

CEC Working Paper

LEGAL RIGHTS OF WORKERS IN FISH PROCESSING INDUSTRIES

Devaki Panini

1999



Centre for Education and Communication

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CONTENTS

| | |
|---|----|
| Introduction..... | 03 |
| The Workforce..... | 11 |
| Living and Working Conditions..... | 15 |
| Analysing the Data..... | 26 |
| Labour Rights and Legislation..... | 32 |
| Coping with International Markets - The Gujarat Experience..... | 38 |
| Recommendations for Future Course of Action..... | 41 |
| Appendices..... | 43 |

1. Introduction

This Report discusses the nature of the fish processing industry in India at a general level and focuses on issues concerning the migrant workforce specifically. Estimated to employ more than one lakh workers, the industry is spread all along the Indian coastline. Major centres where the processing units are located are: Veraval and Porbunder in Gujarat; Mumbai and Ratnagiri in Maharashtra; Goa; Tutucorin, Nellore and Mandapam in Tamil Nadu; Kolkata in West Bengal; Vishakhapatnam in Andhra Pradesh and the Kollam-Kochi belt of Kerala.

Although there is a small component of permanently employed male workers in the processing units, looking after administration and maintenance, the main processing activity is almost entirely handled by migrant women workers, in most parts of the country. It is with these migrant workers, especially women, and their work environment that this Report is chiefly concerned. While a majority of these migrant workers are drawn from Kerala, of late, women from Tamil Nadu, Andhra Pradesh and Karnataka have also started working in the sector. They are recruited by agents and contractors who then deploy them at the processing units, while retaining control over their work and life.

| State Production Centres | | |
|--------------------------|----------------|---|
| S. No. | State | Production Centres |
| 1 | Andhra Pradesh | Vishakhapatnam, Kakinada, Nellore |
| 2 | Goa | Old Goa, and the peripheries of the city |
| 3 | Gujarat | Veraval, Mangrol, Dwarka, Porbunder |
| 4 | Karnataka | Dakshin Kanara - Mangalore (Ullal) Malpe |
| 5 | Kerala | Kollam, Alapuzha, Kayamkulam, Thoppumpady, Aroor, Kochi |
| 6 | Maharashtra | Malwan, Ratnagiri, Thane, Sassoon Dock, Vashi, Turbe |
| 7 | Orissa | Manjeswar, Bhubaneswar |
| 8 | Tamil Nadu | Madras, Tutucorin, Mandapam |
| 9 | West Bengal | Calcutta, 24 Parganas, Midnapore |

The processing industry in Maharashtra is spread over three industrial zones of Mumbai - the Thane-Wagle industrial estate, the Vashi small scale industry compound and the Sassoon dock region. There are over 20 companies in the region. Some of the companies that were studied are Ravi Fisheries, Thane; Ahmed Cold Storage, Excel, Allana in Vashi and Anita Seafoods, Naik Seafoods in the Sassoon dock area. A number of companies are involved in meat packing as well fish products. Specific to the Mumbai region, this has probably been done by the exporters to tap the entire frozen food export market.

In **Goa**, the industry has a limited and declining presence. There are five units functional today, though there are many more unregistered ones. These are Apollo and Pioneer in Corlin, Rahul Seafood in old Goa, Arnav Exporters in Chapora and Corlin Marine Exporters in Juari Nagar.

In **Karnataka**, most of the units are situated in and around Mangalore. The biggest one is the Barraka unit which ranks high on the list of exporters. Even in this unit, the conditions of employment of the women do not conform to the required standards as demanded in labour laws. Most of the women workers in this unit whom

we met, are still on low wages, despite long years of service.

In **West Bengal**, the units are located in the heart of Kolkata close to the wholesale fishmarket of Sealdah. New units have come up near the bypass, one such being IFB. A number of units are located in the hinterland of Kolkata port. Most of these units supply tiger prawns, the golda and the bolda, to the export markets of East Asia, especially Japan.

Primary information has been collected at three levels during visits to selected centres (Mangalore, Goa, Kolkata, Mumbai, Tutucorin and Kollam): through a questionnaire for eliciting detailed information from the workers, details derived from observation, and informal discussions with the women workers. Information was also collected from those villages of Kerala from where the women are recruited through discussions with friends, neighbours and relatives. The official documents available on the sector were also used.

The Report is based on an in-depth survey of 60 workers we met in their homes in Kerala in the summer of 1997, and a broader sample of 250 workers contacted by researchers in different centres of production. We also visited selected big, medium and small-scale processing units, the choice being determined by availability of permission to meet the workers in the units.

Fish-Processing Industry: An Overview

Traditional fishing communities used to preserve fish by salting and drying them in the sun. The first fish canning plant was started at Madras in 1913 by the colonial British government. The industry developed in the post-Independence period, with a big acceleration in the seventies. Initially, in the sixties and seventies, it catered mainly to the defence sector. The limited product profile comprised mainly ribbon fish, pomfret, seer and sardines, as also some fish oil. In the last few decades, all this changed with the advent of the pink revolution in India and large-scale export of prawn, shrimp and other crustaceans.

According to a study, "In 1982 India was the second largest exporter of marine products from the developing world - the seventh among the fish-producing and first among the prawn-producing countries of the world. The value of preserved seafood exports from the country touched an all time high of Rs 361.36 crores in 1982-83, with exports mainly to Japan and the USA."¹ Today this sector is a significant foreign exchange earner for the country. In 1998-99, India earned Rs 4626.87 crore (\$1,106.91 million) worth of foreign exchange from marine exports to the tune of 3,02,934² metric tonnes. Japan and the USA together account for more than 60 per cent of the

| Major Markets for Indian Marine Products | | | | | |
|--|----------------------|------------------|------------------|------------------|------------------|
| Country | 1990 | 1991 | 1992 | 1993 | 1994 |
| Japan | q*:40598 v*:44231 | 40109 61066 | 38277 70267 | 43563 102440 | 54063 165758 |
| U.S.A. | q:14832 v:44231 | 20937 15114 | 18690 16594 | 25127 26930 | 33004 48836 |
| W.Europe | q:40955 v:20353 | 51937 34640 | 61874 47237 | 74822 62098 | 74966 75499 |
| Mid East | q:3166 v:815 | 6560 2458 | 7472 4268 | 7530 3076 | 7974 4662 |
| S.E.Asia | q:28358 v:5634 | 37875 10832 | 55783 16041 | 77085 24133 | 124126 56560 |
| Others | q:5744 v:1592 | 5512 3314 | 9218 3737 | 11791 6603 | 7145 5237 |
| Total | q:133653 v:81841 | 162930 127424 | 191314 158144 | 239918 225280 | 301278 356552 |
| *quantity in tons and value in lakh Rs. | | | | | |
| Source: "Statistics of Marine Products Exports, 1994", MPEDA, Kochi, 1996, pg.1(a) | | | | | |

1. Report on survey of labour conditions in canning, preserving and processing of fish, crustaceans and other similar foods industry, National Labour Institute, Delhi, 1984, p1.

2. The Marine Products Export Development Agency, Govt. of India

Indian marine exports, the other major destination being the European Economic Commission (EEC) and Singapore. Over the last fifteen years, this industry has grown at a very fast pace. Earnings have increased tenfold and today there are over 227 registered units in just six major centres -Mumbai, Mangalore, Kolkata, Goa, Kochi and Tuticorin. There are many units that are unregistered including a sizeable number that have deregistered as well.

The fish-processing industry is no longer area-specific except in the sense that it is located close to the coast. Today it is a major industry on a phase of expansion in search of new markets, developing new products at globally competitive prices. Diversification of products and markets is very important to the sustenance and growth of the sector. Changing its traditional form, it has become a very modern, mechanically sophisticated and to some extent capital-intensive industry. It depends to a large extent on the clean packaging of the product in hygienic conditions. Though the major investment is in deep freezers, vans and an infrastructure, the success of the industry hinges primarily around the procuring of quality raw material and processing skills of the workers. Therefore efficient, skilled workers good at cleaning, grading and packing are vital contributors to the process of production.

In the face of increasing global competition, exporters feel that India faces several limitations. Unit owners claim that due to the price war, they are forced to reduce the cost of production by such methods like using contract labour and maintaining a shoe-string budget. However if one looks at the export details of these companies, it is fairly clear that they have managed to achieve sustained growth not only of exports but also of the unit value of exports and are actually denying their workers a fair deal³. The unit value of exports for 1990 was Rs 61.23, and for 1994, Rs 118.3 - far larger than accounted for by the depreciation of the rupee.

Structure of the Industry and Forms of Production

The firms involved in the business of processing fish are a varied lot in terms of product-profile as well as methods of production. What initially started out as a small export-oriented peeling shed has today got an entire gamut of forward and backward linkages. A number of these export firms have diversified to become large-scale chains with units spread out all along the coast. Many of them resort to subcontracting for procurement of the fish species as well as distribution. They concentrate mainly on the process of freezing fish of different species and packing it for the export market. The ITC, for example, has as its clientele, a large number of firms that sell through its network by getting work and product contracts⁴. Thus, there is the emergence of giant conglomerates which are engaged in the business of trading the products rather than production itself.

The units have been categorised into three types according to the nature of work undertaken - the fully integrated firm, the non-integrated firm and the partially integrated one⁵. In the pre-processing unit cleaning,

3 In shrimp production, India accounted for 279,700 tonnes out of a global total of 2,892,900, tonnes. It's export, accounted for Rs 2,215.8 million in India's total export of Rs 35,655.2 million. (MPEDA, 1994, pp 2a and 215). The share in marine exports of shrimp of all types increased from 46.3% in 1990 to 67.74% in 1994. Profitability of export is very high. In 1996 the international cost of 1 kg prawn was more than 1203 cents per kg. (CMIE, May, 1997, pg 208)

4. Ray, Sunil, " Human Face of Industrialisation: A case of wool based industries in Rajasthan", in Economic & Political Weekly, Vol. 31, No 8, Feb 22, 1997, Mumbai. The sector is very diversified: from spinning the yarn to making of carpets. The author notes that a range of relations co-exist - contracting and subcontracting which contributed to wage differences within the sector. As the seafood industry, this industry too is primarily geared for the export market.

5. This classification of the work process has been made by Nirmala Banerjee, Isa Baud as also by Aleyama Vijayan. However today the division of work between the sectors is no longer in one form, some of the firms in fact process raw material that has already been peeled. At the same time there is the emergence of varied patterns of linkage between the peeling units and the processing factories as also the wholesale fish market and the processing units. And this contributes to one kind of unit at times taking on characteristics of the second type and at times all the three types, making the differentiation between the three types more difficult.

precise peeling of the shell and washing/icing of the prawns or other species are done. In the processing unit this stage may or may not be there but grading, packing, weighing and freezing of the fish species is undertaken. There are a number of firms which are only engaged in pre-processing and are backward linkages to large capital-intensive processing firms. In effect, there is a division of work - peeling and grading are conducted in different places. Peeling gets done at a cheaper rate with the use of daily wagers and rudimentary facilities as in the Hail Mary Fisheries at Kollam, which leads to reduced cost of production. At the same time, there are also a number of small scale peeling units which directly export their produce. These firms are new, having come up along the coast between Kollam and Ernakulam, in Kerala. Interestingly, it is these which have the most oppressive work environment owing to the small scale background of the investors and the intense mutual competition.

There are several big firms who hold a major share of the industry, such as Cham, Liberty, Sonia, King Fisheries, Baby Marine etc. All these firms also use the same primitive form of using contract labour. According to Nirmala Bannerji, the freezing plants in Kolkata operate with one lorry, an icemaking plant, a shed, a building and a generator. The total investment is about Rs.1.5 to 2 million for a big plant⁶. This is the major part of their investment and with the use of contract workers who form a major section of the workforce, the cost of production is immensely reduced as also the responsibilities of the managements towards these workers. In one of the units, the manager said that the unit was leased out to them by the Murudeshwar group on a turn-key contract and that they had no responsibility towards the workers except in getting orders executed.⁷

J.Valsala, in a study based in Kerala, stated that contract workers comprised 9 per cent of the workforce. But today the proportion of contract workers to permanent workers seems to have been reversed.⁸ In Mumbai, for instance, the Sonia Fisheries statement to the Industries Department for the period up to June 1996, states the number of workers as being 100. But we found at least 250 contract workers employed in this unit on an average all through the peak season. The industry when filing its returns to the factories department gains financially, by paying a lower fee for the small workforce that it supposedly employs. At the same time, a major section of the workforce - the contract workers - are deprived of any kind of welfare benefits. This helps to keep the running cost at a minimum.

The processing industry is classified as a seasonal industry and is seen as being operational only for eight-nine months of the year. However units which earlier used to wind up during the lean season, continue to operate on a skeletal basis according to market requirements. In Veraval, we were told there were no women in the units. But inside the unit we met 41 women who had not gone home on their annual leave but had been continuously working for the last one year.⁹

6. Nirmala Bannerji "The more it changes the more it is the same - women workers in export oriented industries" in Nirmala Bannerji ed. "Indian Women in a Changing Industrial Scenario", Sage, New Delhi, 1991, pp 245

7. This was a unit leased out to the Baby Marine group by the Murudeshwar group in Male, Mangalore. The manager did not see anything wrong with the arrangement and in fact was of the opinion that this facilitated easier production and freed his management from any hitch whatsoever. In this way the well off groups move to distant places and lease infrastructure to carry on with production according to their requirements.

8. J.Valsala, "The Marine product export in Kerala: Some aspects of its structure and backward linkages", M.A. Thesis, J.N.U, New Delhi, 1977. (cited by Nirmala Bannerji, op.cit.)

