]. First, about 25% were getting less than Rs. 110 per day, and 46% were getting in the range of Rs 110-150. Assuming that in the latter group, perhaps half were receiving below Rs 135, then around 48% in the sample were receiving below the minimum wage. The survey revealed that only about 10% were getting more than Rs 200, and in this category, the largest number were skilled workers. (table 9). The other significant feature of course is that women workers in the construction industry continue to constitute the extreme bottom of the heap. Women constituted around 25% of the workforce across the three groups studied. As table 12 shows, in the category of those earning less than Rs 100, only 4.3% were men, while more than 80% were women. Women's share in the workforce declined in the next two higher wage categories, and significanlty, in the two highest wage categies, (Rs 150-200, and above Rs 200), there were no women workers at all (table 10).

In any analysis of informal workers, one has to factor in some amount of under reporting of incomes. From general observation, it would seem that in Bangalore, skilled construction workers may get between Rs 250- 350 per day, sometimes even more. Yet in our survey, very few, even of those who reported skilled work, acknowledged receiving Rs 250-350. It is worth noting, however, that the relationship between wages and earnings is fairly complex. Work availability is highly variable. Across the three settlements, the average work availability was only 15 days per month. Although daily earnings may be higher than what was reported, the actual monthly income was not a reflection of daily wages, translated into twenty -four days of work.

Wages and other entitlements are highly variable across the city depending particularly on the nature of the project, the employer,(whether government or private builder). A survey of 169 workers, working for private builders, conducted in 2011 (Prasad et all:2011), reported that 25% of workers were receiving wages less than the minimum wages stipulated by the Government of Karnataka. About 25% workers in this survey were in the above Rs 200 category. This study also mentions a specific category of Rs 300 and above, in which 5% workers are placed. The findings of this study

thus were approximately similar to the findings in my study. Workers in large government infrastructure projects earn a higher wage than what is available to those working for private builders of commercial and residential complexes. The wage sructure of workers employed in the construction of the Bangalore Metro Railway was considerably higher [xii] . Around 62% workers were paid in the range of Rs 6-9000 per month, which meant that the daily wage for a large percentage of workers was more than Rs 300, and work was available for all six days of the week. More remarkably, about 24% of the workers were paid a monthly salary that ranged from Rs 9000 to Rs 15,000 per month, while only 14% were in the lowest salary bracket, Rs 4,000 to Rs 6000 (Madhu Sudan:2013).

Beyond wages, household income levels explain extreme poverty in the three settlements which I studied. (table 11) . Across the three settlements, nearly 40% are dependents, and of those who work, average work availability is 15 days in a month The per capita income distribution (table 12) shows that an alarming 29% of the members of the households studied were in the below Rs 500 category. While the largest per centage of members (41%) were in the Rs 500-1000 category, there is a declining percentage of members in the higher income categories, and only 30% of the members have monthly per capita income of more than Rs 1000. Rs 892 corresponds to poverty line for urban areas in Karnataka.

Despite the hardships associated with working in this industry, there is of course an obvious economic rationality of the workers' move to Bangalore. The survey showed us that the majority had moved from situations of complete absence of work and income, and assetlessness. Bangalore promises higher wages in this sector, and sometimes free housing. The reality of course, as indicated above, is that of low incomes, with uncertain work availability, absence of medical leave, and often, large numbers of dependents. The extreme instabilty in their earnings was their daily struggle. *"In one month, barely three weeks of work may be available". "One week there will be work, next week there is no work",* said two men from the same family who had moved from a village in Raichud. In the absence of the daily wage, they try to make do with their meagre savings, or take a small loan from a

neighbour, a small credit from the local grocer. The perception that potentially it is possible to make more money is an enticement that keeps them in their miserable shacks, and beckons others. *"Compared to native, things are better here. We earn to live"* said Rukmini from Gulbarga in North Karnataka.

