

TAILOR-MADE LIVES

Accidents and Discontent among the
Garment Industry Workers in Udyog Vihar, Gurgaon



PERSPECTIVES

PEOPLE'S UNION FOR DEMOCRATIC RIGHTS

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ON 12 FEBRUARY 2015, hundreds of workers of garment factories at UdyogVihar, Gurgaon, came out on the streets and pelted stones at some of the factory buildings. This was in response to the rumour of the death of a fellow worker, Sami Chand who had been assaulted two days earlier by officials and staff of the company where he worked.

While this incident was spontaneous and sudden, such kind of incidents are not new. There have been various instances of similar nature in the past. Workers here have taken to the streets several times out of anger over an attack on a fellow worker by company officials and/or accidents at the workplace due to negligence of safety norms by the companies. This prompted People's Union for Democratic Rights (PUDR) and Perspectives to undertake a joint fact finding in the latest incident. The team met Sami Chand and his family including his wife and brother, Sube Singh, the SHO of the Udyog Vihar Police Station under whose jurisdiction the factory lies, and the General Manager – Human Resources and Administration, Richa & Co., Amardeep Dagar. The team also met one of the lawyers representing the arrested workers, some workers and worker activists in and around Kapashera. Kapashera lies on the Delhi side of the Delhi-Gurgaon border. Majority of the workers employed in the factories of UdyogVihar live here since it is 15-20 minutes' walk to the factories.

In the course of the fact-finding, the team was presented with a chance to get an insight into the world of garment industry workers of Udyog Vihar. The team explored the working and living conditions of workers, and their connection, if any, with the recurring incidents of attacks and accidents. The attempt was to also understand the larger global context in which the garment industry is functioning today and the consequences of the same for the workers here.

1 The Incident

On Thursday, 10 February 2015, a worker in a garment factory in Udyog Vihar, Gurgaon was brutally beaten up by the guards and personnel manager of the company. He was thrashed for reporting 15 minutes late for work. As a result, he suffered from injuries and broken ribs.

Sami Chand, 32 years of age, hails from Gorakhpur district in Uttar Pradesh and works as a quality checking staff in one of the factory units of Gaurav International, a garment manufacturing company. This particular unit is located at plot no. 236, Udyog Vihar Phase I. On the day of the incident, when he tried to punch in his biometric card to enter the factory, he was forcibly stopped by the guards. An argument began which prompted the guards to call the management. Sami Chand was then taken inside the security cabin by the personnel manager of the factory, R.S. Yadav, along with the two guards, Anil and Dharambir, and others, and beaten up.

Sami Chand was then dropped off at his room. His wife who works at the same factory as a 'thread cutter' too was informed. They went to Safdarjung Hospital, New Delhi in the evening and again the next morning. Thereafter, he was admitted to the ESI hospital in Gurgaon.

On Friday, 12 February 2015, a rumour of Sami Chand's death spread in the area. As the rumour spread like wildfire, the workers of Gaurav International, its sister concern, Richa & Co. and other adjoining garment factories came out on the road and started pelting stones at the factories and burned vehicles. Following this, the police and the fire brigade was called in to rein in the workers.

On receiving news of the incident, a joint fact-finding team comprising of PUDR and Perspectives,

went to investigate. When the team first started investigating the incident based on the reports that a worker had been beaten to death, it was confronted with myriad versions of the incident. Of the many people we met, some initially insisted that a worker had been killed. In due course it was found that the worker, Sami Chand was badly wounded from the severe beating due to which his ribs were broken but he was alive. When we visited the room where Sami Chand was staying with his brother, he refused to meet us. His brother, who too was visibly scared, said that the company is paying for the treatment but they did not have any expectations from them regarding compensation. The landlady of the building accosted our team members, and was hostile and abusive towards the workers.

When the team met Mr Dagar, General Manager – Human Resources and Administration, Richa & Co., he was convinced that the rumours of Sami Chand's death were spread by "certain miscreants". He said, "The 'vandalism' of 12 February was led by outsiders who came with masked faces and incited the workers". Mr Dagar confirmed the fact that Sami Chand got into a fight with the factory guards and was beaten on the morning of 10 February. However, according to him, Sami Chand was also very aggressive and had got into a clash with the guards. The personnel manager who was present at the spot offered to take Sami Chand to the hospital but Sami Chand said that he wanted to go back home. Mr Dagar told us that the guards and the company staff who were involved in the incident have been suspended by the company while Sami Chand and his wife are still employed though on leave at present.

The Two FIRs

The SHO, Udyog Vihar Police Station, Mr. Sube Singh provided the team with the information related to the case. According to the SHO, two FIRs were filed - one by Sami Chand (FIR no. 36/2015

dated 12.02.2015) and the other by Piyush Senan, General Manager Operations, Gaurav International (FIR no. 37/2015 dated 12.02.2015).

In the FIR filed by Sami Chand, those who have been named are the personnel manager, R.S. Yadav, and guards including Anil and Dharambir. The investigation in this case has been completed and chargesheet filed. The accused have been charged with certain bailable offences (under IPC sections 341, 342, 323, 506, 147, 149 - Wrongful restraint, Wrongful confinement, Voluntarily causing Hurt, Criminal Intimidation, Rioting, Unlawful assembly with common object). Nine persons from the management were arrested within a week after the FIR was filed and are now out on bail.

In the FIR filed by the company management, Sami Chand, his wife and his brother Shekhar have been accused of spreading rumours. The FIR mentions that some outsiders were involved in the incident. Around 150-200 unnamed persons have also been made the accused. The sections mentioned in the FIR pertain to certain bailable and non-bailable offences (under IPC sections 147, 148, 149, 323, 506, 109, 436, 435, 427, 451, 452, 120B - Rioting, Hurt, Criminal Intimidation, Trespass, Damage to property, Criminal Conspiracy). At the time of writing this report, investigation was going on in the second case whereby the police had procured CCTV footages. According to the SHO, four workers have been arrested. According to the lawyer representing one of the arrested workers, the four workers were still in jail. At the time of writing the report, no further details were available since the chargesheet had not been filed. Meanwhile, bail had been rejected for two of the arrested workers.

