

CONDITIONS OF THE WORKERS CONSTRUCTING THE BANGALORE METRO DURING THE COVID 19 LOCKDOWN

Background

The construction of the Bangalore Metro started in 2009. The first phase of the BMRCL built Metro cost 2 billion USD. With little over 50% funding from central and state government, the remaining funds came from domestic and international agencies, including the Japan International Cooperation Agency (JICA) and the Asian Development Bank. The second phase of the Metro is estimated to cost around 3.8 billion USD, again with major loans from Asian Development Bank and European Investment Bank. The Yellow line of the Bangalore metro is currently under construction. Along the 18 kilometre stretch, both sides of the road lie deserted and empty, in the wake of the lockdown. Stark in the absence of workers. The line will have 19 stops connecting commercial and business areas like White Field, Electronic City, Bommanahalli, Hosur, RV Road and Bannerghatta among others.



COMPLIANCE AND ACCOUNTABILITY

The BMRCL floated tenders to different construction companies to manage the construction and implementation of the metro. Construction companies that have been awarded to take this forward are L&T, IVRCL, Simplex, URC, ITD among others. For the newly proposed Metrolite, the Karnataka Government for the first time has deployed a public private partnership (PPP) where the state has outsourced the construction of the Metro Rail to private construction companies.¹

The construction companies have further sub-contracted it to local and migrant contractors to find cheap labour to undertake the constructions. While builders, engineers, supervisors are hired directly by the construction company, cheap labour is procured through a complex web of contractors. This makes it extremely difficult for the State or public to access the workers directly, making way for several labour violations². Safety conditions for workers have been neglected, which has resulted in several deaths on site, the most recent deaths reported on March 4th, 2020.³ The workers work precariously on site without safety gear or supervision. None of the workers are registered with any Trade Union or the Labour department. Over the last decade, the Metro workers that have passed the city, building the Metro would easily be over one lakh workers. These workers accept these jobs as due to agrarian crisis back in their villages, unemployment and lack of jobs and come to the city to look for work as they could be landless labourers or seasonal migrants. Migrants stay up to 2 years in the city, aspiring to someday go back to their own village to set up small scale businesses. They are usually the sole working member in their family. For the construction of the Metro, most of the workers employed are not local, male and employed as contract labour, which reduces the rights of the workers to raise questions, strike or make demands around their working or living conditions. Most workers work under the fear of the

¹ <https://www.urbantransportnews.com/bengaluru-to-run-metrolite-on-two-corridors-of-bmrc-under-ppp-mode/>

² <http://cividep.org/wp-content/uploads/2017/04/labour-rights-in-construction-1-12.pdf>

³ <https://timesofindia.indiatimes.com/city/bengaluru/bmrcl-plans-cell-for-workers-safety/articleshow/74422213.cms>

contractor, for they realise their fragility in the system. Given that there are many people waiting in line for jobs, workers are and feel extremely vulnerable and this vulnerability and fear often discourages them from being part of unions. While this system enables mobility, it restricts their access to labour rights and other Government schemes and services, as they are not registered with the Labour department or Construction Workers' Welfare board. Other amenities like PF, Pension, Health Insurance and Social security are also not available for these workers.

It is difficult to find information in the public domain around the roles and responsibilities of construction companies, BMRCL, investors and other related authorities, where compliance can be monitored. Further, none of the workers we have interacted with are registered under the Building and Other Construction Workers Act⁴ since the workers have no information from their contractors or construction companies that have employed them about the same.

Investors have been negligent to the fact that their resources are going into a public infrastructure project that exploits workers and violates labour laws. While immediate needs can be addressed for now, a more holistic approach needs to be undertaken in order to improve working and living conditions, that will ensure ***dignity of the labour*** employed to build what the city of Bangalore prides on, NAMMA METRO.