2b: Multiple vulnerabilities

Of the three groups studied, almost all workers in the Labour Colony, who were employees of a private construction company, were registered in the Welfare Board. In the other two groups, (workers moved frequently between employers) registration was low, at about 20% in each group. But whether registered or not, in all three settlements workers had very little actual information about their entitlements associated with the Welfare Board. Across different domains, construction workers are systematically denied access to the benefits (water and toilets at the workplace, sick leave, accident or other insurance) which have been mandated by the Building and Other Construction Workers Act of 2006 in Karnataka. While Contractors (individuals or agencies) were seen to have played a central role in the recruitment of workers across the three settlements, they were not proactive in getting workers registered, or in raising awareness amongst workers of of their claims through the Boards. Prasad (2011) in the study mentioned above found that about 76% workers were not even aware of the Karnataka Welfare Board. Of the 20 contractors who were interviewed in that study, only six were aware of the construction workers Welfare Board.

More tellingly, the study on BMCRL workers, mentioned above, narrates the denial of basic rights at the work place. BMRCL workers were registered in the Welfare Board. However, basic facilities such as drinking water, toilets etc, which should mandatorily be provided by the employer in any construction site, were not available to BMRCL workers Even more remarkably, the study highlighted the large number of injuries and deaths of workers (fourteen major accidents were

reported during 2007-2012) that had occurred in different BMRCL sites due to absence of necessary precautions being put in place by contractors, and that most of these victims and their families had failed to get any kind of compensation. The Contracting Company, (as well as the BMRCL, although it was the principal employer), failed to ensure that accidents were reported to the local Compensation Commissioner, through the Welfare Board in which the accident victim may have been registered Thus, the basic institutional structure which the 2006 Act sought to create for the welfare of construction workers, was in a sense by passed by the BMCRL, and more poignantly, state responsibility for accident victims or their families could not be enforced, even in a situation where the workers were working for a large public project.

2c : Housing, shelter and schools

Every day vulnerabilities faced by this migrant workforce relate to housing and shelter, water, toilets and sanitation, schools and hospitals. I highlight here two major themes, relating to housing and children's education, which particularly highlight state indifference to this workforce. Across the three settlements, two types of housing arrangements were found. First, in Pai Layout and Nagavar Pallya, workers lived on land which they rented from private land owners, in self constructed one-room shanties, which were basically blue plastic sheets held up by bamboo poles. In the absence of toilets, men, women and children used adjacent fields. Each settlement lacked electricity, water connection, and basic sanitation services, was located close to drains, depicting a story of complete absence of hygene. In the Labour Colony, the Construction Company had provided one small room, with a tin roof and mud walls, for each household, without any separate kitchen, bathing area, or electricity. The Company had provided a borewell and a cluster of toilets at the end of the compund. However, at the time of the study, these toilets had not been used for over a year as they are not maintained because of lack of water supply. The entire community uses the adjacent fields.

Beyond the threat of evictions, the every day battle is with water and toilets. Many are resigned to buying water. But the most urgent problem, a repeatedly expressed point of extreme agony, is lack of

toilets. Each of the three groups use nearby fields for open defecation. In the night often snakes are seen there. In Nagavar Pallya, which is split into two by a rickety bridge, the older women find it hard to negotiate this bridge in the darkness of the night, on their way to the field. The younger women and girls can relieve themselves only at fixed times of early morning and evening, under cover of dark, and they can only move in groups because of prying eyes and the threat of sexual harrassment by men in the neighbourhood. In the rainy season, water flows into the houses. There is no streetlight.

There was collective agreement amongst construction workers that their central need is a roof over their heads, and access to water. Many felt that what they earn would go a longer way if they did not have to pay rent and daily expenditure on water. News about evictions, when the bulldozer arrives and in a few hours huts are razed to the ground and entire communities are left homeless, with their meagre belongings strewn around, feature in regular media reports. Amongst slum communities across the city, NGOs and other social activists, stories of evictions travel back and forth through regular informal channels of communication. For most slum dwellers in Bangalore the fear of eviction is an internalized hysteria, a part of their every day consciousness. A group of residents of Pai Layout live on a piece of land which is part of the railway tract, and pay no rent. They do not know when the government would decide to reclaim and sell this land for commercial purposes. The consruction worker community in Nagavara Pallya live on land which is under litigation. Their continuing residence there depends on their good relations with the litigant who collects rent from them, "we pay him regularly, but how can he protect us if he loses the case?" said one respondent. In a possible scenario where the other litigant could claim the land, they could be evicted. Although those in the Labour Colony had the advantage of not having to pay rent, this did not seem to lessen the sense of insecurity relating to land and housing. All the participants in the discussion group said that they need help in finding land and for construction of houses. "Here it is only working and eating.