9. Field visit to Veraval with the labour officer and Assistant Labour Commissioner, Gujarat on 17-9-1997. Initially at the H.M.G. unit we were given the impression that the production season was yet to begin and that all the workers were away in Kerala but on spotting a Malayali girl we went on to meet all the others as well in the unit

The development of aquaculture farms around the country has meant that there is greater raw material available for the units. In fact in the Nellore, Vishakhapatnam and Nagapatnam area, a number of units have come up close to these farms and are at times owned by the same managements. Waterbase Limited in Nellore is one such enterprise that owns both the processing unit and the aquaculture farm. More than 25 million tonnes of produce in the world was from aqua farms in the year 1994 (FAO, 1997) and it is estimated that India and China together account for more than 60 per cent of world production.¹⁰

Product diversification into squid, cuttlefish and octopus has led to less dependence on species that are affected by seasonal variation. Till recently, the industry used to process shrimps and prawns which are available in large quantities only in the months between September and March.

Types of Units

A new type of unit is emerging today which specialises in the peeling, cleaning and freezing of shrimps or prawns. These are not dependent on the procurement contracts of big firms. Rather, some of them are in the export business themselves. It was found that a number of such units have mushroomed in coastal Kerala where the raw material is available, and all of them have the suffix 'exporters' to their names. These units have small investments and amass big profits.

The production unit is a large tin shed with asbestos covering, a porch and a couple of deep freeze vans. All of them employ women as daily wagers to do the cleaning and peeling and pay them piece rates. There is no security of employment and most of the workers get meagre wages for a week's work.¹¹ This industry has expanded in this particular form possibly in the wake of intense competition in the export sector from East Asian countries such as Thailand and Indonesia whose prices are extremely competitive.

The other significant change is that the firms which have flourished have established units in other parts of the country so as to take maximum benefit from the utilisation of resources in a competitively cheaper market. The combination of these two extremely diverse types of industry has contributed to the increasing problem of regulating the industry. Both continue to operate in the small scale unorganised sector- one making voluminous profits on a scale similar to a large industry, and the other functioning as a cottage industry in the vicinity of the fish harbour and the units, both reaping the benefits accorded to the less sophisticated industries. The mushrooming of a large number of peeling units in the Kerala coastal area, for example, between Aroor and Ernakulam as also between Kollam and Alapuzha have added to the problem of regulating these units.¹² As there are far too many of them, each with a very short history of existence, it is very difficult to bring them to book. Many of them wind up almost in as little as a year. The labour employed is local but their problems are akin to those of the migrant women in distant units.

Whether the units are part of big chains or the small sweat-shop kind, the difference lies in the scale and sophistication. Both have the same production process - the freezing units with different methods of freezing

10. FAO, 1997 in John Kurien, unpub, "The Ecological costs of Industrial Aquaculture: An attempt at schematisation" July, 1997.

11. In Vypeen we met some women who were earlier working in the units in Mumbai and Kolkata and are now working in the local peeling sheds. They said that they make about Rs 150/week which means that they earn much lower than the minimum wage for the month. There are problems at the unit where these women are working. Some of them do want to take up the issue of labour rights, but are scared to talk for fear of management action against them. The management fired one woman who was seen to be the troublemaker.

12 Alice Lukose has made a detailed study on the conditions of work for women in these units, especially in the area between Eramallur and Kochi.

at temperatures ranging between -40 to -200 C (Individual Quick Freezing (IQF), plate freezing, tunnel freezing, block freezing) and finally the packaging and storing of the product in deep freezers till it finds a foreign purchaser. The structure of the units remain by and large similar. The investments made for the size and capacity of the freezing unit vary, while in the production process, the difference is in terms of the volume and the species involved. Some of the units are well equipped and organise production systematically. The utilisation of contract labour is very useful in keeping the production going when there is ample raw material in the market and there are deadlines to meet.

Procurement of Raw Material

There is growing and widespread concern among the fish workers and the processing industry on the decline of the off-take of marine resources. There is a strong argument that this is the result of the unrestrained access given by the government to the deep-sea trawlers in the early nineties. Definitive area level statistics substantiate that marine landing has been on the decline with changes in fishing that began in the last decade. In Maharashtra, the average fish landings declined by 15 per cent to 332,000 tonnes compared to average landings of the previous three years which was 349,000 tonnes. In Greater Mumbai, there was a decline of 6.5 per cent.¹³ According to a study conducted by CMFRI, "The prawn catch from the west coast in 1995-96, it is stated, stood at 1.4 lakh tonnes, which accounted for nearly 72.5 per cent of the country's total penaeid prawn landings. This was a decline of nearly 16.5 per cent over the previous year's output."¹⁴ In this context the processing industry which is most interested in maintaining and increasing marine resources for its own survival ought to be concerned. However, the pattern adopted by the industry to access raw material from the fish workers in fact puts pressure on the agent and the entire chain of fish workers who are part of the supply network to the units. They are forced to use disco nets and other such devices which too contribute towards depleting the species.

There are different strategies used by the processing unit owner to procure raw material at the lowest price. Apart from profitability, the unit has to ensure the quality of raw material and its constant availability according to the requirements of the export market. Therefore, it is vital for the unit to establish amicable relations with the fishworkers. This is done either through an agent, who in turn is given the contract to provide raw material to the unit or, at times in direct arrangements with the boat owners. There are variations in the method adopted by the units in the different areas, examples of which we elucidate below.

The manager of Nila Seafoods, Tutucorin, said they followed two methods of procuring the raw material. One is the boat loan and through it the procurement of the entire boat load seasonally which means giving Rs. 1.5-2 lakhs at times, and also smaller loans. The other method is open bidding at auctions. They also procured fish from places as far away as Rameswaram and Alapuzha. For the fresh transportation of the raw material, the company had a number of freeze vans. Nila Seafoods has streamlined procurement, right from the fishlanding harbours where their refrigerated vans procure the raw material up to carting them to the freezers in the units where they are stored till they are ready to be peeled, graded and packed.

14. "Fishing Season Report, 1986-87", Department of Fisheries, Government of Maharashtra, Mumbai.

15. "Shrimp catch declining: says study" Business Standard, 14 July 1997, New Delhi.

In the Shaktikulangara area of Kollam district, the co-operative efforts of some sections of the fishing community have helped develop an extremely rich strata within the community who are today owners of fish processing units. We visited a processing unit belonging to one such enterprising family of G.J. Fernandez, who set up the Capithan Exports in 1974. Capithans Seafoods, located in Shaktikulangara, Kollam has its own fishing fleet, and vans which they use to procure raw material. Raw material is brought from places as far off as Ramnad and Tutucorin.¹⁵ At its sister concern, Brony Seafoods, the procurement of raw material is mainly through the Capithan fleet. The unit also procures raw material from auctions at the fishing harbours of Shaktikulangara, Cuddalore, Ramnad, Kottapattanam, Kollachal and Trivandrum. The landing centre prices set the price for the company's procurement, according to the management.

In Gujarat too the units have arrangements with boat owners whereby they pay around Rs 1,50,000 and acquire the entire fish catch for the season from the fishermen. They also bid and buy in the open market. The cost of the raw material (per kg) is as follows: Surma (seer): Rs.40-45; Ribbon: Rs.10; Pomfret: Rs.200-210; and Prawns: Rs.50-180; the last two depending also on the size. For lobster it was a per piece arrangement of Rs.350 for one that weighed 150-500 g, cuttlefish was Rs. 32 per kg and squid Rs 10-12 per kg.¹⁵

Fish catching zones in Goa are Malim, Kutdona, Chapora, Cortallim, Talpona, Vasco and Colva. Fish production in Goa has witnessed a decline from 94,840 tonnes in 1994 to 92,737 tonnes in 1996. Prawns are available mainly between June and September which is the peak earning time for the fisherfolk and peak work time for the prawn processing units. At Kassaulim, Rahul Seafood and Apollo Seafood procure through the dealers who pay between Rs 250- 280 per kg. The processing units procure fish from the open market directly as well as through the dealers on a commission basis. The fish dealer in Kassaulim is Sebastian Fernandez and at Valsao it is Anita Pinto. A number of people from the Gaud community in Bogmaro are involved with the procurement as dealers. The cost of squid is stated to be Rs.30 per kg. According to Anton D'Souza, the dealers get a commission of Rs 2 on squid and Rs 7 for prawns.

In Goa, the units secure their necessary stock from Ratnagiri and Karwar apart from the fishing harbours of Goa. Thus, the industry is not dependent just on the local raw material but scouts around for good options. Here too, the unit owners are dependent on the local boat owners for the regular supply of raw material. There are agents who work at the fishing harbours, participate in auctions and then sell to the units. Women also work as agents, procuring raw material at auctions and supplying to the processing units in Goa on a regular basis.

Firms in Kolkata such as Liberty, SCI and Diamond secure their raw material from the open wholesale market such as at Sealdah. Some of them also have regular suppliers who meet the requirements by procuring from 24-Parganas, and even distant Orissa. The raw material, mainly tiger prawns and shrimps are sometimes already peeled and iced before they reach the unit. Hence these units mainly carry out the cleaning, grading and packing after weighing. These units are relatively smaller, dingy outfits.

A change that has come into the industry is that seafoods exporters no longer concentrate solely on the export of prawns and shrimps. In fact, they are targeting just about any marine protein that has a market

¹⁵ These were the figures given to us by the boat owners association of Diu during the course of an informal discussion.

anywhere in the world. Based on the demand in the international market there are very many units which have diversified into species such as squid, octopus, cuttlefish and mussels. There are different kinds of packaging for the products. The product changes have taken place in the wake of market related changes in demand for fish products, their availability and the price factor. The European market for example demands supply of cheap low grade prawns and other seafood at a price not more than \$4 per kg.¹⁶ Therefore to meet the demands of such buyers the product range has become more diverse. Italy and Japan provide big markets for squid and octopus, catered to by large Indian consignments. Besides this, the depletion in the off take of fish species especially prawns from the Indian waters has necessiated change in the export commodity. The consumer's palate in the international market has also changed. As a result, species which till recently were available in the local markets at very low price have become valuable enough to be frozen for export.

16. "Indian Mission team to meet EU officials", Business Line, 7-8-1997, Madras.

2. The Workforce

The processing units in different parts of the country employ large number of women from Kerala in their units, mainly on a short-term basis, and at times, on long-term contractual arrangements. The contracts are not with the workers themselves but with contractors who, in turn, mobilise the women workers. Over a period, a very small section gets absorbed as permanent workers in the unit. The workforce in the unit is mainly of three types - the administrative and office staff, the plant and storage staff and the daily wagers drawn from the locality who find employment as head-load workers and, less frequently, as peelers. Women from Kerala secure employment as plant workers and that too especially as peeler, grader, packer and weigher. The fact, that these young women migrate from their homes and go on to live in the squalor of far-flung, unfamiliar fish processing units in prison-like urban confines does not appear to make it any less attractive a proposition, as for them, a whole new universe opens up.

The women of the fisher community in the coastal districts of Trivandrum, Alapuzha and Kochi form a major section of the workforce. They are recruited by agents to work in the fish processing units dotted all over the Indian coastline. The Pulluvila, Vizhinjam, Puthiyathura, Valiyathura and Mukkola panchayats of Thiruvananthapuram district are witness to migration of mainly young women in the months of May and June every year. Our sample is mainly from this district and the neighbouring Arrackal village in Alapuzha district which is also a fishing village. A large number of women secure work in the Barraka unit in Mangalore from this village. A survey in the units, revealed that a large number of women also come from the interior highlands of Kerala and are not necessarily from fishing backgrounds as used to be the case in the earlier years. Our sample, therefore, includes some women from the inland Pathanamthitta district.

These women are recruited from a vast, varied geographical zone but have a common denominator: they all come from poverty-ridden households. They belong to families that traditionally depended on fishing activity or engaged as casual or agricultural labour. Changes that have come into fishing activity in terms of control over the resources have resulted in the need for the women from these communities to redefine their work. With the growth of the processing industry, most of the catch is either committed to some unit even before the boat sets out to the sea, or is auctioned off at the landing jetty itself. This means that the traditional scope for women to hawk or salt and dry fish is limited. It is no longer possible to accommodate the increasing population into an occupation that has reduced opportunities because of changes in the production processes.

In Karimkulam panchayat, Thiruvananthapuram, at the time of our visit, women were waiting for the visit of the chechis (literally, elder sisters), meaning women workers who have been employed in fish processing units outside the state and have turned into recruiting agents or sub-agents. In Pathanamthitta, too, there were women waiting eagerly for the recruiting agent to arrive in the village to hire them for the next ten months. To them, this job offer represented a passport to social mobility from the village-life marked by disquiet and

scarcity. It did not matter to them that many girls in their area had been sent back unceremoniously by the Ravi Seafood (Mumbai) management that very year, so as to put down attempts by the workers to assert their basic rights at the workplace. This, in many ways, explains the situational tragedy of the lives of these women that makes it necessary for them to look for work even in conditions that are none too congenial. They have hardly any choice in the matter.

In Kerala, the development process after land reforms benefited many of the landless segments. However, there are communities which have remained outside the ambit of this. They are the fisher people, the tribals and some of the traditional agricultural labour from the lower castes - the so-called harijans. To some extent, a section of women from these communities have been integrated into the migrant labour market of fish processing due to the efforts of contractors who try to procure cheap, docile labour from wherever possible. Everywhere we visited, the first question that would greet us was: 'Do you want to meet the women who go to Gujarat?' This notion that fish processing workers are women who go to Gujarat derives from the fact that women were initially recruited in the Gujarat region. In the last decade, this industry spread to a wider geographical terrain covering the entire coastline of the Indian subcontinent. As a result the workforce of the units is no longer drawn from the earlier categories. Women of impoverished families from other castes (traditionally classified as middle and upper castes) and communities are moving into this sector.