Though the SHO insisted that a balanced investigation has been conducted, but it is also true that while the nine staff members chargesheeted as a result of the first FIR are already out on bail, four workers are still in jail with bail application of two

of them being rejected. According to the SHO, certain 'lumpen elements' were responsible for the riots on 12 February, a view not different from Mr Dagar. It is noteworthy that while the SHO had great sympathy for the company and the damage that occurred, he showed no signs of disappointment over the fact that Sami Chand who was the victim of official wrath at the first instance had been himself named as accused along with his wife and brother for spreading rumours.

Not an Isolated Case

The latest incident of a worker being beaten by company officials is one in the series of incidents and accidents that are common in the garment factories in and around the Delhi-Gurgaon border areas. Many of these go unreported. The workers and the local activists claim that the workers are regularly harassed, beaten, not paid adequately and verbally abused by the company management and the bouncer-turned-guards. It is quite common for the worker to be attacked by a pair of scissors, a handy tool, by the supervisor/management or the labour contractors. Women workers are often subjected to sexual abuse too.

PUDR had, along with some other organisations, investigated an accident in Orient Craft Limited in March 2014. The report of the fact-finding team states, "On 28th March, between 11:30 and 11:45 am, Sunil Pushkar, a worker in the tailoring department of the factory, suddenly collapsed on his seat in front of the electronic sewing machine. The supervisor, line in-charge and two fellow workers rushed him to the dispensary located within the company premises, where they were told to take him to the hospital. He died by the time they took him to Saraswati hospital in Gurgaon. Sunita and Manju, two other women workers on the factory floor also fainted after witnessing the incident. According to one worker who was with him till the

end, Sunil had died before they could leave the company gates.” (<http://sanhati.com/articles/9560/>)

In yet another case of 2011, Rabban, a worker at Modelama Exports had died of electrocution. He had been working overtime during the night of 15-16 January. He was on a 21 hour shift. He had finished 17 hours of work and had been stitching continuously for the previous two and a half hours. Overtired, exhausted from sitting on the stool for such long spells without any break, at around 3:00 am, he came in contact with an electric wire and died instantly. His

dead body was immediately removed and was never found again. According to workers’ organizations of the area, his body was buried in the Nizamuddin cemetery the very next morning. Thereafter, his family too could not be located. A two-day protest organised by the workers led to little result. According to some accounts, Rabban’s wife was given a cheque of Rs. 5 lakh which was unsigned. ■

Table 1: Selected Incidents/Accidents in Garment Units of Udyog Vihar

Date	Incident	Company	Source
13 May 2010	Two workers collapse and fall unconscious during the night shift.	Sargam Export, Plot - 153, Udyog Vihar, Phase I, Gurgaon	https://gurgaonworkersnews.wordpress.com/gurgaonworkersnews-no-930/
Aug 2010	Strike, Tripartite Agreement between Management and workers, Lock out, Attack on workers by company goons, some workers abducted, some missing at the time.	Viva Global	http://sanhati.com/-excerpted/2757/#sthash.4tYmIrWa.dpuf
17 Jan 2011	Death of Rabban, a worker due to electric shock. (Details in the report.)	Modelama Exports, Plot no.105-106, Udyog Vihar, Phase I, Gurgaon	https://gurgaonworkersnews.wordpress.com/gurgaonworkersnews-no-935/#fnref4
19 March 2012	Over 2000 workers attacked office premises, pelted stones, set vehicles on fire in response to the news of a worker being attacked with a pair of scissors by a labour contractor	Orient Craft	http://kafila.org/20-12/04/09/gurgaon-workers-damned-if-they-do-damned-if-they-dont-anumeha-yadav/
28 March 2014	Death of Sunil, a worker due to electrocution. (Details in the report.)	Orient Craft	http://sanhati.com/articles/9560/

2 All in a Day's Work

In the garment industry of Udyog Vihar, the quotidian tales of overwork, attacks, scuffles and physical fights, accidents, injuries and even deaths are embroidered within each piece of garment that the workers stitch and which sell for hundreds of dollars in the global markets. The anger that brings workers to the streets is symptomatic of a deeper discontent that the workers suffer each day. The work and lives of the workers are a testimony to this. PUJDR and Perspectives team met some workers in their rooms.

Mohd Ansari is about 40 years old and hails from Gorakhpur in Uttar Pradesh. He works as a tailor in the sampling department in a garment factory. A skilled tailor, he came to Delhi in January 1990 and began to work in a fabricating unit in Gobindpuri area. After working nearly seven years, he went to Bombay where he again worked as a tailor. He came back to Delhi eleven years ago and has been working here since. His salary is Rs. 8800 per month including EPF, ESI and TA (Employee's Provident Fund, Employee's State Insurance, Travel Allowance). On an average he manages to earn Rs. 10,000 per month with overtime work. This is not sufficient to feed his family of seven. Therefore, they have to get rations from their native village. On the Sunday, when the team met him, he had returned from Sadar Bazaar in old Delhi from where he had bought garments worth 30 to 35 rupees each for his four daughters and a son. The family lives in a small (approx. 8 by 10 ft.) room with no separate cooking space or windows. There is an asbestos sheet for roof and the compound has 17 more such rooms. The compound itself is situated in a narrow alley of Kapashera lined on both sides with overflowing drains. Ansari is one of the few skilled and experi-

enced workers with a history of tailoring prior to coming to Udyog Vihar and is much in demand.