There is no guarantee." "Even though they are giving us houses, any time any one of us can be thrown out".

Second, this research revealed that a large number of children of migrants were out of school and working. Fig 4 tells us that of children in the age group of 6-16, amongst males only 35% , and amongst females 44% were going to school. The lower percentage of male children going to school was possibly a reflection of their joining the workforce fairly early in life. In the same age group, 13.95% male children, and 13.36% of female children were working. Of this, 86% of male children, and 72% of female children were working in construction sites. (table 13). Taken together, then, this indicates that for the majority of workers migration and employment in the consruction industry has not translated to an expanded set of opportunities for their children. Thus a large number of the children of construction workers do not go to school and many of them join their parents to become part of this low paid, unskilled urban workforce[xiii].

Under the Sarva Shikshya Abhinyan, Tent Schools have been set up by the Government of Karnataka for children of construction workers. Tent Schools are meant to provide one or two years of education for younger children, until they can move to a mainstream government school. It was found that most frequently women construction workers use the Tent school near their settlement as a creche while they work, the facilities available are minimal and very little teaching actually happnes by the single teacher appointed in a Tent School. Children do receive the mid day meal, but no educational or recereational resources have been provided, and rarely do children move on to the mainstream school. One of our discussants, Girish, summarised the issue: "we are poor, the school is free, the teacher is not answerable to anyone. No one will take responsibility for poor children. BPl also only for poor people. So no one is responsible for what is given, how it is given, whether it is given".

In this environment, then, they have lived for several years, now. Surrounded by uncollected piled up garbage, stinking drains, stagnant pools of water, with low incomes and deprived of basic human rights to water and a protected area of privacy. The future of the next generation does not look different.

3: Policy, Politics and Civil Society:

For the purposes of this paper, it is imporant to highlight that state sponsored welfare rarely touches the lives of construction workers. Not only is registration in the Boards extremely low, but there are several important lacunae in what this Act envisions as welfare. First, the Welfare Boards are in principle required to provide scholarships for children of construction workers, but this applies only to those pursuing studies at the 10^{th} grade and above, and only if the student is staying in a hostel. In principle, the Right to Education Act (2009) provides basic and free education to all, and there are additional supports for children of SC/STs. The reality of course is that few have the opportunity to attend school, there are a large numer of drop-outs amongst those who do, and, as the discussion in the previous section has pointed out, many children of construction workers start working in the construction industry from a young age. Thus in the absence of educational interventions in the early school years of these children, the provisions for scholarship for high school and college students appear to be unrealistic.

As far as housing is concerned, there is no provision in the Act which speaks to this issue. However, a range of housing schemes for the urban poor have been enacted from time to time (the Valmiki Malin Basti Avas Yojana, and more recently the Rajiv Avas Yojana, to name two). The reach of these schemes remain limited to slums which are notified by the government, and in which the slum dwellers have been given property rights on the piece of land which they occupy. Consrtuction

workers who live in non notified slums, cannot claim property rights on the land on which they live, or housing loans. Yet there are no government schemes which actually speak to the housing needs of these large and expanding numbers of workers who seek a living in the city by working in the construction industry.

