

Report III, Visit of Dr Vinod Aggarwal, Special Rapporteur, Central Zone, NHRC to Brick kilns in Dhanbad, Bokaro and Ranchi districts, of Jharkhand from 22nd to 26th October, 18.

In **Dhanbad** district, a meeting was conducted with Deputy Commissioner and officers of district labour office on 22nd October. The report is enclosed as annexure -1. It came to my information that about 35 license holders of brick kiln units in the district. The number is going to increase in near future by 15th November as many more license will be renewed after environmental clearance is obtained by the owners. About 30-35 workers are engaged in one of the brick kiln on average. At present kilns have not started and are almost closed or only initial work of cleaning is being done. The labour department personal at **Dhanbad** informed that there was no child labour identified at the brick kiln in the last 2-3 years. However in last 2 years 78 child labour have been identified and were released. Out of these 14 were from other states, were sent to their parent states and be rehabilitated with their families. 39 belonged to Jharkhand but other districts, were accordingly sent to their district. 25 children belonging to the district have been rehabilitated by the district labour department. They were enrolled in the schools. It was also informed by the factory inspector that there is no incident of any child labour working in the Hazardous industries.

While visiting the district, 3 brick kilns in **Dhanbad** were seen. The report in Hindi is enclosed. As they kilns have not started, very few labours and Munshi(clerks) were found. As this area is in the industrial belt of the state, there was no case of non payment of under wages. But one fact was realised the houses in which brick kiln workers are expected to live, are not even 6 feet high. There were no windows in these tenements. There were no toilets or community bathrooms. There is no separate arrangement of women labourers. There was no arrangement of electric connections in the so called huts. The water available for drinking is from a hand pump, but water is not tested for minerals or other impurities or whether water is good enough for

5

drinking or not. The visit report to brick kilns in **Dhanbad** is enclosed as **annexure-2**. Despite of a MOU between the 5-6 adjoining states of providing ration alternatively by the concerned state even the implementation NFSA even in the districts of same state is not being implemented and it seems the brick kiln workers purchase the food material at the market price.

In Bokaro district, a meeting was conducted with Deputy Commissioner and officers of district labour office on 23rd October. It came to my information that about 45 license holders of brick kiln units in the district. The number is going to increase in near future by 15th November as many more license will be renewed after environmental clearance is obtained by the owners. About 30-35 workers are engaged in one of the brick kiln on average. At present kilns have not started and are almost closed or only initial work of cleaning is being g done. The labour department personal at **Bokaro** informed that there was no child labour identified at the brick kiln in the last 2-3 years. They were enrolled in the schools. It was also informed by the factory inspector that there is no incident of any child labour working in the Hazardous industries.

While visiting the district, 2 brick kilns in **Bokaro** were visited. The report in Hindi is enclosed. As they kilns have not started, very few labours and Munshi(clerk) were found. As this area is in the industrial belt of the state, there was no case of payment of under wages. But one fact was realised the houses in which brick kiln workers will leave are not even 5.5 feet high. There were no windows in these tenements. There were no toilets or community bathrooms. There is no separate arrangement of women labourers. There was no arrangement of electric connections in the so called huts. The water available for drinking is from a hand pump, but water is not tested for minerals or other impurities or whether water is good enough for drinking or not. Despite of a MOU between the 5-6 adjoining states of providing ration alternatively by the concerned state even the implementation NFSA even in the districts of same state is not being implemented and it seems the brick kiln workers purchase

the food material at the market price. The visit report to brick kilns in **Bokaro** is enclosed as **annexure-3**. But it was informed that the brick kiln workers were registered with construction workers welfare board and were given various benefits like Prime Minister Jeewan Jyoti Yojana and Group Insurance Policy is given.