Saida, in her mid-thirties, had come to Delhi in 2001 from Chhapra district of Bihar with her husband and four children. They first stayed in Uttam Nagar for a year and then shifted to Kapashera in 2002. Her husband is a car painter. Nowadays Saida works as a tailor from home, stitching clothes on order for individuals living near her place of residence. She too, in the past, has worked intermittently in garment export factories of Udyog Vihar but decided to start her own work from home because she did not like the treatment meted out to her at the factories. In one factory, the supervisor had shouted at her and asked her to leave. In another factory, she would not even be allowed to use the bathroom during work hours. In yet another factory where she worked, she was paid Rs. 230 daily by the contractor. However, if the targets weren't completed, then he would shout at her and deduct part of the wages. The work hours were usually from 9am to 8pm. Overtime was not paid.

Jogeshwar, in his late thirties, belongs to Gopalganj district of Bihar. He has been in Delhi for the past 22 to 25 years. He has worked in different companies as a tailor. At present, he works as a tailor in the Sampling department. He is a full piece worker, i.e., a worker who makes the entire garment on his own, and makes coats or jackets with an average target of about 2 pieces per day. Normally the working day begins at 9.00 am and ends at 5.00 pm. However, Jogeshwar ends up working overtime by 2.5 to 4 hours daily. With overtime he manages to earn about Rs. 9,500 to 10,500 per month. Overtime work is paid at a single rate contrary to the double rate as mandated by the law. Rs. 175 is deducted from his salary every month as a contribution for Provident Fund. He also has an ESI card for health services. He is one of the few in the industry who is entitled to paid leaves.

(Names of workers have been changed to protect their identity.)

These narratives are only an indicator of the real conditions of the garment factory workers. The textile and garment workers, despite occupying a significant position in the Indian economy, are compelled to lead vulnerable and precarious lives. They are employed in one of the most dynamic sectors of the Indian Economy and still find it difficult to live with dignity. It is estimated that one in every six households in India is dependent on garment industry for their livelihood, either directly or indirectly. The textile and garment industry ranks very high in providing employment (second only to agriculture, according to some estimates). This sector also contributes significantly towards GDP and exports. According to the Investor Facilitation Cell of the government's latest initiative, "make in India" (www.makeinindia.com), textile and garments sector contributes 14 per cent to industrial production, 4 per cent to India's GDP and constitutes 13 per cent of the country's export earnings. Notwithstanding these numbers, the working and living conditions of the workers here are glaringly inadequate.

The Haryana Industrial belt known as Udyog Vihar starts as one crosses the Delhi-Haryana border from Kapashera. Udyog Vihar zone is dominated by the garment units. The other industries in the area include construction and auto parts. Udyog Vihar developed as a cluster for garment exports in 1990s when manufacturing units relocated from parts of Delhi to Udyog Vihar partly due to mandatory moving of industrial units from Delhi and partly due to heavy tax concessions provided by the Haryana government. Once again now, there is a pressure to move the units further to Manesar or Rewari. This area is one of the few significant regions of factory-based garment production in the country. And the fact that production, here, is largely geared towards exports, makes it fairly important. In the mornings, a sea of workers can be seen walking across the border from Kapashera (where most

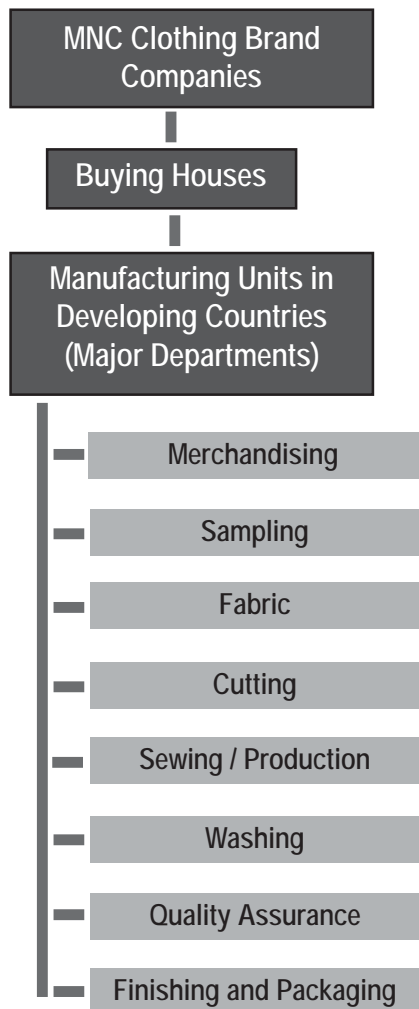
of the workers reside) to go to their respective places of work in Udyog Vihar. A vast majority of workers employed in the garment factories of Udyog Vihar hail from Uttar Pradesh and Bihar. Many are Muslims and belong to the Julaha community from various districts of Uttar Pradesh.

Workers employed in this industry are predominantly employed through labour contractors (estimates varying from 95 % to 99%) rather than directly by the companies. The workers are employed both on time rate i.e. monthly (and sometimes daily) salary and piece rate wherein they are paid per unit of piece made by them. There was a time, when 'full piece tailors' were common. These tailors were responsible for stitching the entire garment and thus were necessarily required to have requisite skills. However, since at least the 1990s, the industry has been working with a 'chain system' or an assembly line. Here, a large number of workers sit in an assembly line and the garment passes from one worker to the other where each of them is responsible for small part of the work such as stitching the collar or stitching one arm of the shirt. Chain system does not require earlier kind of skills which also means that the workers now can be paid less.