What are the political and institutional obstacles to a more rigorous implemenation of the Boards? And what are the channels through which the claims of this workforce can be articulated, within a democratic framework? First, in terms of the channels through which construction workers can articulate their needs and claims, one could look at their relations with political parties, trade unions, and civil society associations. The group of workers in the Labour Colony return to their respective villages during elections, those from distant states may not vote at all. In Pai Layput (KR Pura constituency) the 2008 assembly elections led to the victory of Nandeesh Reddy of the BJP[xiv]. (In 2013, a Congress candidate won from this constituency). Nagavara Palya (C.V. Raman Nagar reserved constituency) is a BJP stronghold. In the 2008 assembly elections, S Raghu of the BJP was elected back to the assembly (he was re elected again in 2013). Thus in the 2008 elections, while CV Raman Nagar constituency reelected its BJP MLA, the KR Pura constituency shifted from the Congress to the BJP[xv]. In both Wards 83 (Nagavara Palya) and Ward 193 (Pai Layout) local corporators belong to the BJP. Construction workers constitute a small percentage of the voting population in both areas, which are predominantly middle and upper middle class neighbourhoods. During discussions each of the communities said that they had voted for the BJP "to give them a chance, earleir they had given chance to Congress". The recent history of both these constituencies reveals that there has been little or no interest on the part of local politicians to address the interests of these marginalized communities. This was particularly highlighted in discussions with workers and slum leaders in Nagarvarpalya: the BJP MLA from this constituency, which is reserved, belongs to one of the scheduled castes However, there is hardly any contact between the MLA and construction workers living on this site, even though the majority in this community belong to the Scheduled

castes. Similarly, in Pai Layout, the BJP MLA had made a couple of visits to the consruction worker settlement before the elections, but since then there had been no contact with him. In Pai Layout, the locally powerful person is one Cement Nagraj. He is a big supplier of cement to the builders who are constructing large apartment buildings in the neighbourhood, and where most migrant workers in these localities find work. He is also President of the Pai Layout Residents Association. An extremely wealthy man, he is an active BJP supporter. He has been instrumental in getting the BPL card for some members of the community. It was obvious that this person had played a role in the shift of votes away from Congress to the BJP in 2008 as far as these communities were concerned. However, other than helping several households with the paper work related to applying for the BPL card, no other issues had been addressed during the community's interactions with this locally resourceful person. Thus even though the construction worker communities regularly participate in elections, they appear to be in a political wilderness.

The lack of attention to these marginalized communities became even more apparent at the level of the local corporation. In Nagavara Palya (Ward 83) projects such as Improvements to Road Side Drain, Mini Water Supply Schemes, and Construction of Individual Houses are listed by the BBMP (as well as mentioned by local corporator) as schemes which will be undertaken which would directly benefit this community. However, each of these projects remain only on paper, and no headway has been made even in the evaluation of cost of these projects. "No one ever comes, no meetings are held except at election times". "they promise some things, we go after them, then they win and go off, and we come back, like dogs".

With regard to unions, in Bangalore, The Karnataka State Construction Workers' Central Union (KSCWCU) has played a leading role in worker registration, and organization around rights based issues. The KSCWCU is an independent union, affiliated to the National Centre for Labour, and with close links to the Janata Dal (S). The KSCWCU has about 62,000 members across Karnataka. In Bangalore, as mentioned in section 1, the total number of consruction workers is difficult to determine

with accuracy; not more than 10% of this workforce is unionized through the KSCWCU. The major areas of concern of the KSCWCU has been on welfare issues like helpline, housing, increases in the quantum of benefits available through the Welfare Boards and so on. There has been less focus on the issue of fair wages, nor any politically visible activities for greater regulation of work and employment relations in the Construction sector. A second large union in this sector is the Karnataka State Building and Other Construction Workers Federation, affiliated to the AITUC. The Federation's activities have been mostly confined to efforts to lobby with successive governments in the state to arrive at a redefinition of construction workers, with special focus on the needs of those who are engaged in hazardous work within the industry. Within this framework, the Federation has lobbied for workplace security, specifically, and social security more broadly. The Federation, similar to the KSCWCU, has not pressed on issues relating to wages.