Some women work for periods as short as ten months while others have more than a decade's work experience behind them in this industry. These workers form part of the millions of workers comprising the unorganised labour in this country. They are provided with neither the minimum wages nor the basic minimum facilities as stipulated by the government through different legislation specifically meant for contract labour and inter-state migrant labour (see Chapter 5). In the fish processing sector, it is the norm to maintain a skeletal workforce on permanent jobs and to creatively utilise the large floating labour power on contract for long and short spells as per management's commercial interests.

Like cashew and coir, the fish processing industry draws heavily upon the labour of women. Furthermore, in some sections such as grading and packing, it comprises entirely of migrant women from Kerala, mostly between the age of 14 and 28.¹⁷ Children below 14 were also reported to be working in some units at paltry wages, though this is today becoming difficult for the agents with the increasing number of inspections and greater regimentation of the industry from different quarters.

At the first pre-processing level (peeling and cleaning), two kinds of labour are used by the management - a casual daily-wage segment drawn from the local workforce, and the contract workers who are migrant women from Kerala. At the second processing stage (grading and packing), the contract workers predominate. There are a miniscule number of permanent workers as well, who have graduated from the ranks of contract workers. The daily wage labour engaged in the work is more on the lines of piece-rate workers who are paid according to the number of tokens. A token is issued for every heaped plate of prawn/shrimp meant for processing. They take a day - at the minimum about Rs 20 and at the maximum a little over Rs 100 when there is work available in plenty. The combination of the two types of labour is

17. See table on age composition of workers in Chapter 5 "Analysing the data"

especially important to the work process as the contract employees can be woken up in the night when the raw material comes into the unit and made to work for long hours. Thus, the utilisation of contract labour in a captive environment works to the advantage of capital. It also cuts production costs, as the raw material kept frozen for a longer time would also push up the company's cost of inventories. Some units have separate fish peeling and cleaning outfits, apart from the processing plant. For example, the Capithans unit in Kollam get the cleaning and peeling of the raw material done in the Hail Mary peeling shed placed very close to the unit. Here there were seven women doing the work on piece-rate basis, virtually sitting out in the open, during our visit.

Migration and Patterns of Recruitment

The question of why migrant women from Kerala found employment easily in the fish processing units across the country (and even overseas, like in Mauritius) requires a deeper sociological study.

In most regions of India, it would be considered deviant behaviour for young women to be sent away to distant places for ten months at a stretch. In some ways, Kerala society has been able to handle such mass migration of women to other states without too many problems. This is not to say that it has been smooth sailing for the women. In fact, they are all the time looked at with suspicion. Although it is stated that the women are under the supervision of the contractors and the agents who recruit them, it would not be true to assume that they have no free will of their own. There have been instances where women recruited to work in the units have been sexually abused. Recently, in Ambalathumukku and Pallam in Thiruvananthapuram district, there were reports that four women were rescued and brought back home after they were duped by a woman who sold them for Rs 7000 each to a brothel in Mumbai.¹⁸ Thus the women are vulnerable to the tyranny of social aspersions on their sexuality back home and this, in some senses, acts as social control on the morality and ethics of the migrant women workers. So much so that some of the women we spoke to vociferously stressed that these "kinds" of women were very few and that they were by no means the rule. Rather they were the exceptions who spoil the image of the women working in the processing units. In Kokata, the women, angry with one of the social workers from the church, did not go to church for some time. The provocation was that the social worker had called them "prawn women", a term that apparently insinuated loose morals, even if the social worker in question was innocent of any such connotation.¹⁹

Many of them in fact have had long stints at the units, as long as five to eight years. In Kerala, the saturation of employment opportunities coupled with a long history of migration for work, have contributed to large scale recruitment of women to processing units. The social fabric in Kerala is conducive to the gender specific migration that is probably inconceivable in other neighbouring societies as easily.²⁰ The women we met, made the choice to migrate on their own - there was no patriarch controlling their exodus from the village. Rather, the aspiration of these young women to break free from the clutches of traditional stereotypes provided the impetus for their migration to the towns.²¹ In some sense, their transition to the status of a

18. This was narrated to us by Leela during the course of our survey in Pulluvila. According to her, problems like this make it difficult for the women to take up work in the units as there is then a tendency to extrapolate such isolated incidents into a general notion of moral risk for the migrant women workers.

19. In the course of our discussions with the women in Liberty and Spencer, fish processing units in Kolkata, this was the reason given for not attending the special mass kept for them by the Missionaries of Charity.

20. Lourdes Beneria discusses the case of Bangladesh where she points out that through the use of Islamic preoccupations of appropriate female behaviour, the propriety of women has been used to shape the recruitment practices of urban entrepreneurs, maintain a segmented labour market where women work in the lowest paying occupation and leave unchallenged the responsibilities they continue to have for family maintenance.

21. Shelly Feldman, "Crisis of Islam and Gender in Bangladesh: The Social construction of female labour force" in Lourdes Beneria ed "Women and the Economic Crisis" Ithaca, 1992, p 22. It is argued that the largest proportion of those recruited in selected firms are women who work for an industrialist who comes from their home villages. Export entrepreneurs often return to their family village and recruit daughters of their village kin assuring them that they will be protected once they arrive in Dhaka.

migrant wage-earner also contributes to the undermining of traditional patriarchal authority back home, though on the work front, there are other structures of power and authority.

It has been claimed that migrant women workers from Kerala are predominant in fish processing because of their special skills in fish processing tasks. This could have been true for the initial influx of women from Kerala into this industry, who hailed from traditional fishing families. But today many of the women stated that they acquired their skills on the job. Most of the women stated they never worked on prawns till they got the current job at the processing unit and that they were apprentices for no longer than six to seven months.

It seems these women gain entry on account of the popular perception of their skill, which comes in handy for the agents and contractors to recruit more women from the area. Keralites tend to be more educated and therefore have better prospects of upgradation of skills than others. Besides, the contractors too come mainly from Kerala, tilting the scale in favour of the migrant workers from the state. The management gets a cheap, disciplined, efficient, clean and partially educated class of labour to work in their units. Another advantage is that contract workers are practically free of all encumbrances and even captive at workplace as they are housed close to the workplace - mostly above or beside the unit.

A visit to the native areas of the migrant workers reveals the abysmal poverty of the workers' families and their desperation to secure work. The first question we are asked by the villagers is – “Have you come to recruit women? If so, we also want to send our daughter, sister”. It appears that there is a great deal of acceptability within communities to the idea of women taking up work in the units partly because of declining sources of livelihood in the villages. Many a family that would otherwise perish because of poverty, drunkenness or disease has been able to survive with the wages of these women who migrate to the processing units. Younger women are often reluctant to go to the *chantha* (local fish market) to sell fish even though some of the mothers still go. They prefer to go off to work in the units far away as that would open new horizons for them. A few women had worked as domestic help or done tailoring and embroidery at a neighbouring convent but the better income made them take up the offer in a processing unit.

Women as migrant contract workers make a pliant workforce as they are without local support, the rights of the permanent and unionised labour and as women, conditioned by tradition to tolerate oppression.

3. Living and Working Conditions

The conditions governing the employment of young women at the units depends on the contractor and his agents. They decide the wages, the period of employment and much depends on the rapport the women develop with them. With increase in opportunities in the sector, the choice is also wider and this helps women to make the best of the situation, given their dire economic need.

The economic impetus is crucial to the women taking the decision to go as migrant labour. However, that does not explain all of it. Women are willing to put up with the irregular long hours of work with low wages as they do gain something individually in shifting from the village to the town. Away from home, these girls become more self-reliant and free to make their own decisions on every matter concerning their lives. They do not give their wages to the family straightaway, as they have the freedom to spend at least some of their earnings the way they want to. They also imbibe new values as young women who work to earn a living far away from their family's control. They become the new role models for the younger women from the villages because of the good clothes they bring back from Mumbai or Kolkata and the opportunity to see far away places.

One elderly woman told us that their house was constructed with the savings of the three women members of the family, as the husband of her niece was an invalid and therefore the niece and her daughters have been working in fish processing units for last six years. Another elderly grandmother²³ accompanied her three granddaughters to work in a unit in Mangalore as she did not like the idea of "her young birds flying out alone." An invalid, she nonetheless did some peeling work in the unit to eke out a living together with her grandchildren. At the same time, there is also a negative image of the women circulating in

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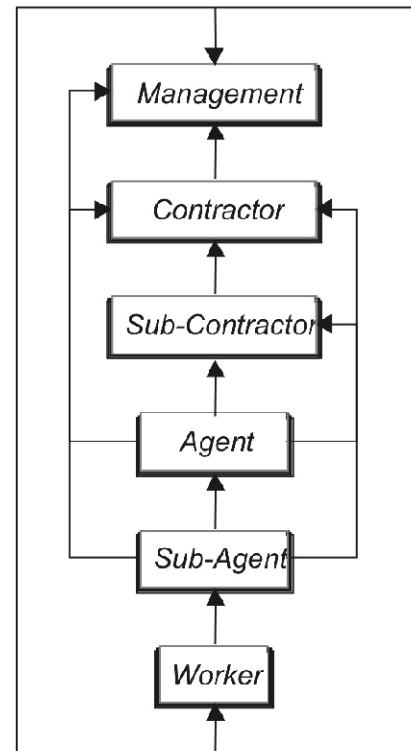


Fig.1

“Getting work back home is difficult; therefore we take up work in the faraway unit. Women carry tray packs, which are a very strenuous work, we face great difficulty at the unit.

After work we wash the worktable and the floor regularly and are forced to bear with the combined smell of fish and chlorine on account of which many of us vomit. The bleaching powder used burns our eyes. We are also made to wash the toilets in many of the units”²³

Ammini

23. One of the workers in the Diamond unit at Kolkata, interviewed in her village in Kerala.

the communities about their job. This is the more conservative attitude, which does not find it easy to accept the women in their new social role as migrant income remitter to their families. This has also gained more currency following the incidents of sexual harassment and suicide of some women in the units in Goa and Mumbai.

While on the one hand the employment of these women in the units has opened new avenues for them, on the other hand it has also exposed them to the vagaries of a new work culture and discipline of the modern industry creating a more oppressive set of relations at the workplace. This has meant a break from their traditional modes of existence. Most of these women come from either fishing or daily wage earning agricultural labour families with little industrial work exposure. This is probably a factor that helps the contractors to exploit the women for they are quite unaware of the legislated limits on hours of work and issues such as minimum wage and look up to the employer as their benefactor. Also the vulnerable material conditions of the families of the women make it easy for the contractors to tilt the scales in their favour, to the disadvantage of the women who are denied even basic freedom in many a unit. Through the years, they have also begun to raise these issues in their units - demanding eight hours' work, minimum wages and better facilities.²⁴

Women are easily transported from their village environs to the units by the contractors through a pyramidal network of sub-agents, agents, contractors and, at the top, the company. The hierarchy gets inverted in terms of endearment. The sub-agent, in fact, is one from among the workers who has assumed this status by virtue of her long years of service or because of her proximity to the contractor or for some other reason. Workers turn to her for help and advice. At the same time, she is also the point of control and regulation for the women. Most of the workers are not even aware of the other people in the rungs above the sub-agent responsible for securing them work in the unit. In fact, we found that a large section of the women were unaware of the method of recruitment, the name of the company for which they worked or the name of the contractor. Their familiarity was with one proximate link in the chain of recruitment and they were unconcerned beyond that.

A major myth about the sector relates to the period of the migrant workers' employment. The general impression is that the women work an extended season of ten months and have a two-month break before taking up fresh employment, and that they are paid a bonus of one month's wages when they are sent back home at the end of ten months' work. Some of them get recruited once again to work for the same period probably in the same unit. However we found that this is a thing of the past. The women no longer remain at home. A batch of 24 women who had come home in the third week of May from a Cham unit in Goa left in a week's time to go to another Cham group unit in Okha, Gujarat. Thus, the workers continued to work for the same group but at a different locations.²⁵ The catch is: the management employed these workers with a gap of 10 days in its own unit in a different place, but without providing the worker with the benefit statutorily due to a regular worker, who works continuously round the year. Thus, the management secures the employment of an experienced hand without paying the full legal dues. The reliability and efficiency of the older worker is higher and control over the worker is easy. All this helps cut down costs for the management. In the Barakka

24 The workers struck work at Ravi Seafoods, Thane on March 14, 1997, demanding these rights. This followed their colleague Suja Abraham's suicide, on account of sexual and work related exploitation.

25 Evidence of such a trend was further strengthened in the course of our visit to the H.M.G. unit in Veraval where the workers have been there continuously the last one year.

unit in Mangalore, there are migrant workers who have been on the job for 7 to 9 years and are given a yearly leave of 10 to 15 days; but are still employed as contract workers.

On the other hand, the workers today have more choice in that they can often choose between a range of contractors and workplaces. A large number of women already had offers but were waiting to take up the best offer in every sense after a thorough survey of the market from discussions with one another, and even us! Though the conditions of work are deplorable for the workers everywhere, there are differences between units. Some of the units in Gujarat, Tutucorin and Mumbai are better off than those elsewhere in having slightly better wages and facilities at the workplace.