A typical unit consists of a large number of departments such as sampling department (which makes the samples sent for approval to the global buyer company), quality checking department, cutting department (cuts bundles of cloth), production department (this does the bulk stitching), finishing department (engaged in thread cutting, folding, ironing and packaging) [See flow chart]. Each department has a hierarchy of workers. In terms of hierarchy, apart from the managerial staff, merchandiser and designers, the highest paid amongst the workers are supervisors and master tailors. Both the sampling and the production departments have a few master tailors but the large majority of workers are employed as tailors in these departments. There is a supervisor in charge of supervising every few tailors

FLOWCHART

Basic Structure of Garment Industry Processes



(10-15). The supervisors are paid anywhere between Rs. 15,000 and 25,000 per month, apart from being given incentives for more production. Therefore, it is not surprising to see the supervisors egging on the workers to work faster and faster. In Udyog Vihar region, the supervisors are exclusively male which gives them an extra edge over women workers. Supervisors may be chosen from amongst the workers themselves but their continuation in this position

depends on their relations with the employers. There have been instances where some workers were given additional supervision duties with a promise of future promotion but they were thrown out before this could happen.

Of the total workers in the garment industry of Udyog Vihar, around ten per cent are employed as ‘samplers’ who make the samples of the design which is then mass produced. However, most workers work as tailors, helpers etc. Usually, many start working as helpers and then rise up to become tailors. (Earlier it was possible for a helper to get ‘trained’ on the job but that is frowned upon now and so many take one or two months training in the innumerable training centres in the area).

Sampling department is one department which requires experienced tailors as the samples made by them goes to brand company for approval and this becomes the basis for mass production. Sampling tailors or ‘samplers’ are the most privileged amongst all tailors as they are entitled to various allowances apart from basic salary. The basic salary of a sampling tailor is Rs. 6200 per month (after the most recent revision in 2015). Adding various allowances (house rent allowance, travel allowance and dearness allowance), the monthly salary becomes Rs. 8800. It is to be noted that dearness allowance is zero (as recorded in the payslip). Sampling department also has senior tailors called the master tailors, cutting tailor and pattern tailor who earn Rs. 20,000 and 36,000 respectively. On the other hand, the production tailors, i.e., the tailors in the production department get a monthly salary of Rs. 6500 but there are no further allowances (See Table 2). Even these meagre salaries can be deducted under various pretexts. Our team was told that 10 minutes of delay in arriving for work can lead to a deduction of an hour’s salary.

A closer look at the salaries can give an idea about the working conditions and earnings of the work-

TABLE 2
Total Monthly Earnings in Garment
Factories in Udyog Vihar including overtime
 (as reported by a worker)

Department	Designation	Monthly Earnings (in Rs.)
Sampling	Helper	6500
	Tailor	9500-10500
	Cutting Master	15000
	Pattern Master	35 – 46000
Cutting	Helper	6500
	Cutting Master	15000
	Master Tailor (one of the cutting masters)	15000
Production	Tailor	250-270 per day
	Supervisor	15000
Finishing	Helper	6500
	General checker	7500-8000
	Measurement checker	7500-8000
	Final checker	7500-8000
	Supervisor or Finishing Incharge	15000

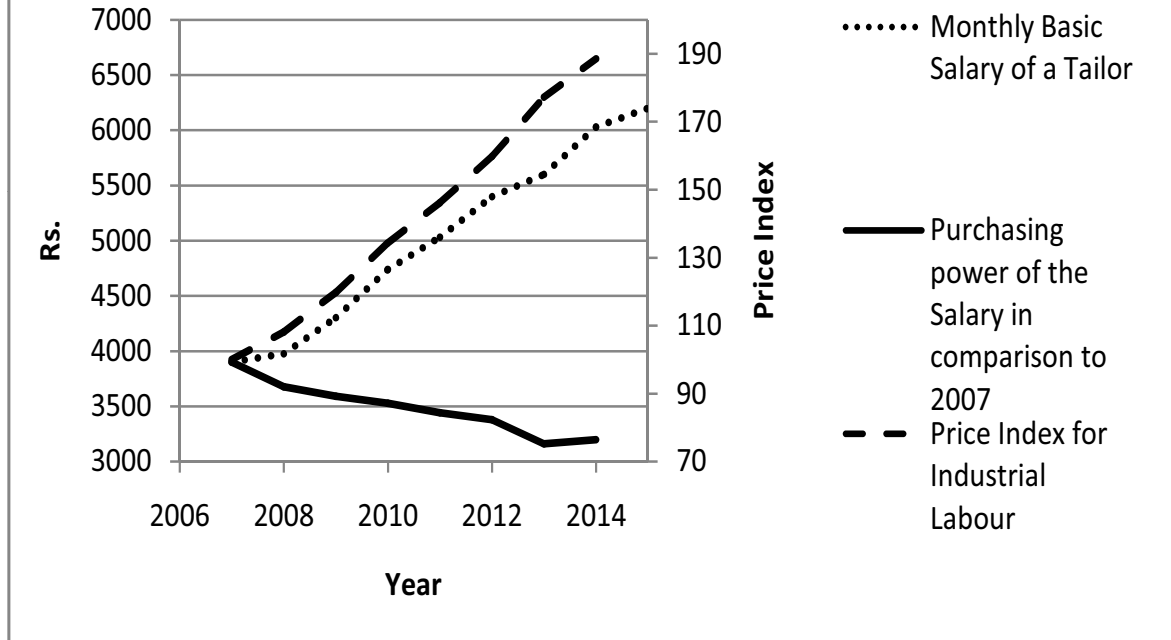
ers. The monthly salary is based on an eight hour working day (9:00 am to 5-5:30 pm with a half an hour break for lunch. According to the management the workers also get two 15-minute tea breaks, while the workers claim that the second tea break is given only before the beginning of overtime shift). We can see from the graph and Table 3 that the revision in these salaries has not kept pace with rise in prices. It is virtually impossible to lead even a lower middle class life with these salaries. Although there has been some revision of salaries in rupee terms (nominal terms) but the amount that these rupees can buy has been steadily falling (inflation adjusted basic pay).