A large number of NGOs are engaged with construction workers. It should be noted, however, that typically NGO interest in this sector is an indirect fallout of their involvement with slum communities and the urban poor, broadly speaking. Construction workers constitute a large percentage of the urban poor. However, NGOs are even less interested in wage related issues than are trade unions in this sector. Education, housing and health related issues have been dominant in the NGO discourse on construction workers. In both Pai Lay Out and Nagavar Pallya, APSA had been engaged for some years. The NGO's activities related mainly to enabling the workers to register themselves with the Welfare Board and managing the Tent School adjacent to the Pai Layout Settlement. In addition, APSA runs a school for poor children, with a large number of children of construction workers. In the Labour Colony, we found no significant NGO inervention except that that mangement of the creche, provided by the building Company, had been entrusted to an NGO named Outreach. The activities of both NGOs appeared to be limited to the groups of workers that they were working with, and to specific issues, particularly with regard to education of children. NGO activities did not appear

to be related to broader, or even city-wide engagement with issues of deprivation affecting construction workers[xvi].

4: Conclusions

Returning to the now widely shared view that informal labour must turn from wage related issues, focussed on private employers, to social security related issues, focussed on the state. the implicit messages here is that even while the market is acknowledged to generate the relative marginalizaiton of informal workers, nevertheless there is the possibility that informal workers might achieve a decent standard of living through state-provided welfare. In the light of the findings presened above, one could point to some obvious flaws in this argument. First, where more than half of the workforce are not even getting the minimum wage, neither is work availability regular and assured, the argument that wage is less important than welfare appears to fall on its face. Second, this entire argument would appear to rest on the assumption that democracy allows informal workers the space for collective organization and political representation through which their social welfare related interests could, at least partially, be addressed. The material presented above indicated that legislation adressing construction workers welfare issues is limited in scope, and unrelated to workers' real needs (such as housing, and primary education facilties for children of construction workers), and secondly, that the reach of these policies remains consricted by low registration of workers in the Boards and the fact that workers themselves remain unaware of their rights, lacking access to social and political organizations for collective representation. It appeared that the absence of collective action in the form of unionization was a major factor that prevented the implementation of minimum wages stipulatd by government, as well as the basic conditions of service and welfare stipulated by the Building and Other Construction Workers Act of 1996/2006. The 1996 and 2006 Acts relating to Welfare Boards for construction workers came as a response to many years of NGO and trade union pressures. While the Acts introduced a system of regulations, little was done to address the central

question of how regulations can be implemented in an industry where the workforce is scattered and migratory. The dynamics of work in Bangalore's construction industry thus raises fundamental questions with regard to the problem of organizing the unorganized.

Beyond this, there is the question of where industrial workers stand vis a vis political parties, and the state. The argument that 'competitive democracy requires parties to mobilize workers as a base of support ….', (Tietelbaum:2012) , assumes that workers, qua workers, are a constituency. This assumption is problematic in the present context. Organized workers, who, arguably, might have a distinct political identity as workers, are a small fraction of the workforce. Informal sector wage earners lack security of tenure, rights to collective bargaining and freedom of association. Self employed informal workers rarely share an occupational identity and most often lack any kind of collective front. Expectedly, mobilization of political support of workers, qua workers, rarely happens. Dominant political discourses in India construct the voter in terms of identities that are social and religious, not economic, and the distributional discourse has shifted from work related rights to basic rights. However, the basic rights discourse is pinned to universalized categories, such as citizen, rather than occupational categories such as worker. It could be said that at the present time, there is really no political vocabulary for mobilizing the industrial workforce, qua workforce. Finally, while the defence of informality – arguments for unregulated wages – are perhaps well anchored in economic efficiency arguments, and in the broadly dominant neo liberal policy paradigm, within this paradigm it is somewhat naïve to be speaking of state support for informal workers and informal workers' hold upon the state. The material discussed above points out that state laws are hugely inadequate to support informal workers welfare needs, and their political resources to shape state policies and implementation are very limited.