From the survey, we found that recruitment of the women is very complex. It is only rarely that the management enters into a contract - purely verbal in every case - with the workers directly. Recruitment is done through an elaborate chain, with a varying number of links depending on the situation (Fig.1). The link proximate to the management is called the contractor who in turn uses the services of agents/sub-contractors. The distinction between the agent and sub-contractor is that the sub-contractor is often also a direct contractor to some other management and has a much larger scale of operation than the agent. The agent recruits the women directly or through a network of sub-agents. Some of the sub-agents could also be supervisors in the units. This chain of intermediaries in recruitment adds to the problem of the women as they are not even aware as to who the contractor is. Their interaction is limited to the person - man or woman - who recruits them and to whom they are directly accountable. All have organic links with the village community from where the women are recruited. Through the years, these links in the chain of recruitment find acceptability within the local community and thus, in the long run, find it easier to recruit women to the units. Moreover, because of their close network with the community, most managements have entrusted the recruitment entirely to these agents, sub-agents and contractors. Over time, the trusted women workers are also integrated into this network making the recruitment much easier for the contractor. For the workers, it is easier to interact with them and negotiate on their demands. In fact, there is a community established between this chechi and the girls she recruits which, in normal situations, is a very close-knit bond that makes it easy to get them to accept her authority and disciplining at the workplace as well. She thus assumes the role of the sirdar of earlier times in the modern processing unit exercising social as well as individual control over the contract employees. The whole process of recruitment of workers, their employment at the unit and their care for the next ten months is in the hands of the contractor.²⁶

Regional Variations

As in the other regions, the workers in the **Mumbai** units are, to a large extent, women from Kerala. They have all been employed in the company through the contractor and have impermanent terms of contract for ten to eleven months. There is a section of the labour force that comprises permanent workers, varying in strength from 50 to 100, depending on the size of the unit. The conditions of employment are deplorable. The

26. Discussing the experience of Korea in a working paper for the Women Working Worldwide, a women's rights organisation based in England, Jung Sook Yoon says that to the Korean women workers, gender related rights is basic labour rights. There was the need to have an equal employment act and amendment to the labour law on the basis of the clauses of ILO and UN Statements related to women. A law prohibiting sexual harassment at the workplace is pointed out as being absolutely necessary. Sexual harassment at the workplace by the superior mistri or the jobber has been noted by many labour historians in the Indian context. This extra economic side of exploitation has been used as a way of subordinating women and denying them equality.

contractual nature of the employment of these women results in the employers' utter lack of interest in providing an amiable environment of work. The workers in Mumbai have experienced many problems in the near past.

According to Sanobar Keshwaar of the Laghu Kamgar Union, which organises labour in the Thane-Wagle industrial region of Mumbai, there are three categories of workers employed in the processing units. The small, permanent segment is sometimes even unionised. The daily casual labour from the neighbouring slums do mundane chores when there is enough work. And the bonded migrant workers - girls from Kerala - are brought by the contractor for periods ranging from eleven months to many years, depending on how well they get along with the contractor.

Early in 1997, Suja Abraham, a migrant worker from Kerala, ran away from Ravi Seafoods in the Thane area, unable to cope with the environment of work. She moved to work in a nearby unit where the conditions of work were relatively better. But she was soon hounded out by the factory goondas of Ravi Seafoods and forced to return. On refusing to work, she was harassed and ill-treated there, locked up and starved. Then, it is believed that she tried to commit suicide. She was gravely injured and remained under medical care at Mulund hospital. A police case was lodged by the Laghu Kamgar Union which took up the issue. In the wake of these happenings, the girls at the nearby Brittany Seafoods started an agitation demanding eight-hour work and better wages. On March 14, 1997, they struck work and wrote slogans on empty packaging cartons, demanding eight hours' work. The workers of Ravi Seafood also struck work. That very evening the 250-odd migrant contract workers in the two units were unceremoniously bundled into buses and sent back to Kerala. Thus, what began as an attempt to challenge the oppressive work environment ended in a tragic fiasco.

The workers which expressed solidarity with the struggle were arrested by the police. The permanent workers in the unit who belonged to Dr. Datta Samant's union were misled by the management into believing that the demonstration would lead to the closure of the unit. The divided workers shouted out in glee when the members of the solidarity demonstration were arrested, since they perceived it as a threat to their jobs. Thus, the nascent effort by the workers to negotiate for a better work environment resulted in their quick exit from the workforce.

In the Vashi area of **New Mumbai** the situation is no different. Large sections of the workers are women from Kerala, both Christians and Hindus. In March 1997, there was an inspection of units in the area by the factory inspectors. Child workers employed in the units were taken out and hidden in the nearby village. One such group of children who were in the charge of a woman worker was taken to the Devadan Kendra, a church-run welfare centre for women and children. This angered the contractor who fired the woman from service.

According to Sister Rose who works among the processing unit workers, the women were sexually harassed and exploited,²⁷ and about five to six women working in the units underwent abortions by a local doctor. Most of the patients were young, unmarried women from Kerala. Thus, a number of these women are vulnerable to abuse by their male superiors on account of the insecure nature of their work. At the same time, these women also vie with one another to curry favour with the supervisor and some of the women make their sexual choice

27. Discussion with Sister Rose in March 1997 in Mumbai.

voluntarily and not out of any compulsion. According to the volunteers at the Devadan Kendra, who closely interact with the girls, monetary reward of even Rs 100 also plays a major role in the women getting involved with the menfolk in the units.

In Mumbai, we found out from the workers that they were not issued hand gloves to work with. The workrooms were moist and damp and they were given just aprons as uniform. A large number of women complained of scabies and got little medicine from the contractor. The management took no responsibility of their health-related expenses. In Thane region, a number of women were affected by skin rashes on their exposed fingers.

Most factory inspections state that management do not keep any record of the contract workers, their hours of work or holidays. But there is no official action taken against these units. The inspectors also report that most of the dividing walls between the units in the Sassoon Dock area are in danger of collapsing, making the work environment hazardous. However, apart from mentioning this in the report, no punitive action seems to have been taken against the defaulters. Strangely, the units' capacity of worker employment is stated to be a maximum of 100. In reality, though, many of them employ at least three to four hundred workers in all the sections put together, during peak seasons. By engaging contract and daily wage workers, the industrialist also escapes paying the state a bigger registration fee and also has lesser responsibility or liability towards labour. A number of freezing plants are constantly inspected by government departments and it appears that some of the machinery is as ancient as 1973. In fact the year of manufacture of one of the plants was unknown though it is certified as being fit for use by the unit after inspection by an engineering consultant!

At **Old Goa**, the major exporter in the processing sector is Rahul Seafoods Limited which runs two concerns. Most of the workers in this unit are from the Karwar region of Karnataka or from Kerala. Most of the Malayali girls are very happy to be working with the current contractor, Shaji, who is viewed as a very considerate person by them. In fact, about eighty of these girls have been moving places along with the contractor for the last five years, in units as far away as Veraval, Mumbai and Goa. The migrant workers from Kerala have better rooms than their Karnataka counterparts. This, they ascribe to the efforts of their contractor. The girls, it is said, keep their savings with the contractor, foregoing any interest. Besides this, the contractor also has firm control over them even monetarily.²⁸ Incidentally, the brothers of the contractor are also engaged in the business of supplying contract labour to processing units near Mumbai and Veraval. With this network he is able to place his workers easily and circulate them over a large area.

The women in these units are also not given the freedom to move about alone, except with a male escort and that too, for a short while. The girls are not given any gloves to work with and the conditions at the workplace are as bad as anywhere else: 12 hours of work, poor wages and temporary work. In 1994, there was a big furore when some Tamil women in the units wanted to go back, and this resulted in a deadlock between the workers and the contractor. It was only on the intervention of the Commissioner of Labour that these women

28. In the tie that develops between the contractor and his workforce there is an element of power through control over the savings of the women. Though the women were very happy with Shaji, it is to be noted that the same contractor becomes a problem when a woman without completing the contract leaves midway bereft of any savings at all. There have been instances where women have not been given their dues by the contractor for a variety of reasons ranging from taking leave to leaving the job before the completion of contractual obligation

were released and sent back to Madurai after all their dues were cleared. The travails of the migrant women working in the units in Goa is brought out in great detail in the study made by Desai.²⁹

In Kolkata too, the women do not have gloves to work. The environment of work is the same everywhere - damp, dingy and dirty, with the women often feeling depressed. However, there are some units such as the Nila Seafood in Tutucorin, the H.M.G. unit in Veraval and the Capithan unit in Kollam where a clean environment is stressed. Even here, given the nature of work, there is water everywhere which can be a hazard to the workers. The workers in the industry commonly complain of skin diseases of various kinds, allergies and infections. These of course spread easily in a damp environment.

The industry in Tutucorin is also plagued by the same problems - lack of freedom for the workers, long hours of work and inadequate facilities. The norm was that women could go out of the unit only once a week and that too under surveillance. Of course, all this is deemed to be done to protect the women from facing any harassment outside. The other side of the story is that these practices deny the women their basic right of freedom. The wages are also not uniform and, in many cases, are well below the minimum wages stipulated for the unskilled worker.

Health and Safety of the Workers

For fish-processing workers, the quality of environment at work determines the quality of their lives even after work hours. This is because in most cases, the workers' lodgings are provided either atop the processing unit or beside it. This arrangement, ensures round-the-clock availability of the workers whenever the consignment of raw material arrives, night or day. So the workers stay confined within the precincts of their workplace, except for their weekly off. This resembles not a modern capitalist enterprise, but more primitive practices prevalent in the early phase of industrialisation when apprentices stayed along with the master craftsman to learn skills from him.

The women are kept in such accommodation as it facilitates smoother organisation of production by perpetuating extremely coercive relations of subordination.³⁰ But housing the workers atop the processing unit actually goes against the spirit of the safety regulations prescribed for industry. Ammonia based freezing plants are potential accident sites. Many of the units have very old freezing plants and are said to have huge ammonia plants that are not well-monitored. There have been reports of accidents due to leakage of ammonia in many places. In one such incident in Kolkata, in the eighties, there was loss of life when some of the women who had got poisoned by ammonia, died.³¹ After this incident, there was general fear among the workers about staying in lodgings above the processing unit. The mostly wooden flooring of the workers' lodgings offers poor insulation from the dampness of the unit below.

There have been other such incidents as well, although not fatal. "In fact, last year at the Ravi Seafoods, Thane in Mumbai, because of a leak in the ammonia plant, a number of workers suffered the poison effect and began

29. Desai, "Labour Rights of Migrant Women Workers in Seafood Industry of Mumbai and Goa", appended. In this report we have ample evidence for the classification of this industry as one using cheap, unfree labour to enhance its profits.

30. A large number of complaints made by the women are of this nature. A number of contractors treat the women as their tool, with no point of view of their own. That the contractor in many a unit stays with the workers makes it convenient to ensure that the women are at the worktable as and when needed.

31 In all five units visited in Kolkata, workers lived atop the processing unit increasing the risk and anxiety.

to vomit.”³² A number of women stated that, at times they had irritation of the eye and nausea and they suspected it to be because of some leak in the plant. However, as contract workers, they cannot object about such things, lest they lose their job. What is appalling is that factory inspections in big cities like Mumbai are so cursory. One can imagine the situation in small mofussil towns where a large number of such units are situated.³³

The processing units are mostly very damp, cold and congested. The workplace is one long stretch of aluminium tables, trays, and water-trays with grading machines often placed close by. The women employed in the grading, weighing, and packing sections have to stand for long stretches. This contributes to their ill health. The women in the peeling section have to squat for long hours amidst cold water that leaks from the iced raw material. Thus, complaints of head, body aches and particularly chest pains, and colds are common.

Most of the women are susceptible to a range of diseases, arising from the work conditions and poor sanitary conditions in which they live. A large number of the units we visited did not provide a clean environment to work in. Besides, the fish processing units are located mostly in the most congested, polluted parts of the city. Such location creates problems of its own. In Veraval, we found that apart from the occupational hazards at the workplace, women were exposed to pollutants from the Indian Rayon unit situated in the area. Similarly in Tutucorin, it is said that the Sterlite Factory and other chemical companies in the neighbourhood threaten the health of workers in the vicinity.

Handling frozen raw material for long stretches of time in damp, cold rooms makes women easily susceptible to respiratory disorders and at times arthritis and rheumatism. The very posture of the workers at the workplace - standing in one position for long hours, bending at the table while grading and packing or squatting and bending down while peeling - induces unhealthy physical strain. These women are also susceptible to malaria, chickenpox, jaundice and severe diarrhoea.

Continuous work with frozen material leads to skin rashes and peeling of the skin. When prolonged and untreated, a range of severe skin related problems arise because of which some of the women give up their work at times unable to cope with the demanding nature of working fast and deftly with their fingers. “Even though the finger cracks are very painful and difficult to work with, the women continue to perform their work till it becomes unbearable.”³⁴

Thus a skill which was the reason for their securing employment also results in their inability to work in the long-term on account of the unscientific nature of work process - without wearing gloves to protect hands from the strain of working with frozen material with sharp, jagged edges. Very few units systematically follow the rules prescribed by the MPEDA and other regulatory agencies for the minimum requirements of a clean hygienic environment of production. Only when the importing country's delegations visit the units, the women are made to wear gloves, mouth covers and coats, as one of our respondents revealed.

32. Narrated by Lata, Oonukal, Pathanamthitta district, Kerala employed in Ravi Seafoods at the time.

33. In an inspector's report of a unit in Mumbai, it was mentioned that a particular plant was installed in 1975, and after an inspection by an engineering agency everything was said to be fine. However this kind of detailed inspection is not the norm.

34. Dolly, from Thiruvananthapuram, who has been working as a peeler at the Barraka unit in Mangalore says that a lot of girls bear with the pain since if they did not work, they would lose wages, something they can ill afford.