As can be seen very clearly from the graph, in real terms, the basic salary has fallen over the years. The sampling tailor gets compensated to some extent on account of house rent allowance and travel allowance (both of which are grossly inadequate) but as stated earlier, majority of workers in other departments are not even entitled to anything above the basic salary. Interestingly, the payslip of the sampling tailor (given below) records dearness allowance (i.e. allowance to compensate for rise in prices) as zero. This means that all workers can buy less with their salary now as compared to earlier. Therefore, it is not

TABLE 3			
Basic Salary of a Sampling Tailor and Its Purchasing Power (2007 – 2015)			
Year	Monthly Basic Salary (in Rs.)	Consumer Price Index for Industrial Labour (2007=100)	Purchasing power of Basic Salary using the price level of 2007
2007	3900	100.00	3900
2008	3976	108.09	3678
2009	4304	119.85	3591
2010	4739	134.27	3529
2011	5031	146.18	3442
2012	5400 (approx.)	159.77	3380
2013	5600 (approx.)	177.22	3160
2014	6030	188.47	3199
2015	6200		

Sources: 1. Payslips of a Sampling tailor
 2. Labour Bureau Statistics.

Salary, Prices and Purchasing Power



surprising that most workers talked about a fall in their savings. Many of the workers could send lesser amount of money back to their families.

Given these salaries, it is not surprising that working overtime has become a norm in this industry. With overtime of at least 3-4 hours every day (and Sundays), the workers manage to make monthly earnings of around Rs. 10,000. According to some accounts, many workers put in an overtime of 100 hours per month (at present, legally only 50 hours of overtime is permitted per quarter i.e. for three months). During the peak months, it is not uncommon for the workers to be working till as late as 2:00 am. Although, workers themselves need overtime work, there are situations where a worker may be asked to quit if he/she cannot put in the overtime hours when the employer demands it. Legally, the wages for overtime work is supposed to be double of usual wages, however this is a rarity here. Barring a handful of employers who do pay double rates, overtime at single rate is again a norm in the garment cluster of Udyog Vihar.

Many of the workers work on a piece rate system rather than on monthly salaries. In this system, the worker is paid per unit of work or per piece rather than for a stipulated period of time. The change in the piece rates for the entire shirt shows the extremely slow revision in the piece rates. The piece rates have not increased much in the past 14 years. From Rs. 14 to 15 per shirt in early 2000s; the rates have only risen to Rs. 20 to 25, and in some cases to Rs. 30 to 35. Now 'per-piece' typically refers to stitching a part of the garment such as collars or cuffs instead of the entire garment as earlier and the payment is made on the basis of total number of pieces such as numbers of collars etc. Piece rate system forces the workers to work very long hours in order to produce as many pieces as possible so as to increase their daily earnings. Some piece rate workers are women taking orders for small tasks and working from home. This can include tasks like putting buttons or sequins.

Apart from working in the registered manufacturing units, many workers are also employed in what are known as fabricator units. These units do not deal with the global buyers directly and usually are given work outsourced by the registered units. The fabricator units often operate illegally so as to evade taxes and are even known to employ child labour.

Delhi-NCR garment belt is exceptional in the country in terms of high proportion of male workers. However, the number of women workers has been increasing even here. The women workers are typically employed in the 'finishing department' where they are given work like cutting off stray threads from a garment, putting on buttons or folding and packing. Such work is perceived to be 'lighter', thus justifying even lower salaries. It is not that men and women are paid differential salaries for the same work but the patriarchal notions of women's income being supplementary income for the family or the notion of women being able to do 'lighter' work, makes it acceptable for the women to be given work which entails lower wages. However, this 'lighter' work is quite strenuous and requires

continuous bending which often causes health problems.

Falling real wages or being able to buy less and less with their salaries is not the only reason for discontent. The pace or intensity of work has also been rising continuously. Production targets have become extremely punishing, so much so, that when one worker collapsed on his seat in Orient Craft in 2014, other workers realised this only after some time had lapsed as they did not have the time to raise their heads from their sewing machines. According to the report of the joint fact finding team investigating the accident, "some 3-4 years ago, Orient Craft started the practice of monitoring individual tailors with stop-watches in order to calculate the amount of time taken to stitch a piece of garment. This practice was further refined 1-2 years ago with the introduction of magnetic card readers. Now, every bundle of cloth that arrives at the desk of a tailor is accompanied by a magnetic card. Every tailor has to punch this card on the card reading machine at the beginning and conclusion of operations, which relays data regarding how many seconds each worker takes per task, and how many pieces s/he has finished in a day. Since the installation