⁴ <https://maitri.mahaonline.gov.in/pdf/building-and-other-construction-workers-act-1996.pdf>

KEY FINDINGS FROM LABOUR COLONIES DUE TO THE LOCKDOWN

- Over a stretch of 1 kilometre, there are an average of two labour colonies with roughly 300 workers. Over 18 kilometres, there could be approximately 15000-20000 workers across the 18 kilometre stretch of the Metro. The extension of purple and green lines is also under construction. There are several labour colonies that are scattered across the city that may not be in the purview of the State and related authorities.
- In spite of Government orders stating that companies are to pay salaries during the period of the lockdown, most workers have not been paid their salaries for the month of February and March 2020.
- The workers work for seven days a week, up to 12 hours a day. They work half day on Sunday. If they don't, their salaries are cut. They earn Rs. 300/- for 8 hours of work and Rs. 500/- for 12 hours (4 hours overtime) per day. Per month, the workers get Rs. 13,000-15000/-
- The money required for ration/food, is being cut from workers salaries. They are bearing this expense out of their own pockets. The company has not made any provisions for rations for the workers. The contractor in most cases, was found to be unresponsive.
- Due to the lockdown, the prices of basic necessities like rice, vegetables, pulses and wheat has risen by Rs. 10-20/- This puts strain on workers, who are expected to purchase their own ration.
- In light of necessary health precautions, such as social distancing, gloves, masks etc. as prescribed by medical guidelines, the living conditions across labour colonies was found to be sub-standard:
 1. Each room within the colony houses 10-15 workers. Social distancing is impossible to practice within these confines.
 2. Workers are expected to sleep and cook within the same room.
 3. There are no fans. Due to poor ventilation there is no air circulation.
 4. Some colonies lack adequate lighting and face long power cuts.

5. Garbage has not been cleared in weeks and piles of garbage makes the place unhygienic. There is a fear of snakes in some of the labour colonies.
6. Workers do not have access to masks/soap/sanitiser/gloves during the lockdown period.
7. There are, on average, two functional bathrooms between close to 150 workers, across colonies. These bathrooms are prone to clogging and do not have adequate supply of water.
8. Some colonies do not have access to clean drinking water, and have resorted to buying mineral water.

FOR IMMEDIATE ATTENTION

LIVING CONDITIONS AT LABOUR COLONIES

Labour colonies are spread across the city in the most obscure places - often in dilapidated buildings, makeshift rooms, which are hidden from public view. There are usually 12-20 workers in a 10X10 feet room, sometimes smaller, poorly ventilated with no storage facilities. Workers are also expected to cook in these rooms. Workers share common bathrooms and toilets.

Labour colonies are of three kinds:

- a. In old multi-storey dilapidated buildings, separated by tin sheets which can house 250-300 workers with separate toilets and bathrooms located usually on the terrace.
- b. Tin Sheet colonies, with open tanks in common bathing areas and separate toilets. This can house anywhere between 100-800 workers as they are temporary and will be removed on completion of construction.
- c. A cluster of closely packed rooms, where about 100-150 workers share bathrooms and toilets. 10-12 workers share a room.

After the lockdown, since 21st March 2020, the workers have been asked to stay in their rooms. They have been informed that rations will be supplied and work will resume on 14th April, as per PMs instructions.

The pictures below highlight poor living conditions of metro construction workers, which becomes urgent with regard to the current health crisis (See Annexure 1 for complete list of labour colonies visited). Particularly in the context of the COVID 19 virus, workers expressed their problems around congestion, sanitation and lack of access to services and facilities made during this period, from the state, contractor and the company.



This labour colony is located near Dinnur Main Road, in Kadugodi. Home to 200 workers, primarily from Bengal and Jharkhand, workers get paid between Rs. 12,000-18,000/- depending on skilled/unskilled labour. Cut off from the main road, workers live in poor ventilated rooms, 15 workers crammed in a room. Workers complained of snakes and dead animals close to their labour colony. The workers say the amount for ration will be cut from their salaries. Prices of essential goods have doubled in the area for basic needs like rice, wheat, vegetables and milk. Additionally, they are buying drinking water. "The government sends water in a tanker. We don't know when it was cleaned last. We rather buy our own water and stay safe. Water used to be Rs. 20/-, now it being sold at Rs. 30/-." They have no access to any health facilities in the

neighbourhood, the labour colony is in the middle of nowhere, in a barren landscape where garbage from nearby areas is disposed.