Table 1: Region Of Migration

Region	Share of Migrants (%)
North Karnataka	61.89
Andhra Pradesh	11.89
Eastern India	18.85
Others	7.38
Total	100.00

T 2: Occupation before Migration

agriculturist	40.16
daily labourer	24.58
consruction worker	8.20
Others	1.23
Not answered/no work	25.82

T 3: Caste structure of construction workers

Caste	Share
SC/ST	62.14
OBC	15.23
General	7.00
Others	15.64
Total	100.00

T 4: Education Profile

Education	Share
Illiterate	58.44
Up to Vth class	28.16
Up to Xth class	9.88
SSLC	7.14
PUC	2.88

T:5: % of households who possessed land in village

Labour Colony	62.65
Nagavarpallya	53.52
Pai Layout	42.86
Total	53.57

T: 6 : Average land owned by households in village

Labour Colony	4.50
Nagavarpallya	4.00
Pai Layout	1.94
Total	3.75

T 7 : Different categories of workers

Maistry	18.11
Worker	71.19
Carpenter	1.23
Electrician	1.15
Grinder/Welder	0.82
Driver	3.20
Others	2.8

Table 8: Wage Structure

Below Rs 110	Rs.110 –150	Rs 150-200	Above Rs 200
25.82	46.31	18.03	9.84

T 9 : Category of Work Among those who are earning more than Rs 200 per day.

Work categories	Total
Maistry	16
Electrician	2
Other plumber/tiles	2
Worker	10
Total	30

T 10 : Distribution of male and female workers across wage structure

	Male	Female
Less than Rs 100	4.3	81.0
Rs.100-135	22.0	15.5
Rs.135-150	37.1	3.4
Rs150-200	26.8	0.0
Rs200 and above	9.8	0.0

T-11 Poverty in the three settlements

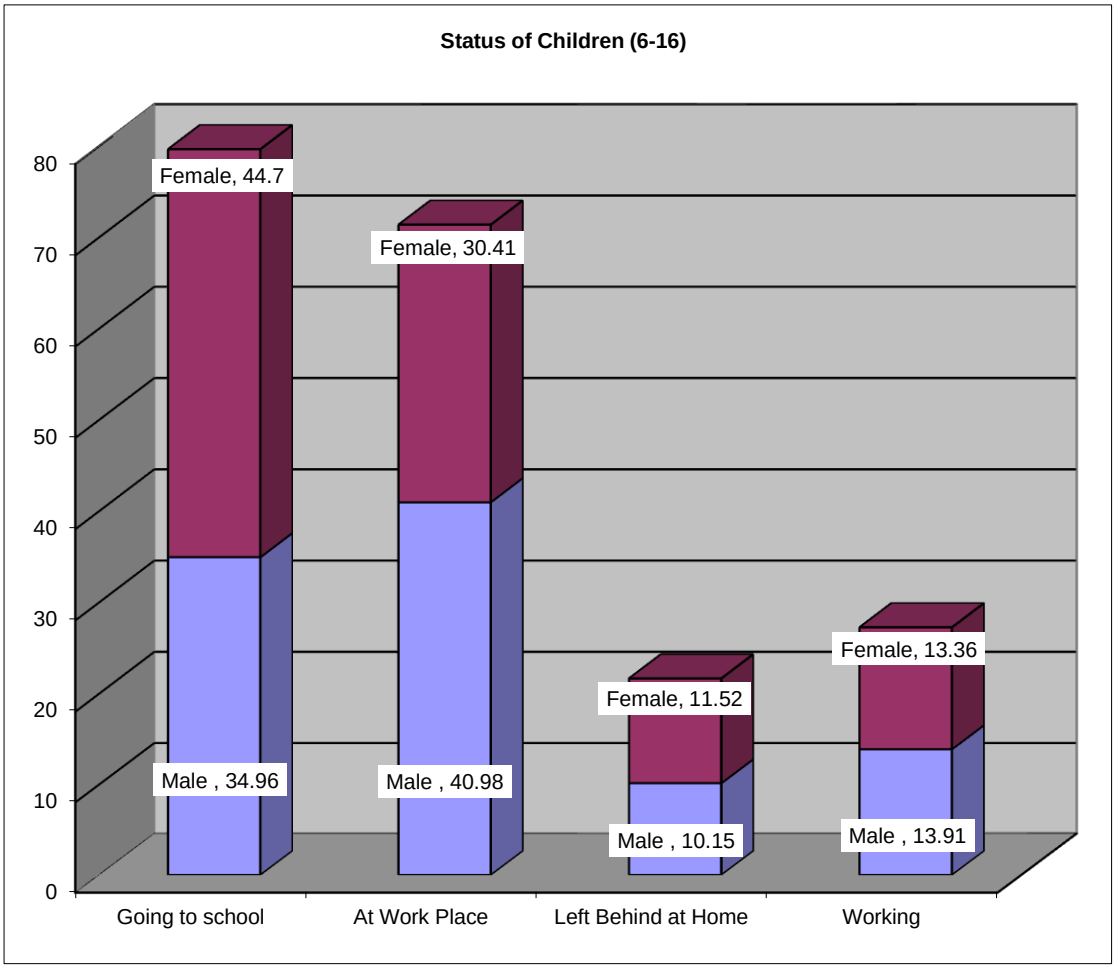
Site Name	Poverty Ratio
Labour Colony	69
Nagavara Palya	47.9
Pai Layout	75.3
Total	64.8