Payslip of a Tailor in the Sampling Department

PAY SLIP / वेतन रसीद					FORM - XI (See Rule 26 (1))	
FOR THE MONTH OF / वेतन रसीद माह : APRIL, 2015						
PAYCODE / प कोड : NAME / नाम : DESIG. / पद : TAILOR DEPT. / विभाग : DESIGNING		FAT./HUSB. NAME पति/पति का नाम : PF No. / भविष्य निधि नं. : ESI No. / कर्मचारी राज्य बीमा नं. : D.O.J. / नियुक्ति की तिथि :		LOCATION / DIVISION / : GRADE / : WORKER Bank A/c No. : Bank Name :		
ATTENDANCE / दिन	SALARY RATE / दर	EARNINGS उपानेन	ARREARS बकाया	TOTAL योग	DEDUCTIONS / कटौतियाँ	LEAVE STATUS छुट्टियों का विवरण
PRESENT / उपस्थित : 23.50	BASIC / मूल वेतन : 6203.00	6100.00	0.00	6100.00	E.P.F./ भविष्य निधि : 732.00	OPEN AVAIL BAL.
W.OFF/स. अवकाश : 4.00	DA / : 0.00	0.00	0.00	0.00	VPF/ वैयक्तिक भविष्य निधि : 0.00	CL/सीएल 6.0 0.0 6.0
HOLIDAY / अवकाश :	HRA / कमान भत्ता : 997.00	990.00	0.00	990.00	E.S.I./ कर्मचारी राज्य बीमा : 165.00	SL/एसएल 7.0 2.0 5.0
LEAVE / छुट्टियाँ : 2.00	CONV यातायात भत्ता : 1800.00	1573.00	0.00	1573.00	LWF/कल्याणकारी फण्ड : 10.00	EL/ईएल 8.0 0.0 8.0
ABSENT / अनुपस्थित : 0.50	CCA : 0.00	0.00	0.00	0.00	ADVANCE / अग्रिम : 0.00	LWP एलडब्ल्यूपी 0.0
Paydays / कुल दिन : 29.5	MEDICAL : 0.00	0.00	0.00	0.00	LOAN / लोन : 1000.00	C-OFF 0.0
	OTHERS : :		0.00	0.00	BUS + MISC : 0.00	Mode of Payment : Bank
Ot Hrs/अतिरिक्त कार्य 9.00	OT AMT / अतिरिक्त कार्य	761.00		761.00	T.D.S. / टी.डी.एस. : 0.00	NET SALARY PAYABLE कुल देय वेतन : ₹.
Ot Rate : 84.61	TOTAL / कुल योग : 8800.00	9414.00	0.00	9414.00	PRO. TAX : 0.00	7507.00
(EMPLOYEE'S SIGNATURE) (कर्मचारी के हस्ताक्षर)				(AUTHORISED SIGNATORY)		

of these machines, work intensity has increased markedly. One bundle usually has 10-15 garment pieces and a worker is expected to finish working on 5-10 bundles in an hour”.

Another method employed to enhance the pace of work is to keep a piece rate worker in the same assembly line as a time rate worker. This ensures that the piece rate worker, himself puts pressure on other workers to work faster so that the former can maximise his daily earnings. The fact finding team was told by a local activist that the pace of work has increased three times over the years.

In the ever-whirling assembly lines of the garment units, constant lowering of purchasing power and increasing pace of work are mixed together to produce a cocktail of despair and discontent. The simmering discontent spills out on the streets in the form of anger and rage whenever accidents occur in the industry. The accidents themselves are not uncommon as is evident from the list given above. Besides the callous nature of work, one factor which contributes towards the accidents is that the safety gears, even when they are available, are hardly ever used. For example, use of equipment like needle guard is discouraged as they tend to slow down production and make it difficult to meet the production targets. The workers, on their part, also avoid using safety measures to work faster. Virtually the only time safety equipment is brought out is during inspections and checks by the international buyers. ■

3 After a Hard Day's Work

If the conditions in which these workers are expected to work are less than ideal, to say the least, their living conditions are no better. After putting in long hours of back-breaking work in the factories, they return to small dingy rooms which they share with fellow workers or with their families. They negotiate their way through narrow alleys lined with overflowing drains and heaps of garbage on both sides to get to their dank buildings.

Each room is a home to the workers and their families. There are two kinds of housing, or rather rooms, available to workers in Kapashera. The first kind of rooms, which measure about 10*8 feet, is within a compound with central open space. Each compound has approximately 18 such rooms. These are the cheapest form of accommodation available and their rent is Rs. 1650 excluding electricity charges for which an electric meter is fixed outside each room. The electricity charges each month amount to Rs. 300-400 which is added to the rent. These rooms have asbestos roofs which trap heat up in summer and can become very suffocating. Usually an entire family consisting of 5-7 members vie for space in these rooms with the cooking stove, a small gas cylinder, utensils, rations, buckets for water storage, clothes, a small bed/mattress, extra sewing machine (which they keep to earn some extra money by stitching clothes locally), and the children's school bags and books. There are three bathrooms and two toilets in each housing block to be shared by all the people living there. The bathrooms get cleaned every three-four months. If the workers complain to the landlord that the bathrooms are dirty, they are told to find other accommodations.

The second kind of rooms available to workers is in 3-4 storied buildings. These buildings too are in the shape of a housing block with a central open area and

Implications of the Recent Labour Law Changes

Since June last year, the country has been witnessing a major overhaul in labour laws. On the one hand, the Central Government has initiated the process of modifying labour related legislations with Prime Minister, Mr. Narendra Modi backing the move by saying that these are essential in order to encourage 'ease of doing business'. Among other changes, amendments have been introduced in the Lok Sabha to the Factories Act 1948 which are yet to be passed. In March 2015, the ministry of Labour and Employment has also proposed to amalgamate certain legislations related to wages into a Labour Code on Wages. On the other hand, the State Governments have also started amending their labour laws with Rajasthan leading the way. In October 2014, amendments in three major laws were brought into force in Rajasthan. These laws included the Industrial Disputes Act 1947, Contract Labour (Regulation and Abolition) Act 1970 and Factories Act 1948. This was followed by the Madhya Pradesh Government introducing amendments which are yet to be passed. State Governments of Haryana, Himachal Pradesh and Uttar Pradesh have also declared their intent of doing the same.

As stated above, the Central Government has proposed a bill in the Lok Sabha to amend the Factories Act, 1948. In the proposed Bill three things emerge which are important in the context of workers in the garment manufacturing factories of Udyog Vihar: (1) the changes proposed are not applicable to the factories here, or (2) they do not address the violations taking place in this area or (3) both the existing laws and the proposed changes, do not address the core problems being faced by workers here. In other words, the amendments are either irrelevant here or only serve to legitimise the existing violations.

The first situation is exemplified from the change being sought in the definition of what constitutes a factory. The Bill proposes to raise the threshold of what constitutes a factory. The number of workers a unit must employ in order to be covered under the Factories Act, has been raised to 20 (with power) and 40 (without power) from 10 and 20 respectively [Amendment of Section 2(m)]. In a typical garment manufacturing unit in Udyog Vihar, the strength of workers is more than 1000. Therefore, this proposed change is clearly not intended for these units.