“Someone came from the medical department to take temperature, but did not distribute masks, soap or gloves. We have buy drinking water, and the price has increased after the lockdown from Rs. 20/- to Rs. 30/- per litre.

“The lockdown is necessary for everyone’s safety. But no-one has thought about what workers will do during this time . In china, there was a lockdown for three months. If that happens here, we will not survive in the city. We want to be home with our families. I am spending Rs. 3,000/- on my own expenses here. If I was home, I could have shared that money with my family. We would be eating together right now. In the city, it is more expensive for us to live, without working.”



Only two of the bathrooms are functioning in this labour colony. The other two are soiled and dirty. 200 workers have to share these common toilets.



A labour colony is located in a dilapidated building in Singasandra. 300 workers live in this 3 storeyed building, about 70-80 on each floor.



Inside one of the rooms in the Singasandra labour colony , 10-15 workers share one room. The room is also used for cooking.



*The bathroom is clogged for several days now. It is practically unusable.
There are only two bathrooms in this colony.*



Poor ventilation, congestion and lack of privacy.



Garbage has not been cleaned for two weeks from the colony. There is no place to dispose of garbage, so it piles up by the staircase of each floor.

“I paid Rs.20,000 as deposit and Rs 6,000 as rent. In-spite of this, my room owner has evicted me, because I am unable to pay rent because of the lockdown. He has locked my room, my cooking utensils, clothes and documents are inside. He refuses to open it, unless I pay him an additional Rs. 8,000. Where will I get this money from? I am living with other workers in their rooms, in the labour colony. I have no clothes. I have been wearing the same shirt and shorts since the day the lockdown began,” said a worker from the labour colony in Kudlu Gate



In Electronic City, over 200 workers live in these quarters, who have been asked not to come for work since the lockdown. "We are afraid what will happen to us and what will happen to our family. We don't want to die in a foreign land. We will stay healthier when we are with our families and loved ones. When will the lockdown end? When can book our train tickets?"



Outside the workers houses lies sewage and stagnant water from the drain. On one side lies an open garbage dump that has not been cleaned.



Bathrooms do not have doors. Of the four bathrooms, only two are functional. The rest are clogged and have not been cleaned in months. This has to be shared between 200 workers.



At the labour Colony on ECC Main road, ITPL where about 100 workers reside from different parts of North and Central India, one of the workers said, “The contractor sent 2 kilos of rice, potatoes and onions a few days after the lockdown. After this, he has not picked up their calls. The problem with contractors is that they wont let us live, or die. The real illness is the inability to work.” 300 construct worker building the Brigade towers live beside the labour colony. Similar problems persists with them too.



Ration shop at the ITPL colony which supplies ration to roughly 2000 workers from two colonies in that area.



During the lockdown, workers are crammed in tin sheets rooms that absorb heat. There are no fans in the labour colonies. The workers also complained of

mosquitoes. "How can we practice social distancing when we live like this? There is hardly any space to breathe here in the heat." asked a worker.



Labour colony of URC company, Bommanhalli, where there are 836 workers from West Bengal, UP, Bihar, Jharkhand and Orissa. There is a ration shop located within the colony that is opened during specific hours. The workers believe their salaries for the month of march will be given after the lockdown lifts on April 14th.



At the labour colony near Meenakshi Temple, Simplex company. One of the workers has gone missing since March 20th, the day the lockdown was announced. His brother fears he has gotten more disoriented after the lockdown, and lost his way back to the colony. He has asked for help to find him, as his brother is illiterate, and he is worried that he is lost in the city without access to food or shelter.



“Our rooms are very small. There are no fans, and these days it is very hot. The sun heats up the tin. We feel like we will catch fire inside. There is no space to step out, just for some fresh air.”



“There is barely any money left to send home. How will our family members eat?”

They are dependent on our earnings. The least the company can do is pay our salaries and cover the cost of our ration. All our savings are disappearing during this lockdown.”