In Ranchi district, It came to my information that more than 100 license holders of brick kiln units in the district. The number is going to increase in near future by 15th November as many more licenses will be renewed after environmental clearance is obtained by the owners. About 30-35 workers are engaged in one of the brick kiln on average. At present kilns have started and initial work of cleaning is being done and few workers were there who were making own huts or working on making the bricks which were getting dried before they would be put in the kiln for heating up. The labour department personal at Ranchi informed that there was no child labourer identified at the brick kiln in the last 2-3 years.

While visiting the district, 2 brick kilns in **Ranchi** were visited. The report in Hindi is enclosed. As the kilns have begin, but at present, not many labourers were found. As this area is in the industrial belt of the state, there was no case of payment of under wages. **The questionnaire format in 11 pages is enclosed as annexure -4**. But one fact was realised the houses in which brick kiln workers live are not even 5.5 feet high. There were no windows in these tenements. There were no toilets or community bathrooms. There is no separate arrangement for bathing of women labourers. There was arrangement of electric connections in the so called huts. The water available for drinking is from a hand pump, but water is not tested for minerals or other impurities or whether water is good enough for drinking or not. Despite of a MOU between the 5-6 adjoining states of providing ration alternatively by the concerned state even the implementation NFSA even in the districts of same state is not being implemented and it seems the brick kiln workers purchase the food material at the market price. The visit report to brick

kilns in **Ranchi** is enclosed as **annexure-5**. But it was informed that the brick kiln workers were are registered with construction workers welfare board and were given various benefits like Prime Minister Jeewan Jyoti Yojana and Group Insurance Policy is given.

The brick kiln owners were given directions to maintain wages register, muster roll, wage slips, copies of registers, inter-state migrant workmen act. On the day of visit no children aged between 14-18 were seen on the site.

Recommendations

1. The residential facility should be reasonable and provided by the brick kiln owner to the workers who are coming from more than 20 km away as at times the labour has to work in the evening hours. The huts should be of the design and height of Indira Awas, along with gas and electric connection to have a minimum living standard norm, for which State Government through labour or mines department issue instructions.

2. The water provided is from hand pumps or deep boring, but is not being tasted by any authorities. The water made available should be tested every 15th day and report should be seen by the labour authorities. Water should be at least treated with chlorine to make it microbial safe. If a filter or RO water for drinking that would be ideal.

3. Despite of swatch Bharat program, the brick kiln sites are almost devoid of toilets. The work sites should also have clean toilets block for maintenance of cleanliness at the work places.

4. There is an element of advance to some of the workers but it is not in all cases. The wages are paid more than the minimum wages but system of calculation in some cases is based on number of brick prepared from the mud. But there did not seem to be any element of coercion.

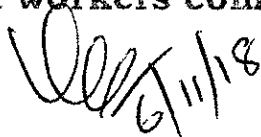
5. The vigilance committee has been constituted but the meeting has not been held till now. It would be of importance that the meeting of vigilance committee be held regularly but that should not increase the cost of bricks. Already a situation has been seen that some brick kiln owners are not able to locate the labour to work at the kiln.

6. For license renewal the brick kiln need to have a new chimney of higher height and different design which also adding up the cost of bricks. But pollution clearance is a must and required. It is to be seen whether before renewal whether new chimney is being seen or license is given without seeing the new chimney.

7. Although there is a MOU has been signed between 5 adjoining state for providing migrant labour the ration under NFSA but at site it seemed that the labour of other districts were also not getting the Ration. It seems that some action at the level of district supply and labour office coordination is required.

8. Although there is a system of opening shops which provide one time meal in 10 rupees but there seemed no visible signs of opening such outlets in the vicinity. There are always 5-17 brick kiln at one site which can make about 200-250 workers. It would be desirable that such prepared food shops could be operated in each of the locations to give clean and cheap food to the brick kiln workers.

9. The nearby ICDS and primary schools are need to be given direction to admit the small children brought by the brick kiln workers coming from far off distances.



Dr Vinod Aggarwal.
Special Rapporteur