The changes that do affect the workers of Udyog Vihar are those related to overtime, safety conditions, and welfare facilities for workers. The overtime rate promised under the existing law is twice the normal rate of payment. This is already being violated rampantly in this area, as most workers told the fact-finding team that they get paid overtime at single rates. The proposed amendments can only make the situation worse. They expressly state that the calculation of overtime rate will not include allowances such as house rent and transport. [Amendment to section 59]. Another change refers to legally permissible hours for overtime work. Earlier, the maximum number of hours of work including overtime per week that could have been demanded from a worker could not have exceeded 60 hours and the total number of overtime hours in a quarter could not have exceeded 50 hours. In this industry however, a tailor generally works overtime by 3 - 4 hours every day. During peak season s/he can be made to work through the night. This makes it a total of at the very least 66 - 72 hours of work per week including overtime. Instead of addressing this violation, the proposed amendment to the Factories Act now seeks to legitimise the same. It has been proposed that the overtime

limit per quarter be raised twofold to 100 hours instead of 50 [Amendment to section 64]. In certain special circumstances this can be raised up to 125 hours per quarter [Amendment to section 65]. This means that in a legitimised way now, workers can be forced to work for longer hours.

Moreover, there are certain other core problems which the existing labour legislations as well as the proposed reforms do not address. For instance, the wages being paid to workers in Udyog Vihar are equal to the stipulated legal minimum or slightly higher in certain cases but nevertheless they are grossly inadequate in relation to the rising prices. In August 2014 the Labour Department of Haryana did move a notification to propose a raise in minimum wages/monthly salaries: for instance, the monthly salary for unskilled workers was to be 7400 rupees, but nothing came out of this proposal. The increase that has actually happened since January 2014 for all categories of workers has been very minimal (See Table 4). It is also interesting to note the huge difference between the minimum wages/salaries of Haryana and Delhi. For workers of Udyog Vihar who live on the Delhi-Haryana border, it is absurd that they are entitled to about half of the wage entitled to workers in Delhi, given the trend of commodity prices in Delhi (See Table 5). Another instance is that the safety provisions mandated by the law may be available to the workers but are not used because they slow down work. Further, the law stipulates the right to form unions but as the General Manager-Admin and HR of Richa & Co. as well as the local activists told us, there are virtually no unions in this area.

So, the existing laws are either redundant or violated and some of the "reforms" being proposed will only serve to legitimise the onerous condition of the workers further. ■

rooms on all sides. Each floor has about 16 rooms and 2-3 bathrooms to be shared by everyone living on the floor. These rooms cost from Rs. 3000 to Rs 3500 with separate bill for electricity. On each floor, a row of taps provide drinking water. The reason that these rooms cost more is because they have pucca brick roofs instead of asbestos sheets.

The landlords collect the rents themselves or their overseers, who are usually the local strongmen, collect the rents for them. The workers are sometimes forced by the landlords and their overseers to buy everyday provisions from the shops run by the landlords/overseers where items like milk and spices are sold at inflated prices. Even when this is not the case, workers have to buy provisions in the open market as most of them have not been issued Delhi voter cards and ration cards. There have also been instances where landlords have put a bar on the number of children that are allowed to stay in the room which forces the workers to leave their children back in the village to be cared for by their grandparents or other relatives.

The threat of being evicted is ever present. The landlord may use the slightest pretext to throw a worker out of the room like asking for the cleaning of toilets to even creating 'trouble' in the workplace. When the team visited Sami Chand at his brother's room, the landlady was clearly very hostile and abusive towards them. She even insisted that Sami Chand and his family were lying about the whole incident of the beating which happened at the factory.

Thus the tenements workers live in are as far removed from the posh farm houses of Gurgaon as are their lives from the halls of high-fashion for which they labour. Ironically, the farmhouses and penthouses of Gurgaon are literally a stone's throw away from the houses of workers but the latter are conveniently hidden from view. ■

4 ‘Made in India’

National Capital Region is just one centre of garment or apparel production in India. And India is just one amongst many countries which acts as a supplier of readymade garments. There is a kind of global assembly line in which multinational brand companies in the United States and Europe are located at the upper end of the chain and manufacturing units in countries like India are situated at the lower end of the chain. International brands like Benetton, Gap, Zara, A&F, Wal-Mart and others have been acting as buyers of garments produced in developing countries. The purchases may or may not be mediated through companies called buying houses. Labour surplus countries like India, Bangladesh, Indonesia, Vietnam and others are locked in a stiff competition with each other in terms of who can produce at the lowest costs and get more orders from the global buyers. Low cost production translates into low wages paid to the workers. According to some reports, workers are paid US \$ 1.66 an hour in China, 56 cents in Pakistan, 51 cents in India, 44 cents in Indonesia, 36 cents in Vietnam and 31 cents in Bangladesh [Seabrook, Jeremy (2014): *The Song Of The Shirt*]. According to an estimate by a workers’ organization in Udyog Vihar, the wage cost for a branded shirt which sells at say Rs. 1500 is not more than Rs.10 and total cost of production in India, including raw materials etc. is not more than Rs. 100-150 [Aggarwal, Archana: *Piece by Piece; Himal Southasian*, March 2015]. This assembly line, therefore, helps the brand companies to lower their cost of production as they buy from those manufacturers in different countries of the developing world who can supply at lowest costs. This results in huge profit margins for the global capital. Also, the fact that the workers are not employed directly by the brand company means that these companies have no accountability or responsibility towards the workers. Their intervention is

limited to periodical visits to ensure manufacturers’ compliance with the Standard Operating Procedures (SOPs) most of which are only cosmetically put in place at the time of such visits. The biggest beneficiaries of this kind of production are the multinational companies and the greatest burden is on the workers in the poorer countries. The manufacturing units in developing countries also stand to benefit but not as much as the MNCs. A tangential estimate of the profits of manufacturing units here can be observed from the following fact told to the fact finding team. Modelama Exports Limited worked as a small company which received orders from bigger companies (these smaller companies which do not deal with global buyers directly are called fabricators) in Mayapuri 15 years back. Within these 15 years, the company has grown to having 16 production units with 5 to 8 thousand workers in each unit. ■