IMMEDIATE DEMANDS FROM THE LABOUR DEPARTMENT, HEALTH DEPARTMENT, BMRCL, Construction companies and all other stakeholders

The above information clearly shows violation of both labour laws and the impossibility of following social distancing during the COVID-19 crisis. We request the concerned departments to take immediate action and consider the recommendations made below:

1. Given that there is no data of the exact number of workers building the metro, an urgent survey needs to be conducted to identify numbers of workers, in order to address their need during this lockdown period.
2. BMRCL and contracted construction companies, and other related authorities need to inspect each colony and publicly share analysis and relief provided to the workers.
3. As per government orders, wages for workers need to be made in full on the due date. There cannot be any reduction of wage due to closure of the workplace. The amount for ration cannot be deducted from the wage.
4. As per government orders, migrant workers will remain at their regular place of work/local residence within the city. They will not be evacuated either by their employer/landlord. Action to this effect and to address other related issues will be taken by local administration as per advisories being issued by the Ministry of Home Affairs.
5. As per government orders, room rent should be waived for workers who have rented rooms outside the labour colony.
6. Water and ration should be supplied to workers during this lockdown period for free. The workers do not have access to Indira Canteens as they are confined to

their colonies. As there is no existing data on these colonies, available in public domain, there has been no distribution of cooked food or grains in these colonies by government officials.

7. Inspection of sanitation and health facilities has to be addressed immediately in order to ensure safety and hygiene of all workers.

8. Clean drinking water should be made available in all labour colonies, they should not have to buy water.

9. Fans should be provided to workers to tolerate the harsh weather, given that they cannot step out during this lockdown period.

10. As per government health precautions, workers should be given masks and gloves. More space should be allocated to the workers, so that they can ensure social distancing and will not put the entire labour colony at risk, in case of any infections.

11. Medical check-ups should be conducted at least thrice a week. Workers should be trained to maintain necessary precautions during this period.

12. Communication material should be made available in all languages with regard to relevant food and health related helplines in all labour colonies.

13. A system to wire money back home has to be organised for all workers as their families are dependent on their income.

14. Mobile Recharge facilities need to be provided to workers, as many of them do not have smart phones and recharge their phones in shops for small amounts. This is the only way that they can be in touch with their families.

15. Workers need information on when public transport will be usable, since many of the workers wish to return home after the lockdown. Given that they are far away and suspended from the world during this lockdown, workers are increasingly fearful and uncertain about the future.

16. Missing persons complaints from labour colonies must be registered and taken up seriously.

17. Contractors need to be strictly monitored, in order to ensure that there is no violation or corruption in these difficult times. Construction companies and related authorities need to be held accountable in case of any violations.

18. Workers should be provided with transport to go home or alternate accommodation facilities prescribing to necessary precautions during COVID 19 needs to be provided.

19. A core team consisting of nodal officers from labour department/BBMP, lawyers, civil society groups and nodal officers from BBMP, should be appointed for workers issues, who can speak Hindi and other languages and who will visit all the camps and ascertain their immediate and long term needs.

20. Health camps should be conducted where crucial life-saving information, and precautionary practices to avoid infection can be shared with workers

While these are the immediate conditions that we have chosen to emphasise in this report, any kind of action to protect the workers from COVID-19 infection cannot be purely short term. Instead, it is equally important to address structural vulnerability that has been created by the non-compliance of Bangalore Metro Rail Corporation Limited (BMRCL) and the different contractors as well as the State Labour Department for non-compliance of The Building and other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996. Section 34 of this act clearly states that the employer shall provide, free of charges and within the work site or as near to it as may be possible, temporary living accommodation to all building workers employed by him for such period as the building or other construction work is in progress. The temporary accommodation shall have separate places for cooking, bathing, washing and lavatory facilities. Section 45 also details the responsibility of the employer to pay wages regularly or face penal action. In the judgement issued by Supreme Court Justice M B Lokur in the National Campaign Committee for Central Legislation on Construction Labour (NCC-CL) vs Union of India judgement in March, 2018, the court has called the lack of implementation of BOCW Cess Act as a travesty of justice and issued clear instructions to State and Industry on compliance, even after which the prevailing conditions continue to exist.