Another problem is the high incidence of accidental falls resulting in fractures due to the water on the floor of the workplace. In Barraka, Mangalore, Lovely a woman in the peeling shed, slipped and broke her backbone. The company paid 50 per cent of her medical expenses. In another similar incident, Rajamma working in the Cham unit in Goa, broke her leg after slipping inside the plant. These accidents are natural where the job entails washing and cleaning of the raw material inside the plant and when the raw material is kept in ice that melts and wets the surroundings. In a number of such cases, the women said that no compensation was paid by the management. Wherever paid, the compensation is inadequate and at times the women had to spend large sums of money in post-recovery care by way of buying ayurvedic oils and tonics to revitalise broken bones. One woman worker said that she had to write home for money towards her treatment after a fall. There are cases where women who had taken leave after a fall to recuperate from their illness have lost their wages for the period of absence. Thus an occupational hazard in the working environment which cause severe injury to the workers, fetches them a cut in their wage rather than compensation. In such times, the women not only lost their meagre hard-earned savings but also the potential earnings because they were handicapped temporarily.

A large number of the women are prone to sexual overtures at the workplace, and a number of such cases may also have happened owing to the culpability of the woman herself who was willing to trade her sexual favours in return for a secure advantageous status at workplace. In Mumbai as also in Kolkata, there is a debate among the women workers themselves as to how to handle such a fragile issue. As most of the girls are at an impressionable age and have their own notions of what they want in life, there are a large number of incidents of men and women interacting outside the norm of marriage. The problem begins when the woman becomes pregnant and is forced to seek abortion. In Vashi area of Mumbai, social workers said that there were large number of cases every month of women from the processing units going to the local doctors for the termination of unwanted pregnancy in an inexpensive way. In the process, the woman worker becomes vulnerable to a host of diseases from the unhealthy medical practices. A large number of the women we met complained of discharge, infection as well as severe urinary tract problems. In fact, one of our respondents stated that she had been on medicines for more than six months for the same reason. The Devadan Centre in Vashi, New Mumbai, pointed out that the women went for treatment on sensitive subjects such as unwanted pregnancies to a local quack or a qualified practitioner with no facilities, which though inexpensive in the short run, has huge long-term costs.

An industry that reaps such high profits must make better efforts towards the welfare of the worker. It should be made mandatory that all workers, whether casual or permanent, be covered by health insurance and in case there are accidents which are in the nature of occupational hazards, the unit owner should be made responsible for the treatment of the worker. This alone will make for a conducive work environment.

Housing Facilities

Recently, because of large-scale checks by the Inspectorate of Factories and Labour officers, managements have begun to let women come from their local accommodation. This is the case in Vashi, New Mumbai today. Thus, alongside the earlier forms of accommodation such as the dormitories and hostels, today we see the women workers living as tenants in groups of four and five in the vicinity of the processing unit. However, mostly, the earlier norm prevails.

Most women in the units state that their dwellings are above the production unit. This is definitely the rule in Kolkata where about three units located in the city have accommodated their workers in rickety dwellings above the unit. The women are living in overcrowded small rooms: 10 of them in a 15x12 feet room, with leaking roof, overflowing drains and a few dirty bathrooms. In Kolkata, the living environs of the workers are virtual extensions of drains, dark, hostile, crowded places where sunlight hardly ever penetrates and women are vulnerable to various infections.

A hall accommodating 125 to 150 women seems the norm whether it is a unit in Mumbai, Tutucorin, Goa or Veraval. The other prevalent form of accommodation is a small room shared by 6 to 15 girls as seen in Kolkata and Mangalore. In Vashi, Mumbai women are all housed together (sometimes numbering 130 to 140) in large halls (800 feet in length approximately). However, there are exceptional cases where women have been provided with decent accommodations. Even if the accommodation is provided in a huge hall, the fact that 100 women live together has its own problems. The place resembles a railway platform with the women huddled together with their belongings. They are provided with very little furniture: it is a luxury for the women to have their own bedding. Most of the room is taken up by the little bags and suitcases of the women and the clothes they put out to dry for which too they have no other space. Keeping the place tidy is a problem. There is the obvious lack of privacy and of course a large number of instances of interpersonal problems coming from the co-existence of such a large group having to adhere to the same time and discipline enforced at the workplace.

The non-availability of clean potable water is the reason for the large number of incidents of stomach ailments and jaundice afflicting the workers. The extremely unsanitary working conditions in the dormitories of the units cause urinary tract infections. The units we visited in central Kolkata were all housed in dilapidated old buildings, and resembled a slum as far as the residential and sanitary facilities available to the contract workers were concerned. The accommodation of 100 to 150 women in a single, albeit large room leads to easy transmission of infections. At the time of our visit to Kolkata, six women in Liberty and the neighbouring units were down with chickenpox.

Sanitary arrangements for the women are equally dismal. Typically, for a group of 30 workers, there would be two toilets and washrooms. In Mangalore and Tutucorin, the units have provided better facilities to the workers on this front. However, in Goa and Kolkata, the arrangements are very poor and ill equipped to handle the needs of workers. For the girls, lack of adequate facilities is the cause of late arrival at workplace in the mornings. There are times when this creates tension between the workers, as they stand to lose the day's wage as also the goodwill of supervisors, which they can ill-afford. In one of the units in Goa, workers struck work to protest against the lack of water in their living quarters. The stalemate was broken only after they were assured by the management that needful measures would be taken immediately. In another Goan unit, women agitated over leaking rooms and got the management to do the needful.

Mess Arrangements

The fact that there is homogeneity in the composition of the migrant contract workers makes the task of the managing their food arrangements easier. However, the diet does not fulfil the nutritional requirements of workers, nor are they happy with it.

Some of the food arrangements are provided by contractors who charge the expenses to workers' account. At times women take initiative themselves to arrange for food. In Kolkata, women were cooking their own foods in groups - either all the room-mates sharing out the work or as organised by the contractor. In one unit in Kolkata, the girls were provided with rice but they made their own curries. But there are cases where the workers stated that they get better food than they would eat back home as in the case of the girls who work with contractor Shaji in Goa and Naser in Mangalore.

For a very rudimentary meal, the women had to pay anything between Rs.275 to 500 per month to the mess managing committees that are often in the hands of the supervisors or contractors. In some units, the expenses incurred for common mess also provided the women with their monthly requirement of soap and oil. However, according to the women, they spent more money from their pocket, as they required lots of soap to rid themselves of the foul smell that came with working in the fish-processing unit for long hours.³⁵

The meal everywhere comprised mainly of rice and sambar along with vegetables twice a day. An additional piece of fish once or twice a week or fish/meat curry once or twice a month is provided. In many places, the staple diet provided consisted of rice gruel and kadala (whole Bengal gram, a variety of pulse) and black tea in morning. Breakfast is also meagre and on most Sundays the women were given idli or upma for breakfast. The monotonous nature of the meal left the girls dissatisfied. Tired with the food provided by the company's mess, they resort to alternatives as cooking fish or meat curry by pooling in money and effort. Many of them also spent extra money to stock biscuits, bread, and other snacks to supplement their very poor diet. However, in many units there are strict rules forbidding women from cooking in their rooms, hence the girls had to be content with what they were given or wait for their monthly/weekly visits to the local markets to buy eatables of their choice.

On rare occasions when units had surplus fish, some of it was given to workers for consumption. However, there are instances when, according to the women, they smuggled out fish, with the support of the supervisor, to cook for themselves. In case of being caught with raw fish, the fish is usually impounded. However, if they were caught after the fish has been cooked, they would be charged the cost of the fish by the manager in charge of production. There were times when the women were given fish that had been kept frozen for too long a time to consume but by and large most of the women found the taste unbearable and some even went on to say that they would rather have just gruel than "such iced fish that tasted foul".

The system of collective messing practised by many units has its limitations. Not only does it mean loss of some part of their income on a monthly basis, it also means food that is neither tasty, nor does it meet the needs of the workers. At times, it also creates additional expenses, as women pay for the mess but also make their own food that they like to eat.

Social Life

The women in the units live far from their homes and for many of them, it is a new experience. Initially some are homesick and unable to adjust to the new environment. It is fine for women who have continued to work in

35. This was stated by Asha from Alapuzha working at the Barraka unit in Mangalore. According to her most of the women by evening felt sick after being cooped up for long hours inside the unit with the air pervaded by the smell of fish and the sea.

the same unit for many years but for the more nomadic ones, it is a tough battle to survive in the unfamiliar environment. As a number of women in a particular unit have either come from the same village or have built rapport with each other after having worked together over the years, community bondages develop among them and it is this solidarity that keeps them smiling even in the face of tough life. In addition, collective activities by way of going to see films, markets and church/temple provides additional respite from their tiring work schedules.

In some cases, rather hostile and severe environments make them vulnerable to mental ill health as well. It would be desirable for the units to provide recreational facilities for the workers so that the monotony of their work does not pervade their social life. A large number of the girls and women we met stated that in their free time they hire VCR and watch films, some others play games.

Personal Expenditure Patterns

Apart from money spent on their daily necessities such as food and medicine, women also spend their wages on other purchases. A major expense is on clothes, especially 'nightie' and 'salwar kameez'. In fact, many women in the course of our survey wore these and stated that they spend 1500-2000 rupees annually to buy clothes, which is a substantial part of their income. They also spend a sizeable proportion of their wages on acquiring of gold ornaments.

4. Analysing the Data

The choice of units and areas for the survey had more to do with the social possibility of gaining access to the women workers than to the dictates of any scientific methodology. This itself is an index of the nature of work in the units. Following the European Union ban on seafood imports from India, it was even more difficult to access the workers as the units have become more sensitive to any kind of probing. All this amounts to violation of rights of the workers. The conditions of workers are no better than that of bonded labour though they cannot be categorised as such. There are moments when protests by these workers redeem for them their identity as free, though insecure workers in the unorganised sector. Such protests help to create space for manoeuvre even in these adverse circumstances.

We have attempted to collect three categories of information. Firstly, data that relates to the family background of the workers: family occupation, family income and size of the family. Secondly, particulars of the individual workers: age, educational qualifications, marital status, religion and caste. And finally, information relating to their experience at work, wages, hours of work and number of years of service in this sector. Apart from this quantitative information the second set of information is more qualitative in nature, which does not have any set pattern but provides us insight into the lives and work of the women.

The sample consists of 309 women from the fish processing units of Mumbai, Kolkata, Tutucorin, Mangalore, Kerala, Goa and Gujarat. The break up is as follows: Kolkata - 101, Tutucorin- 50, Kerala- 42, Vashi (Mumbai)- 52. Rest of the information is from random surveys of women who are from any of the units who were contacted by us in their homes in May 1997.

The surveys were done with the assistance of women activists of the National Fish Workers Forum especially Mercy Alexander and support from Gracy, a social worker with Programme for Community Organisation, in Kochi. Field visits were made by Sonia and Shreeja to the units in Kerala. For Mumbai, Remani and Shanta provided us with the required data, with the assistance of Sister Mary of Devadan Centre in Vashi. In Kolkata, Mini Joseph did the field visits with assistance from the Missionaries of Charity, who work with the women on a regular basis. In Tutucorin, the survey was done by Sonia and Shreeja. The Mangalore sample is from our field visits as also from the village level visits we made in the

| Caste Background | |
|------------------------|------------|
| Scheduled caste | 18 |
| Arayan | 1 |
| Cherumar | 1 |
| Dheevara | 1 |
| Pulaya | 3 |
| SC/ST stated | 10 |
| Backward caste | 20 |
| Ezhava | 18 |
| Nadaar | 2 |
| Thandan | 1 |
| Vishvakarma | 1 |
| Forward Caste | 12 |
| Nairs | 4 |
| Christians | 111 |
| R.C. | 41 |
| L.C. | 70 |
| Not Stated | 135 |
| Muslim | 5 |
| Total | 309 |

| Religious Background | |
|----------------------|----------------|
| Religion | No. of Workers |
| Christian | 188 |
| Hindu | 116 |
| Muslim | 5 |
| Total | 309 |

Allapuzha region with Mercy Alexander in June 1997. When the survey was being conducted, a large number of the units were undertaking renovation due to changes demanded by the EU to qualify as exporters. Besides, the Export Inspection Agency has brought out a long charter of requirements, which the units have to fulfil, in case they want to be certified as exporters. Hence, many units were either closed or had reduced capacity of production to make the required alterations in their plants. This was also a limiting factor for the survey. Individual and Social Background

Christian women were more in the units since large sections of the fishing community in Kerala are Christian (Table 3). Hindu Arayans and Mukkuvas too figure in the sample. Interestingly a number of Ezhavas and Nairs are also part of the migrant labour to the units. Though we were not able to secure the caste background of Hindus easily, we were able to identify some workers from these castes.

Of the 188 Christians, only 111 have clearly stated whether they belong to the Roman Catholic or Latin Catholic Church (Table 4). The rest did not respond to the question. Similarly of the 116 Hindus, only 58 respondents furnished their caste detail. Of them 12 were from forward castes, four of whom were Nairs and 22 respondents reported that they belong to backward castes, of which 18 were Ezhavas. There were 16 respondents from scheduled caste and schedule tribe backgrounds as well. There were five Muslim women too. Thus there is a fair mix of all castes in the units and the work is no longer particular to any caste or community as it had been traditionally. There is therefore a break with the caste based occupational stratification in the wake of modernisation of the fish processing industry.

It was believed that a large number of the women came from fishing families. Today, this does not appear to be completely true (Table 5). No doubt, women from these families were the first ones to move out to the units, owing to loss of opportunities in the traditional fishing industry such as net making, fish drying and vending. They still constitute a sizeable proportion of the women in the sample. Thirty-six per cent of the women are from active fishing families, while twenty-nine per cent were from families who are labourers of various kinds (occupational background of the family is linked to the occupation of the head of the household, mostly male). Most of these are either daily wage labour, shop workers, and coolies.

