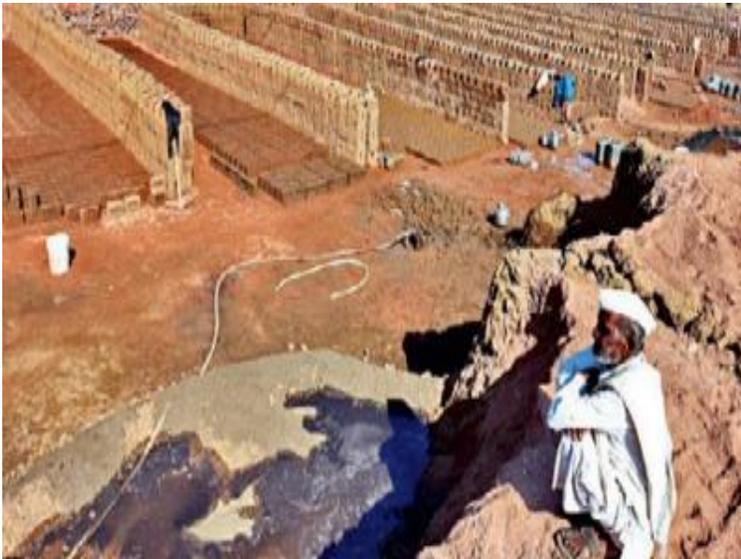


Patheras kiln workers in Rajasthan among lowest paid: Study

TNN | Apr 9, 2017, 08.03 AM IST



JAIPUR: In a February 7 notification, the state government proposed raising wages of skilled workers including patheras - people who make raw bricks at kilns, getting the earth ready and mixing the material to form bricks - from Rs 221 to Rs 227. For other workers, the wages are for eight hours of work; for patheras, it is piece rate for making 1,000 raw bricks, reducing time wage rate mechanically to a piece wage rate.

In all other states, the piece rate is higher than the time wage. "The current Rajasthan piece wage rate is 38.2% of Punjab wage and 42.2% of Haryana," Ashok Khandelwal, formerly a fellow of the VV Giri Labour Institute, writes in a report.

Under the law, minimum wages can be fixed either by piece rate or time. However, the time rate is primary and has to be the basis of piece rate. In case of patheras, according to the time-motion study conducted by an expert team of IIT Mumbai in the 2014, one pathera on average makes one brick per minute - that is 480 bricks in eight hours. Other estimates put the number of bricks one worker can make at 360 to 450 bricks.

The effective proposed wage rate for the patheras, based on the IIT study, therefore, comes to about Rs 107 per day -- less than half the time wage. "This is in gross violation of the Equal Remuneration Act and orders of the Supreme Court on minimum wages. It virtually reduces these workers to beggars," says Khandelwal, who has found the conditions of work in the state's kilns close to bonded labour.

"For each day's work they earn just Rs 107 compared to a minimum wage of Rs 227 per day. If there are one lakh patheras and each worker works for say 150 days, total loss to workers comes to a staggering Rs 165 crore per season," Khandelwal says.

Workers are typically hired paying advance wage of about Rs 15,000 to be adjusted over a season of six to eight months. Under law, payment cycles cannot exceed one month - brick kilns seldom follow this law.

Patheras perform the first and most vital task at the kiln. After their work is done, others carry the bricks into the kiln (bharaiwalas) and stack them before being burnt (khadkan) or maintain the temperature of the kiln (jalaiya). The last task is performed by people who enter the kiln and bring out baked bricks (nikasiwalas). Patheras perform the most crucial work, yet their legal minimum wage is the lowest in Rajasthan.

Brick kiln workers work up to 14 hours a day, with families drawn into the work too. Most are migrants from other states. The Inter-State Migrant Workers Act (ISMWA) provides for free residential spaces; in reality kiln workers live in hovels. Since they are often migrants, they often cannot access local anganwadis or medical services, and have to make do without the public distribution system.

Khandelwal shows that wherever the workers are aware and unionized, they command higher wages. Even in Rajasthan there are pockets, Ganganagar for instance, where the workers are getting negotiated wages at the rate of Rs580 per 1,000 bricks.

Brick kilns are included under the Employees Provident Funds and Miscellaneous Provisions Act, after the 1980 amendment. The latest annual report shows more than 15,000 brick establishments and more than three lakh workers getting benefits, including provident fund, pensions and insurance. Employers have to contribute 10% of wages paid towards the EPF contribution. Such arrangements help in establishing sound employer-employee relations.

People's Union for Civil Liberties has sought that piece wage rate be increased to Rs 600 for 1,000 bricks. PUCL has also demanded inspection of kilns to ensure all laws are enforced at kilns.

Dr Prithvi Raj, state labour commissioner, said, "Minimum wages are the floor price, arrived at according to a set system based on wholesale and consumer price index. These are set for different categories of workers and vary. They are revised every six months or so. Our concern is that no worker should be paid below these set rates."