5 Conclusion

The accidents in the garment industries all through the developing world are a testimony to the burden borne by the workers. The death of more than a thousand garment workers in a building collapse in Bangladesh in April 2013, known as the Rana Plaza accident, is one of the most brutal examples of industrial disasters. Closer home, garment factories in Udyog Vihar are a window to the working and living conditions of present and potential employment in the country. The garment sector is the face of India’s manufacturing sector in many ways, and the workers in this sector, the face of India’s working class. The incident of February 2015 is merely the tip of the iceberg and reflects harsh working and living conditions. The vulnerability of the workers is evident from the fact that even after many years of hard work, they can

be thrown out or forced to leave in case of lockouts. Virtually, every worker is forced to rely on multiple sources of income such as rations from native village. Being compelled to keep the families back home is also a kind of subsidy being provided by the native village.

The salaries of the workers are glaringly inadequate in comparison with the prices. Not only this, but even with these meagre salaries, they are forced to buy in the open market since their Delhi ration cards have not been made even after 20-25 years. In some cases, they have to pay even more than the market rate if compelled by the landlords to buy from the shops run by the latter. The threat of eviction from the rented room is as omnipresent as the threat of dismissal from the factory.

Punishing production targets and near absence of safety provisions underlies the vulnerability and pre-

cariousness of the lives of these workers. Most importantly, majority of the workers do not have the wherewithal to better the lives of their children. Workers, who are compelled to rely on relatives or labour contractors for loans at times of illness etc. can hardly avail expensive education for their children. In a situation where collective action and struggles are made difficult, simmering discontent of the workers often takes the form of rage against their situation.

The incident of February 2015 is yet another manifestation of this. The individual incidents of such kind or accidents of a more grievous nature often get lost in collective memory. However, the precariousness and vulnerability of these workers needs to be remembered since this is the reality in which the dream of shining India comes wrapped. ■

TABLE 4
Minimum Wages and Monthly Salary in the State of Haryana
 (January 2014 to May 2015)

(in Rs.)	January - June 2014		July - December 2014		January - May 2015	
Category	Monthly Salary	Daily Wage	Monthly Salary	Daily Wage	Monthly Salary	Daily Wage
Unskilled	5547.10	213.35	5639.50	216.90	5812.75	223.56
Semi-Skilled (A)	5677.10	218.35	5769.50	221.90	5942.75	228.56
Semi-Skilled (B)	5807.10	223.35	5899.50	226.90	6072.75	233.56
Skilled (A)	5937.10	228.35	6029.50	231.90	6202.75	238.56
Skilled (B)	6067.10	233.35	6159.50	236.90	6332.75	243.56
Highly Skilled	6197.10	238.35	6289.50	241.90	6462.75	248.56

Source: <http://hrylabour.gov.in>

TABLE 5
Comparative Minimum Wages/Monthly Salary in States of Haryana and Delhi/NCR
 (as on 1 April 2015) (in Rupees)

S.No.	Category	HARYANA (As on 1 April 2015)		DELHI ¹ (As on 1 April 2015)	
		Monthly Salary	Daily Wage	Monthly Salary	Daily Wage
1	Unskilled	5812.75	223.56	9048.00	348
2	Semi-Skilled (A)	5942.75	228.56	10010.00	385
	Semi-Skilled (B)	6072.75	233.56		
3	Skilled (A)	6202.75	238.56	10998.00	423
	Skilled (B)	6332.75	243.56		
4	Highly Skilled	6462.75	248.56	-	-

⁽¹⁾ These rates are applicable in respect of unskilled, semiskilled and skilled categories in all scheduled employments except employment in 'Shops And Establishments' and employment in 'Clubs'.

Source: http://www.delhi.gov.in/wps/wcm/connect/doiit_labour/Labour/Home/Minimum+Wages/

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Are my hands clean?

Lyrics and Music by Bernice Johnson Reagon, 1985

Performed by *Sweet Honey in the Rock*

I wear garments touched by hands
from all over the world
35 percent cotton, 65 percent poylester

The journey begins in Central America
In the cotton fields of El Salvador
In a province soaked in blood
Pesticide-sprayed workers toil in a broiling sun
Pulling cotton for two dollars a day

Then we move on up to another rung

Cargill
A top-40 trading conglomerate
Takes the cotton through the Panama Canal
Up the Eastern Seaboard
Comin' to the US of A for the first time

In South Carolina at the Burlington Mills
Joins a shipment of polyester filament
Courtesy of the New Jersey petrochemical
mills of DuPont
DuPont strands of filament begins
In the South American country of Venezuela
Where oil riggers bring up oil from the earth
for six dollars a day.

Then Exxon
The largest oil company in the world
Upgrades the product in the country of
Trinidad & Tobago
Then back into the Caribbean and Atlantic seas

To the factories of DuPont
On the way to the Burlington Mills
in South Carolina
To meet the cotton from the blood-soaked fields
of El Salvador

In South Carolina
Burlington factories hum with the business
Of weaving oil and cotton into miles
of fabric for Sears
Who takes its bounty back into the Caribbean Sea
Headed for Haiti this time

May she be one day soon free

Far from the Port au Prince palace
Third-world women toil doing piece-work
To Sears' specifications for three dollars a day
My sisters make my blouse

It leaves the third world for the last time
Coming back into the sea to be sealed
in plastic for me

This third-world sister

And I go to the Sears department store
Where I buy my blouse
On sale for 20 percent discount

Are my hands clean?

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