Thus we may draw upon the complex backgrounds of the workers to argue that for many women these are the survival strategies in the absence of work in their native place. Though there is a sizeable section that comes from traditional fishing families, the lure of the job today draws upon a wider social base: from agricultural families and landless labourers to service providers and the unemployed.³⁶ This also means that there is social mobility by way of job, which

| Family Economic Background | |
|--|-------------|
| Family Economic Background Code | No of Women |
| 0 | 27 |
| 1 | 17 |
| 2 | 112 |
| 3 | 89 |
| 4 | 31 |
| 5 | 14 |
| 6 | 15 |
| (blank) | 4 |
| Grand Total | 309 |
| 0= deserted or widowed women 1= unemployed families 2 fish worker families 3 labourers 4= agricultural workers 5= service 6= self-employed | |

³⁶ Women in Gujarat said that a large number of girls today come from the interiors such as Munnar, Pathanamthitta and Thekkadi too. We verified this subsequently when we met women at the HMG unit at Veraval.

has shed the menial social connotation it used to have as the work of fisher women in the machi (fish) or konchu (prawn) companies. In some ways, it contributes to the realignment of social relations across caste and community. Earlier there were taboos among other castes for taking up fish related work, but with the setting up of processing units, they have started to look up to working in these units. It has now earned the status of a regular salaried job at a factory, rather than casual employment by the seashore.

It is possible that with the lack of employment options in Kerala, more and more women from other communities are getting gainfully employed in this sector. It is seen to be a 'company job', fulfilling the deep-rooted aspiration for a job in the non-traditional sector. The substantial presence of women from non-fishing backgrounds in the processing labour force breaks down the argument of tradition that women from Kerala are chosen by the unit owners on account of their skills.

The data on income of the household is limited in many ways. It is not clear whether the women have included their earning in the family's income. Either way, the figures support the argument that migration of women takes place because of dire economic crisis in their families. Even if the social fabric of Kerala is conducive to the acceptance of women as workers, it is not easy for a woman to secure consent to break from the family domain and go to a unit in a distant land. The other limitation is that the data is not uniformly available for the entire sample, there are only 260 entries. Around sixty per cent of the respondents came from families with an annual income of Rs 5,000 or less (Table 6). Seventy per cent of the respondents come from families with monthly income of Rs 2,000 or less. These proportions go up marginally, if we include the 11 women who said they were below the poverty line. Over ninety per cent of the women come from households with incomes below Rs 40,000 per annum.

| Income | |
|-----------------|--------------------|
| Income Category | Number of Families |
| 500-5000 | 155 |
| 6000-12000 | 15 |
| 13000-18000 | 4 |
| 19000-24000 | 7 |
| 25000-32000 | 23 |
| 33000-40000 | 20 |
| 41000-50000 | 12 |
| 51000-100000 | 4 |
| Units | 7 |
| Not Aware | 2 |
| BPL | 11 |
| Total | 260 |

The data on education level of the workers (Table 7) shows that more than eighty-nine per cent of the respondents have had middle school and senior schooling which means all of them have passed at least 5th standard and about forty-five per cent of them

| Average Age of Women Workers | |
|------------------------------|--------------|
| AGE | No. of Women |
| 14-18 | 52 |
| 19-23 | 112 |
| 24-28 | 72 |
| 29-33 | 32 |
| 34-38 | 21 |
| 39+ | 20 |

have at least 8th standard education. In other words, the women secure work on account of their educational attainments, apart from industry's perception that they are endowed with fish processing skills. Interestingly women who were working in the Kerala-based units were more educated than their counterparts who have migrated in search of work to other part of the country. The added advantage of an educated, aware, hygiene-sensitised worker adds to the quality of the work process and this is something that is absolutely essential to the carrying out of quality operations in the unit.

The average age at which most women enter the labour market appears to be very early (Table 8). Over seventeen per cent were in 14-18 age group. Over fifty-five per cent of the workers were in the 14-23 age group. Clearly, many

girls take up the job to secure a better future and to save some money for their marriage requirements. Significantly, a large number of women are also earning to sustain their families.

Some were married while there were at least 27 cases, where the women took up the job as they had either been deserted by their husbands or were widowed. Along with the young workers, there are also experienced workers, who at times have switched ten jobs in last fifteen years in search of better opportunities. This trend is different from the export oriented sector in Hong Kong, Korea and other newly industrialising countries where the bulk of such workers are young women. There seems to be a preference for such qualifications but on the whole it is more to do with the ability of the women to do the job and to be accepted by contractors that goes a long way in a woman being accommodated in the workforce for a long period of time.

| Table 9 | |
|----------------|-------|
| Marital Status | |
| Marital Status | Total |
| Married | 68 |
| Single | 241 |
| (blank) | 0 |
| Grand Total | 309 |

Besides, if from a village there are a dozen girls who make it to any unit, over the next few years anyone from the village who is keen to join the unit, if chosen and favoured by the agent, also becomes part of the migrant worker team that moves every year to work anywhere in the country. Thus the logic that only “fresh belles” are sought after for work in the prawn peeling units is a myth, based on the East Asian experience. In case of women workers in seafood industry there seems to be a fair mix of young and old, all forced to make the choice of moving out of their homes for lack of employment opportunities there.

| Table 7 | |
|----------------------------|-------------|
| Educational Qualifications | |
| Category | No of Women |
| No Education | 8 |
| Primary | 28 |
| Middle | 48 |
| Senior | 119 |
| SSLC/PDC | 105 |
| Graduate | 1 |
| Total | 309 |

Despite the fact that in Kerala the average family size is not more than four persons, sixty-nine per cent of the women workers come from larger families (Table 10). The largest section is that of 5-8 family size, which is about sixty per cent of the sample size. Nine per cent were from households with more than eight members. Since the households of migrant workers are mostly poor, a larger family size does not essentially mean a greater number of income earners and a larger income. Demographic pressure on the resources of the family is also a reason for large-scale migration of women from Kerala to the fish processing units. This proves wrong another myth that most girls are working in the units to buy gold required for their marriage though they do invest a sizeable

| Table 10 | |
|-------------|-----------------|
| Family Size | |
| Family Size | No. of Families |
| 1to4 | 95 |
| 5to8 | 185 |
| 9to12 | 26 |
| 13+ | 1 |
| Blank | 2 |
| Total | 309 |

portion of their wages in gold. It is the excessive demand on the scarce resources back home, leading at times to hunger if not starvation, that plays a decisive role in the women migrating to distant units anywhere on the coast. Many of them said that back home, it could not be taken for granted that they would get their daily gruel. Some of them pointed to their houses with great pride to say that the edifice, which had been on verge of collapsing was rebuilt only because they had gone away to the units and saved up for the expenses. There are also cases where women have taken up work because their fathers were invalid, drunkards, suffering from disease or otherwise incapable of earning a livelihood. About 29 women stated that they

initially took up job for these reasons, but now they are happy with it as it gives them immense sense of security. A fair proportion of their earnings also goes to repay debt.

Wages

A comparison of wages across different centres shows that there is no uniformity. Much depends on the experience and skill of the woman at work, and added to it is the amicability of the relationship with both management and contractor/agent. There are instances, where a worker, on being loyal to the contractor, secures something like Rs 1800 per month, while a novice may receive as little as Rs 750 per month. Only those women who have been in employment for at least a couple of years are able to get a better deal than the new recruit. The wages are, however, relatively higher at the better units. For example, in Nila Seafoods, Tutucorin, the Cham unit in Gujarat, Ravi Seafoods in Mumbai or Barraka in Mangalore, wages of the experienced worker range between Rs 1500-1800 per month though, in rare cases, they could be as high as Rs 2000 per month. On the other hand, we find that there are a large number of workers in many units not even getting the minimum wage of Rs.1300 per month. By and large the wage rate in the units in Kolkata are low ranging from Rs.750 to 3000 pm (Table 11). Nearly forty-four per cent of the sample gets below the minimum wage and sixty-six per cent get less than Rs 1500.

| Table 11 | |
|---------------------------|-------|
| Monthly wages in Calcutta | |
| Income (Rs) | Total |
| 750-1000 | 14 |
| 1000-1500 | 7 |
| 1500-2000 | 4 |
| 2000-3000 | 7 |
| Grand Total | 32 |

As per information from the units in the Vashi area of Mumbai, the earnings of the women are a little better than their counterparts in Kolkata, - the minimum wage earned by the lowest paid worker is not less than Rs 1000 per month. Comparatively, in Kolkata, 14 out of 36 were getting less than Rs 1000. However, the wages are meagre when compared to the cost of living in a megapolis such as Mumbai. It is important to co-relate the various indices: wage, conditions and culture at workplace, labour rights of workers and quality of life of the worker. Only then can any evaluation be made of the relative advantage of one section of workers over another.

| Table 12 | |
|--------------------------|-------|
| Monthly Income in Mumbai | |
| Income in Rs | Total |
| 1000-1500 | 20 |
| 1500-2000 | 18 |
| 2000-2500 | 11 |
| 2500-3000 | 1 |
| (blank) | 0 |
| Grand Total | 50 |

In Mangalore, most of the women working in the Barraka unit earned between Rs 900-1200 per month and their earnings peaked at about Rs 2000 in some of the busy months. At the same time, there were also months when they made a meagre Rs 500. In the Mangalore unit of Baby Marine group, the wages of the workers varied from Rs.900 to 1400 per month depending on their skills and the nature of work as well as season. Though the Barraka unit is one of the top exporters of seafood, its workers, especially the migrant ones, are miserably paid.

In Nila, Amulya and Kings International units at Tutucorin, a small section of the migrant workers who earned over Rs.1750 per month were permanent employees of the unit, but the rest continue to get very low wages. In the sample of 47, we found that 34 get up to a maximum of Rs.1500 and 18 get below the minimum wage.

The wage levels in Kerala are not particularly high but they are uniform. While half the sample of 41 got wages between Rs.1000-1500 per month, ten per cent got more than Rs.2,000. The wages of the remaining 40 per cent were in the range of Rs.1500-2000. Most of the workers are still below the prescribed minimum monthly wage of Rs.2000 for unskilled labour. In Cham Seafoods the wages ranged anywhere between Rs 1200- 1500 per month while wages at Rahul Seafoods were lower with some women receiving as low as Rs 950 per month.

The wage levels in the units in Goa are also very low. This is substantiated in the cases discussed by Dr. Desai.

New Peeling Sheds of Kerala

A new dimension that has changed the face of the industry today is the mushrooming of peeling sheds. Part of the work that used to be done in the processing unit is carried out in the peeling sheds, close to where the raw material is accessed. Many of them are called ice plants, cold storage etc. But the main task that is carried out in these asbestos roofed sheds is the peeling of shrimp, and cleaning and sorting of other species such as squid and crabs. They are sent then to bigger units for further processing. A number of women are now turning to these plants to secure employment. This is most convenient as there is work and that too nearer.

At Mampalli, Murukkimpadam, near Kochi there are about 40 peelers working in a local unit on daily wage basis. Radha, a peeler in the company said the workers got a pittance of Rs 2.50 per kilo of prawn peeled. Even if one prawn is left with a bit of peel, the money due to the worker is denied. Though some women have been working for over 25 years, they are denied bonus, medical expenses or any other benefits. They continue to work as this is the only company around. There are cases where women have been working in units for the last 20 years but still have the status of a casual worker.

Largely, most of the migrant women in the fish processing units neither have a secure, stable income nor a very good wage to help them tide over lean times. The working conditions are dismal and there is the utter lack of sensitivity in these units about even basic human rights of the workers. Yet they migrate because apart from the monetary benefits, the social mobility gained through employment in a unit is also a motivating factor.

| Table 13 | |
|-----------------------------------|--------------|
| Monthly wages in Tutucorin | |
| Income in Rs | Total |
| 650-1000 | 8 |
| 1000-1250 | 10 |
| 1250-1500 | 16 |
| 1500-2000 | 8 |
| 2000+ | 5 |
| (blank) | 0 |
| Grand Total | 47 |

| Table 14 | |
|--------------------------------|--------------|
| Monthly Wages in Kerala | |
| Income in Rs | Total |
| 1000-1500 | 22 |
| 1500-2000 | 15 |
| 2000-2500 | 4 |
| (blank) | 0 |
| Grand Total | 41 |

5. Labour Rights and Legislation

Migrant women workers in the fish processing units are governed by the Inter-State Migrant Workers Act and the Contract Labour Act which have very extensive stipulations for protection of the rights of the workers. Still, these workers have been among the most victimised in the unorganised sector on different counts. As with most legislation in our country, the problem here is also of regulation and enforcement rather than just of legal shortcoming. Consequently, the migrant worker remains outside the purview of labour administration. This is compounded by the fact that most of these Acts provide ample loopholes for the defaulters to exploit to their advantage, particularly vis-a-vis disempowered workers.

The Contract Labour (Regulation and Abolition) Act, 1970

This Act was legislated to regulate the employment, conditions of work, payment of wages and other amenities relating to the health and welfare of contract workers. It has a series of provisions to protect the rights of the workers employed by the contractors. It creates the office of a licensing officer from whom contractors are mandatorily required to obtain a licence for employing contract workers. It stipulates that contract workers should be paid at least the legal minimum wage, fixes responsibility for ensuring that the workers are so paid and specifies the sectors in which this law would be operative. Quoted below are some extracts of sections from the Act which are important for the protection of the rights of the migrant women worker.

Licensing

Section 11 deals with the appointment of licensing officers. It places several limitations on the power of the contractor and defines conditionalities for employment of contract workers. Regarding appointment of licensing officers it states: “(a) appointment of such persons be made who are gazetted officers of the government as it thinks fit to be licensing officers for the purpose of this chapter and (b) define the limits within which a licensing officer shall exercise the powers conferred on licensing officers by or under this Act.”