T: 12 Per Capita Income Disribution (per centage)[xvii]

	Upto Rs500	Rs.500-1000	Rs.1000-1500	Rs.1500-2000	AboveRs.2000	Total
Labour Colony	33	40	20	6.0	1.0	100
Nagavar Pallya	19.7	38.6	23.9	11.3	7.0	100
Pai Layout	32.9	46.6	11.0	2.7	6.8	100
Total	29.1	41.4	18.4	6.6	4.5	100

Table 13: Amongst Working Children, % in consruction activity, across the three sites

	Male	Female
Labour Colony	100	100
Nagavar Palya	81.8	100
Pai Layout	90.0	52.9



[i] On this, see particularly, Sanyal (2007, 2009).

[ii] Several projects such as the Karnataka State Highways Improvement Project, the NABARD-Assisted Rural Infrastructure Development Fund scheme, the Pradhan Mantri Gram Sadak Yojana etc have been in place since the early 2000s. Central to these programmes has been the task of building state highways and rural connectivity roads. During 2012-13, 3710 Km of SHs had been taken up at an estimated cost of Rs 1423 crores, and a total budget allocation of Rs 500 crores had been made. The Rural Infrastructure Development Fund has been implemented in five phases. Such projects are supported through government and other agencies (such as World Bank, and the Asian Development Bank) funding.

[iii] (Ministry of Labour, GOK:2010)

[iv] Inter-State Migration Workers' Act, 1979

[v] The salient features of the Building and Construction Workers Act are the setting up of an Advisory Committee at central and state levels to advise the governments on issues related to construction workers, provision of registration of each establishment within a period of 60 days from the commencement of work, in order to ensure that builders maintain compliance with the laws; provision for registration of building workers as beneficiaries under this Act; and importantly, provision for constitution of Building and Other Construction Workers Welfare Board by every State government. By the Cess Act, builders are required to pay a given percentage of the project cost (as Cess) to the Board, through which workers welfare expenditures would be met.

[vi] Builders are required to pay a certain percentage of the project cost towards the Welfare Board.

[vii] The first site, Pai Layout, is a newly developed, fairly prosperous neighborhood about half a kilometre off the National Highway-7. The area has developed around the need to provide middle/upper middle class housing, possibly in response to the growth of the IT sector in the adjacent area of Sarjapur Road. The neighborhood is crowded with closely built, medium to high rise apartment buildings. The housing site of construction workers nestles in a plot which is a triangle surrounded by three high rise buildings. This site came up in 2003. There are approximately 350 huts here, on two sides of an open drain. While one side belongs to railway tracks, and therefore the workers occupying this site do not pay any rent, the other side belongs to a private land owner, who charges a rent of Rs 200-250 per hut.