This report was prepared with the cooperation of the workers across the different labour colonies on the phone. We hope that their demands can be addressed immediately. We have deliberately kept the identities of the workers anonymous,

in order to protect their job security, we hope the report endorses the same approach and carries out inspections sensitively. All views expressed by the workers are in good faith and should not affect their job security in any way.

This report is compiled by Maraa, a media and arts collective, registered as a public charitable trust in 2008. The focus of our work is to document, advocate and fight for the rights of migrant workers and workers in the unorganised sector. We bring out a newspaper 'Bevaru' exclusively focusing on workers' rights and voices. We also work with prevention of sexual violence in grassroots communities and disaster relief work with community radios in India. We work with artists, writers and poets to produce works to uphold our right to freedom and diversity of speech and expression.

Contact Ekta M on 9880755875 or Angarika on 9880159484 for any queries.

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Annexure 1

This report was compiled in conversation with workers from the following labour colonies in Bangalore between 1st and 4th April 2020.

Sl. no	Construction Company	Location of Labour Colony	Number of Workers	States
1	ITD Cementation India Limited National Plastic Building, A Subhash Road, Paranjape B Scheme, Vile Parle (East), Mumbai 400 057 Tel.: + 91 – 22 – 6693 1600 Fax: + 91 – 22 – 6693 1627 / 28 Email: admin@itdcem.co.in Website: www.itdcem.co.in	Singasandra (behind the bus stop)	300	Uttar Pradesh, Madhya Pradesh, Jharkhand, Orissa, Bihar, West Bengal
2	ITD Cementation India Limited National Plastic Building, A Subhash Road, Paranjape B Scheme,	Kudlu Gate	200	Orissa, West Bengal, Chhattisgarh, Bihar, Uttar Pradesh and Jharkhand.

	<p>Vile Parle (East), Mumbai 400 057 Tel.: + 91 – 22 – 6693 1600 Fax: + 91 – 22 – 6693 1627 / 28 Email: admin@itdcem.c o.in Website: www.itdcem.co.i n</p>			
3	<p>ITD Cementation India Limited National Plastic Building, A Subhash Road, Paranjape B Scheme, Vile Parle (East), Mumbai 400 057 Tel.: + 91 – 22 – 6693 1600 Fax: + 91 – 22 – 6693 1627 / 28 Email: admin@itdcem.c o.in Website: www.itdcem.co.i n</p>	Electronic City	300	Orissa, Bihar, West Bengal, Jharkhand
4	<p>ITD Cementation India Limited National Plastic</p>	ECC main road, ITPL area, Whitefield	400	Bihar, Uttar Pradesh, West Bengal, Jharkhand

	<p>Building, A Subhash Road, Paranjape B Scheme, Vile Parle (East), Mumbai 400 057 Tel.: + 91 – 22 – 6693 1600 Fax: + 91 – 22 – 6693 1627 / 28 Email: admin@itdcem.c o.in Website: www.itdcem.co.i n</p>			
5	<p>ITD Cementation India Limited National Plastic Building, A Subhash Road, Paranjape B Scheme, Vile Parle (East), Mumbai 400 057 Tel.: + 91 – 22 – 6693 1600 Fax: + 91 – 22 – 6693 1627 / 28 Email: admin@itdcem.c o.in Website: www.itdcem.co.i n</p>	Dinnur Main Road, GK Nagar, Kadugodi	200	West Bengal, Jharkhand

6	<p>Simplex 'Simplex House' 27, Shakespeare Sarani, Kolkata – 700 017 Tel: (91 33) 23011600 Fax: (91 33) 2283 5966 / 65 /64 Email: simplexkolkata@ simplexinfra.com</p>	Near Meenakshi Temple, Hulimavu	250	Uttar Pradesh, Jharkhand, West Bengal, Bihar
7	<p>URC Company 810, 1st Cross Rd, HAL 2nd Stage, Appareddipalya, Indiranagar, Bengaluru, Karnataka 560008 Phone: 080 2525 9070</p>	Bommanahalli	836	West Bengal, UP, Bihar, Jharkhand and Orissa