Section 12 relates to licensing of contractors: “No contractor to whom this Act applies shall undertake or execute any work through contract labour except under and in accordance with a license issued in the behalf by the licensing officer.”

Section 13 (3) calls for periodic renewal of the contractors' licence: “License shall be valid for the period specified therein and may be renewed from time to time for such period and on payment of such fees and on such conditions as may be prescribed.”

On the aspect of licensing of the contractors themselves, there have been initiatives by the state government, unions and other institutions in Kerala and in many places on the west coast. This has helped in raising awareness on the issue of the labour rights of the women.

Service Conditions

Section 2 (1) deals with conditions including in particular, conditions as regards to the hours of work, fixation of wages and other essential amenities in respect of contract labour as the appropriate government

may deem fit to impose in accordance with the rules, if any, made under section 35 and shall be issued on payment of such fees and on the deposit of such sum if any as security for the due performance of the conditions as may be prescribed.

Section 21 makes payment of wages the contractor's responsibility. Sub-sections elaborate upon this further:

- (1) Every principal employer must nominate a representative duly authorised by him to be present at the time of the disbursement of wages by the contractor.
- (2) It is the duty of the contractor to ensure the disbursement of wages in the presence of the authorised representative of the principal employer.
- (3) In case the contractor fails to make payment of wages within the stipulated period the principal employer shall be liable to make the payment in full or the payment of balance dues as the case may be.

Section 29 makes it mandatory that records be maintained: "Every principal employer and the contractor shall maintain such registers and records giving such particulars of contract labour employed, the nature of work performed by the contract labour, the rate of wages paid to the contract labour and other such particulars."

Section 40 lays down that the workers must be provided with canteen facilities. The onus of responsibility is with the contractor but in case he fails to provide canteen facilities, it is up to the principal employer to do so. Sub-section (4) provides that books and accounts and other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

Section 41 lays down provisions for latrines and urinals. According to sub-section (1) the contractor shall provide in every establishment coming within the scope of the Act, at least one latrine for every 20 persons up to the first 100 and for every 30 persons thereafter.

Hence at the level of legislation there is ample provision for ensuring the protection of the workers' interests. However, a large number of units disowned responsibility towards these contract workers arguing that they had no arrangement with them directly and hence they were not their employees. Clearly, it is necessary to ensure the application of this part of the Act to the individual units and in case of default of any kind the penalty be made much severe.

Abolition of Contract Labour

Abolition of contract work is part of the Act's objectives it has never been pursued seriously. We give below the definition of a unit that engages contract labour.

Section 4 (a) Every establishment in which 20 or more workmen are employed or were employed on any day of the preceding 12 months as contract labourer. (b) The Act will apply to every contractor who employ/ed on any day of the preceding 12 months 20 or more workmen.

Section 5 (a) The Act will not apply to establishments in which work only of an intermittent or casual nature is performed. (b) If a work performed in an establishment is of an intermittent or casual nature, the appropriate government shall decide that question after consultation with the Central Board or, as the case may be, a State Board and its decisions shall be final.

Explanation: For the purpose of this sub-section, work performed in an establishment shall not be deemed to be of an intermittent nature: (1) if it was performed for more than 120 days in a year; (2) if it is of a

seasonal character and is performed for more than 60 days a year.

It is further stipulated that “Workmen hired through a contractor without a valid licence and being paid by the management through that contractor, are workmen employed by the establishment not contract labour”. Thus, taken in its entirety, the Act lays down a clear obligation on the part of the contractor and the principal employer to give the contract workers a decent deal. However, by taking recourse to selective provisions, such as 5 (a) without going into the definition of work of intermittent nature, the employer bypasses legal obligations.

Section 5 (b) of the Act has great potential for being used to seek redressal from the industry in case of default. There is a need for initiatives which make use of these clauses whenever there are such possibilities since this is the only way to check exploitation of the vulnerable workers. Most of these industries operate at least for ten months of the year if not for more.

If there are workers engaged through a contractor in excess of the maximum number permitted under the licence, then they are not contract labour. This is another problem that has come under scrutiny time and again during the course of inspections. It is very common that contractors have license permits for 25 but bring double the number and secure work for them at the unit. If the Labour department secures a deposit prior to the giving of license and the contractor forfeits it in case of defaults, such tendencies can be curbed if not altogether prevented.

Section 10 provides for prohibition of employment of contract labour, stating that:

(1) Notwithstanding anything contained in this Act, the appropriate government may, after consultation with the Central Board or as the case may be, a State Board, prohibit by notification in the official gazette, employment of contract labour in any process, operation or other work in any establishment.

(2) Before issuing any notification under sub-section (1) in relation to an establishment, the appropriate government shall have regard to the conditions of work and benefits provided for the contract labour in that establishment and other relevant factors such as-

- (a) Whether the process, operations or other work is incidental to, or necessary for the industry, trade, business, manufacture or occupation that is carried on in that establishment.
- (b) Wherever it is of perennial nature- of sufficient duration having regard to the nature of industry trade, business, manufacture or occupation carried on in that establishment.
- (c) Whether it is done ordinarily through regular workmen in that establishment or in an establishment similar thereto.
- (d) Whether it is sufficient to employ considerable number of whole time workmen.

It can be seen that fishprocessing eminently qualifies as perennial work where contract labour can be abolished. However, given the inability of the state to enforce its own laws, whether such banning of contract work would harm or benefit the workers is an open question.

State-level Legislation

Maharashtra has a separate Act for the purpose of regulating contract workers. The Maharashtra Contract Labour (Regulation and Abolition) Rules, 1971, too have detailed provisions on the rights of the workers and the duties of their employers. Some of the specific details are given below.

Section 24. Security- Before a license is issued an amount of Rs 10 per worker is to be deposited by the contractors.

Section 25. Forms and terms and the conditions of licence.

Sub-section 2-iv (a) the rate of wages payable to the workmen by the contractor shall not be less than the minimum wages payable under the Minimum Wages Act, where that Act applies and where the rates have been fixed by agreement. (b) where the class of work performed by the contract employees is the same as that performed by a class of workmen directly employed by the principal employer, the rate of wages paid by the contractor shall be the rate of wages payable to the workmen directly employed by the principal employer doing the same kind of work.

In the case of Maharashtra we find that there were some attempts by the state to take up the issue of the sea-food industry workers. There was an attempt to bring the industry under a regime of new minimum wages fixed for the sector. This is evident from a government document of the Industries, Energy and Labour Department, Mantralaya, Mumbai dated 6-7-1988 which made employment in seafood industries as a type of employment for which minimum wages are to be fixed:

“Section 27 of Minimum Wages Act (1948 XI of 1948): Government of Maharashtra after giving notice of its intention as required by the said Act of the following employment in respect of which it is required by the said section hereby adds to Part I of the schedule of the act the following employment in respect of which minimum wages should be fixed under the said Act namely

69. Employment in seafood industries”

The expression 'seafood industry' includes peeling, canning, freezing or otherwise processing of fish, prawn or other marine plants and animals and export thereof.”³⁷

The details are yet to be worked out. A report prepared by the government, which looks into the conditions in the processing units was yet to be made public, at the time of our study.

Special Measures for Women Workers

When discussing the question whether or not there should be special protective measures for women workers, there is no doubt that the underlying purpose of these measures is a clearly humanitarian one. Special protection for women workers serves to safeguard the health of women, the interest of future generations and hence welfare of workers as a whole. “Women still have distinctive physiological and psychological characteristics that lead to difference in strength, hormonal balance and susceptibility to factors in the work environment and special susceptibilities of the feminine reproductive systems.”³⁸ Here it is stated that generally there are no laws, regulations or other legal measures in effect in the U.S. concerning the hours of work or limitations of occupations or night work for women or requirements for special facilities for women only.

The contractors in the fish-processing sector do not follow most of the legal stipulations. The women work with the contractors in the units on the strength of assurances that are merely verbal. There are a large number of cases where the women have even lost their dues that were kept by the contractor, as they developed some problem or the other with the contractor. The contractual relationship that the women strike with the recruiting agent is not merely monetary in nature, but is based on patronage. This patronage undermines the possibilities of free choice for the women and they are forced into a situation of subservience to the contractor for the period of contract. Thus the very modern processing unit encapsulates within it, relations that are far from modern.

37. No MWA-4584/5903/lab-7, Mumbai.

38. IBO, “Conditions of Work Digest”, Vol-6-2/1987, p. 148.

In sum, while some moves have been made by the state to regulate the industry and to improve standards, the effort has had very limited impact. The Contract Labour Act promulgated to regulate as well as to abolish contractual employment of workers, has become one more Act whose loopholes are utilised to the advantage of capital.³⁹ The other more important reason for its poor implementation is the inadequate and weak-willed state machinery. Whether it is the issue of wages, facilities at the workplace or hours of work and other conditions, all regulations are being violated by the unit owners. There are some exceptions to the rule, but by and large most units are irresponsible and unreceptive to the needs of the contract workers. The rudimentary machinery available to the state to implement the legislation to protect the rights of labour in the country is a major impediment in enforcement. Hence it is most necessary at this point to attempt a simplified set of procedures and standards as minimum conditions to be fulfilled by any agency involved in the business of production.

The Inter State Migrant Workers Act

This Act addresses the problems of regulating employment of migrant workers. It is lengthy and long winding with a large numbers of sections and sub-sections. Although it is coherent in principle, its cumbersome nature makes it difficult to enforce. It has not had a successful history of implementation on account of the difficulties associated with its working.

There is clear mention of the need to register the contractor in the donor State well as in the recipient State. This provision hopes to curb errant practices by contractors and their lack of accountability.

Sections 4&6 states that the principal employer, the processing unit, is expected to register with competent authority to employ migrant workers and has to secure certificate of registration.

Section 8 makes it mandatory for the contractor to obtain licence to recruit the workers. It is a detailed procedure which allows the regulating authority full access to the necessary information about the migrant workers, the contractors and the destination of the workers. Headcount of contractors would also make it easy to take action against any reported malpractice and could also be a source for the workers and his family. There is also the stipulation that a pass book of the migrant worker be maintained which serves as proof of identity as well as proof of payment of wages to the migrant worker.

Section 14. There is also an obligation on the contractor to provide the worker with a displacement allowance, which would be a useful financial measure to take care of worker's immediate needs in a new environment. The problem with this regulation too is that it is rarely operational in the spirit in which it was framed.

Section 16. Provides for matters relating to disputes regarding disbursement of wages to the migrant worker as well as medical and other health benefits that the management as the principal employer of the worker ought to ensure in the unit.

Especially with regard to the problems of the inter-state migrant, contract labour, the absence of a uniform set of mandatory rights for the workers makes matters difficult for the workers. The Act has detailed provisions for permissible hours of work, minimum wages payable and limit of the number of workers a particular contractor is entitled to recruit. However, as we have noted in the course of our field visits, most of the provisions enlisted in the Act are not met in practice. These violations of labour rights in the processing units go by unnoticed and unpenalised as there is no will to take to task the industry for its lack of accountability in the maintenance of minimum labour standards. It is ironical that in Veraval, a major site of fish processing, the office of the Labour officer is housed under the staircase

39. See, for instance, Statistics of Employment: Half yearly Report for 1996, Department of Factories, Maharashtra State. In Mumbai, most of the units record employment of less than 50 workers as the permanent workforce. Naik Seafoods, Sassoon Dock is mentioned as having 10 men and 36 women, and Sonia Seafoods as having 9 men and 19 women on its rolls.

of a dilapidated building, lacking even the most minimum of facilities. This is a single example of the inadequate allocation of state resources to labour rights protection and regulation by the government.

Casualisation of Labour and its Implications

The increasing number of workers dependent on contract work for making a living has not only resulted in depressing wages but also has had long term implications in lowering of skills as well. Whether it is the naka labour in any of the cities or the insecure unprotected workers in the unorganised sector, they have no avenue open to them in the realm of skill acquisition. They remain where they began initially at the workplace and in the case of some sections even go on to lower forms of employment. Some of the women we met had been working as migrant labour in distant towns earlier and sought employment locally. Thus, after having worked at a wage of Rs 1200 a month in a processing unit, they have reconciled and adjusted to receiving Rs 200 a week for peeling in the neighbourhood peeling shed. Similarly, we met young girls who have taken to tailoring as they are not allowed to go back to work in the units. Their parents fear that the work environment is hazardous for the morality of their girls. So much so that these days a number of girls who have just started working in the industry are being forced to quit their jobs.

Though there are a large number of specific Acts to safeguard the interests of the worker, in the Indian context, the root of all maladies is lack of, or poor, implementation. Hence instead of burdening the statute book further with additional laws on labour, it is of greater relevance to work towards such measures which will ensure the working of the law of the land in the units. Rather than legal paraphernalia, it is social-political determination that will strengthen the cause of the worker and usher in a more just order.

Unit owners keep a small workforce due to the problem of paying of various state levies. They also escape from coming within the purview of various State legislation. Mathur (1992) notes that 78.5 per cent of factories employ less than 50 workers and thus fall outside the purview of the Industrial Disputes Act. Another 10.8 per cent of the factories employ upto 100 employees and therefore do not need to obtain prior permission for layoffs etc. In the case of the fish processing sector this seems to be the rule. Greater control of capital of its workforce and lesser State surveillance also is an important reason for the use of casual labour by the unit owners. In the last two decades, casual employment of both men and women has been on the rise due to the onset of labour market deregulation especially in informal sector.