The second settlement, in Nagavarpallya, is also in two parts, one on each side of a huge drain, the two parts of the slum are connected by a fragile bamboo bridge. This settlement, composed of around 250 huts, has been in place for about 10-12 years. The land originally belonged to a devasthan and was granted to the priest by the government. It was subsequently sold, but the sale was contested by other claimants, and is currently under litigation. The migrants who occupy the huts continue to pay rent (Rs.100-150) which is collected by an advocate on behalf of one of the claimants. This exchange is of course an entirely informal one, with no written receipts given to the rent-payer.

The third site is a settlement provided by a construction company. The Company calls this Labour Colony. Here housing is provided for construction workers who are employed by the company to work on its different projects. This particular colony is situated close to the Ring Road which goes towards Sarjapur Road from the old Airport Road. A deviation from the main road, through almost 5 Kms of completely undeveloped land, leads to an extremely broken mud road with unkempt overgrowth on both sides. Private real estate developers have bought up all of this land. However, following the slowdown in the wake of the 2008 economic recession, there has been no construction on this land. In this particular labour colony there were close to 500 huts. At the time of the study, around 300 households were in residence.

[viii] Typically, construction workers move, through contractors, from project to project. Therefore they are not identified with any one company or employer. As such it was decided to conduct the study focusing on housing sites where they live, rather than companies/projects on which they work. However, the third site, Labour Colony, houses workers who are employees of a single company. It should be noted that there are essentially two kinds of Labour Colonies colonies. One, provided by the builder on land which the Company owns, where it houses workers who are employed, by the Company, in different construction sites. Secondly, the building company may provide housing in a site adjacent to a particular construction site, and then move the workers from there to the next site. The second category of housing is obviously much more temporary than the first.

[ix] IT and ITES developed predominantly in the southern part of the city, thus leading to an enormous spurt in building activities around IT colonies (whitefield, Electronic City), offices, residences of the new IT workforce, commercial complexes and other supprting infrastructure such as banks, hospitals, schools and so on. In more recent times, there has been an effort to disperse the IT and related industries to other parts of the city, but the south remains the IT hub.

[x] The results of the survey are provided in tables 1 through 13. The findings are presented as per centages, but are indicative of patterns. The same patterns were in fact found in studies of different sets of slums across the city where a large number of consruction workers were present (see our Report, RoyChowdhury, Supriya, K.S.James, B.P Vani and N Sivanna (2013)“ Migration, Informal Work and Welfare: a Policy Perspective on Karnataka’s Cities ”. ISEC, henceforth *Report*). However, the limiations of generalization on the basis of a small survey are of course recognized.

[xi] In 2012-13 the minimum wage was revised to Rs 176.60 for skilled workers and Rs 172.58 for unskilled workers. Therefore the minimum wage per month for a skilled worker currently is Rs 4236 for skilled and Rs 4140 for unskilled workers

[xii] While the Bangalore Metro Railway Construction Ltd (BMRCL) is a government enterprise, the work of building the metro railway, in different parts of the city, was given out to contractors. In all, about fifteen contracting companies were involved in this massive enterprise which entailed an expenditure of Rs.10,000 crores in the first phase.

[xiii] For a discussion of Tent Schools for children of migrnt construction labour, set up by the Sarva Shikshya Abhigyan, Government of Karnataka, along with case studies of these schools and of students, see *Report*

[xiv] Although Reddy's election was later challenged and then set aside by the High Court of Karnataka, he was later reinstated by a Supreme Court Ruling.

[xv] All seven Wards in this constituency have BJP corporators.

[xvi] For a more detailed critical discusion of civil soceity involvement in urban poverty issues, see RoyChowdhury :2009 and 2012.

[xvii] This table was arrived based on the monthly per capita income. To compute household income, daily wages was multiplied with the actual number of days worked . This includes all the working members of the household. Then the total monthly household income was divided by total number of members in the household to arrive at per capita income. This per capita income was further classified as per centage of members having income in different categories.

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