Liberalisation over the last few years has left labour rights to the vagaries of market forces completely. It is necessary to heed the ILO's advice that policies should ensure efficient adaptation of the labour market to changing economic imperatives but such change should not be made at the cost of sacrificing social protection or labour standards or at the cost of distributive justice. The difference between the unorganised and the organised is seen as the chasm that separates the insecure, impermanent, casual, easy-exit workers, unprotected by legislation, from those protected by safety nets of various kinds. It is argued that there is need for flexibility of labour practices in India to relocate, adjust to change, assume new work or work culture. In all these respects India is rated way down the rankings of countries in the World Competitiveness Report.

The implications of flexibility in the labour market have engaged the attention of various academics and critics of the process of liberalisation in the Indian subcontinent. They have observed that flexibility in the labour market in a surplus labour economy has worked to the disadvantage of the workers. In effect it has only contributed to the exploitation of large sections of the unemployed. Though in the specific case of the fish processing workers, it may be argued that the workers have a relatively better bargaining position on account of the qualifications required to gain recruitment - a semi-skilled, semi-literate, hardworking section of preferably young unattached women who can be taken to any part of the country as migrant workers.

6. Coping with International Markets - The Gujarat Experience

In the wake of the ban on seafood products from India by the EU, there has emerged a spirit of introspection within the industry. They feel that the reason given by the EU for the ban of seafoods from India does not hold and it is an attempt to lower the image of the Indian product in the international market.

We met with the exporters of seafood in Porbunder at the Porbunder Machimar Sangh office. The meeting was attended by the managements and officials of Cham, Amar and the shipping agents of seafoods. According to the shipping agents of J.A.Vohra and Metcalf, 50 per cent of the shipment is to Japan and other South East Asian countries. The manager of Amar Cold Storage pointed out that the EU was just 30 per cent of their market but it is likely that the issue of contamination and hygiene will be taken up by the other importing countries soon. Therefore, the implications of the ban will not be confined to the EU market. Besides, this might trigger off a chain of events that will lead to underpricing of the commodities exported by India, and thereby lower profits for exporters and reduce foreign exchange earnings by the country.

However, it is to be noted that there is no unilateral acceptance by the EU countries themselves of the ban. In fact, there was a lot of debate within the EU on the issue of blanket ban on imports from India, Bangladesh and Madagascar as some of the European countries are quite dependent on the import of cheap commodities from India. Boulogne Surgele, based in Paris, has taken up cudgels with the EU on this issue. Their argument was that the company has been dealing with four companies in India for the last seven years from where more than 75 per cent of their turnover comes, and that they have had no complaints of quality. They state, "Five of our containers have recently been monitored according to 97334 EEC rules and have given full satisfaction in Rotterdam and Antwerp... all our goods from our regular producers have always passed all required quality controls successfully". They also expects the EU to compensate them for the losses suffered in the wake of the EU ban in August 1997 as 85 per cent of their turnover is affected by the prohibition of imports.⁴⁰

Citing the above instance, exporters from Porbunder tried to make the point that all was not wrong with the products from the Indian subcontinent and there is an exaggeration of the problem of quality from India based on a few instances that do not characterise the general rule in the industry. A large number of them have their own testing centres and laboratory facilities and are now trying to equip themselves to meet the EU demands. Although they feel the need to maintain stringent quality control, they are all well aware of the fact that they cannot meet all the 66 stipulations of the EU recommendations so easily. Therefore they want that the government to classify the units according to their facilities and by the zones to which they export, rather than try to uniformly usher these impossible changes into all units.

Amar Cold Storage, in its letter to the Exporters Association suggests that the government classify factories in the following ways:

40. Letter from Christian Sautai, Boulogne Surgele, Paris to Mr Bournigal, EEC, dated 7-8-1997.

- (1) factories exporting finished products to EU
- (2) factories exporting raw material to EU countries.
- (3) factories exporting 90 per cent of the product to EU countries.

In this letter it is mentioned that it would be extremely difficult to implement some of the recommendations of the EU inspection team, such as use of potable water for all purposes, preventing presence of frost in the ante-room and the cold storage, and the provision of changing rooms.⁴¹

Though the EU ban this time is on the issue of quality, the next one might be on the issue of dismal labour rights in the units. Hence we emphasised that the unit owners should sit together and decide on these matters as well, otherwise they stand a good chance of being shown the stick by the importing countries on account of violation of labour rights. The managements promised that they would soon endeavour to ensure that workers are paid minimum wages at least and that they would attempt to limit the role of contractors. Manager of the Cham unit (Porbunder), Nair told us that because of all the problems that come from the use of contract labour through the contractors, he himself has been involved in the business of recruiting women from Kerala since the last two years. This greater initiative on the part of the management to secure the workers contract directly is seen to minimise the problems arising from their dependence on the contractor.

We had noted in the course of our visit to Veraval that the government-appointed machinery to check/monitor the quality of products at the units in the locality was far too ill-equipped. In an area where there were at least 49 operational units, the Export Inspection Agency had a supervisory director at its office, a clerk, a couple of office assistants and, according to the director, three lab technicians. Even if they were to visit each unit a couple of times a month their task would remain incomplete. Therefore, a lot was obviously left to the decisions and conscience of the unit owners and this was probably what backfired on them on account of lapses in the maintenance of standards laid down. After the EU ban, the government has come out with a set of extensive recommendations for the EAI.

The EU inspection points out that the problem of raw material begins to occur after it reaches the fishing harbour. This means that there is need to maintain better hygiene at the workplace. Hence it is necessary to have workers' participation and train them in a cleaner work process. Production managers also need to ensure the provision and use of gloves by the workers. This was stipulated much earlier by the MPEDA though rarely executed in the units. The recommendations on hygienic ways of working with seafood as specified in the MPEDA bulletin, if distributed in regional languages in every unit, would go a long way in creating a more hygiene-conscious worker. Since most of the women workers in the units have more than middle schooling, such information brochures putting out dos and don'ts in simple terms, could be easily implemented.

In many of the units, Managers themselves pointed out that it was not possible to get women to wear gloves and at the same time expect them to increase their productivity, as it impedes free movement of the hand. The women, on being asked as to why they did not wear the required gloves, pointed out the poor quality of the gloves provided by many of the units. At other times it was stated that the women were not given as many

41. Letter from the Manager, Amar Cold Storage, Porbunder to C.Chcrian, President, Seafood Export Association of India dated 18-8-1997.

gloves as needed and they had to make do with worn out gloves as managements wanted to avoid added expenditure.

Now that the total ban on seafood imports from India has been lifted by the EU, it is necessary for the industry to move towards providing a better deal for their workers. If India wants to keep for itself the market it has secured, the issue of labour rights in the sector needs to be reworked. Otherwise, sooner or later, like the garments sector where international concern about the evil of child labour has intensified in proportion with the momentum of exports, the seafood industry will come under the probing eyes of those who excel in dressing up non-tariff barriers as humanitarian concern for worker welfare abroad. It would be preferable if the industry on its own rises to the occasion and makes the required changes and contributes to build a more civil order, providing a more just share of the profits to the workers whose day and night toil generates voluminous profit to this industry.

7. Recommendations for Future Course of Action

It is fairly apparent from the foregoing discussion that there remains a big gap between statutory obligations of employers and actual practice of labour relations. There is the urgent need to take up the issue of rights of workers in an industry that records thousands of crores of rupees as turnover from the export trade. In the wake of globalisation, efforts to rally the state and industry around the issue of providing the workers with a better work environment are imperative. Due to the growing concern within the developed markets about the conditions of work and hygiene in the sector, there is congruence rather than conflict between the goal of improving working conditions and the interests of the industry as a whole.

The seafood exporting units, are major players in the international market and therefore they are expected to conform to some minimum standards as stipulated in the industrial labour laws of the country. There is an urgent need for reforms on the labour relations front of this industry. Employers are interested in profits and the government in foreign exchange that the sector earns through exports - labour is not a prime concern for either. A strategy that manifestly links the conditions of labour to turnover and forex earning potentials would make both sit up and take notice. The starting point of such a strategy is to bring the fish processing sector, in its entirety, under public scrutiny. Its earning potential, the service it does to the nation through earning foreign exchange, the employment it creates, the taxes the sector contributes to the exchequer - all these should be highlighted, along with the conditions of labour in the sector. This would secure the attention of the government and the public at large, put pressure on the industry to accept transparency as the norm rather than the exception and facilitate importing country surveillance of the sector. This situation can be utilised to improve the conditions of the workers by taking steps on the following lines:

1. It is necessary to simplify labour laws to make them more worker friendly. Since the laws are long winding and complex with too many ifs and buts, the managements are able to tap the loopholes whenever caught in a tight situation.
2. There is the need to have a tripartite meeting between labour, capital and the State to discuss the pending issues in the realm of workers' rights. The meeting can then make recommendations on action needed to improve the dismal work environment of the workers.
3. Labour education could contribute to the building of the consciousness of the workers in order to enhance their rights. Leaflets could be brought out on basic rights of a worker in the various regional languages in India. Subsequently, short term interactive orientation courses for educating workers on their rights could be taken up. In due course, these methods will enhance the possibilities for creating a more aware, conscious worker which is absolutely essential for any campaign on labour rights to take off.

4. For effective operation of labour laws it is not possible to rely just on the State. Hence it is envisaged that there be some form of networking from the local to the national level to check irregularities on the labour front.
5. Unions, non-government organisations, social welfare organisations and state departments can co-operate to create the requisite conditions favourable for the worker by making demands on both the State to enforce, and management to endorse the spirit of the labour laws.
6. It should be made clear to the unit owners that if they are not serious in providing their workers with better wages and working conditions, they can be targetted by the importers with consumer protection action as is there in Europe. If there are attempts to label products as consumer friendly (such as Euro-C) when they have been produced in an environment that has not taken undue advantage of workers, then a lot of the units from India will be unable to export. Therefore it would be in the interest of the unit owners to do the needful in their units.
7. It should also be made clear that it will not be acceptable for units to deny the right to information demanded by any organisation, union or social worker about the conditions of the workers in their units. This sort of secrecy about the working of labour is unacceptable in today's world and more transparency has to be ensured.
8. It is necessary that the units make available the necessary medical facilities for all their workers, contractual or regular. Employers should provide for medical insurance of their employees.

There is need for construction of hostels for women by the State in such towns where migrant women are in large numbers. This will give the women a sense of security as well as freedom as they will not be tied down to the will of the unit owners as at present.

Appendices

Section A

In Kerala the hours of work vary between 8 and 9. Though there are reports that the piece rate workers are worked overtime for long periods, the regular workers in the units are worked in two shifts, between 9-6 and a similar night shift.

Section B

Wages of women who work as peelers are dependent on the work available as also their ability to do it. A number of women we met stated that their peak earnings were upto 30 tokens per day and during the slack season as low as 5 per day. Thus there was no stable income accruing to this section of the workers. Their piece rate wages are: Rs 2.25 per token x 40 tokens/day between September -March

Section C

Most common reasons as to why some of these women opted for working as migrant workers in the fish processing units in different parts of the country are given below. This information was got during visits to their homes in Kerala where the women workers had returned after a stint at a unit, or were just about to leave for work in the units. Most of the areas visited were the fishworkers villages in and around Thiruvananthapuram, some in Alapuzha and others from Chellanam near Kochi. Our sample is mainly from the fish worker community. It is to a large extent true that a major section of the workers initially came from these families though now the trend is changing. Hence the most common answer to the question why they took up work as migrant workers in the fishprocessing plants is lack of work for them back home in the traditional fishing industry.

1. I was attracted because of my sister who worked in the unit.
2. Mother sent me to work for buying gold for marriage. Grandma is a fishvendor but mother does not think much of the job, therefore I went off to the unit
3. No other work.
4. Saw that all the girls who went to work could buy clothes and gold.
5. Father does not have the means to look after our big family.
6. It was the only available job.
7. Work gives me freedom to do things I like with my friends, enjoy the work.
8. At least we have enough money to buy our soap & oil and make a lot of friends.
9. This job helps me take care of my children's future better.
10. Mother took us.
11. No fish no work here on the coast.
12. I went as a packer, learnt grading soon but still got packer's wage. I worked only after father died.

13. We were unable to survive here earlier. The network helped us get the job. Even though the work is taxing on our bodies and for long hours, we go on, keeping in mind the security and needs of the children
14. I enjoy my work as I am allowed to learn any job. But I often take off from work and loose wages
15. Our house was in bad shape and we worked to build our home. As father drinks, there was no money here. So we had to go out to fend for ourselves
16. Lot of girls prefer the better environment and opportunity to stay away from fights at home. Girls are sent back home if found to be immoral.
17. Worked earlier as domestic worker and then at weaving. Both gave me a measley income. This income is attractive.
18. I learnt tailoring and was doing all the housework. Going away meant a freer life.
19. I did not like coolie work and the public perception about it
20. It gave me the ability to save money.
21. I was not interested in studies
22. I enjoy my work though I do miss family. It provided economic freedom.
23. Did not get enough fish to vend. Came back before Easter as I did not like the job
24. I was interested in the work as I earlier used to help mother with the job.
25. I have no other way to care for my daughter's children. Now I feel it is a secure work environment, besides my grandsons need good food. So I came back.
26. Working with ice in hand is tough but we bear with it.
27. I wanted to go to convent but because of family pressure I took up the job. I don't like to go to the fish market & wanted to serve god but couldn't. I want to study. Now, I can afford everything with my work, help my parents with my income
28. Peeling was not at all enjoyable, but now I enjoy being a packer
29. I enjoy my work though there is physical strain. No other options are available. Although I am far away there is no kind of dissatisfaction from the family.
30. Worked to add to family income to marry off my sisters
31. Used to peel at Aroor when I was 12 yrs old. Worked for 7 years at Sadaf and received bonus etc. Now I am back again working in the company for three years.

The distance makes it possible to save. Carrying tray packs is very strenuous work. After work we wash worktable, & outside with chlorine & acid & bleach. Our eye burn, we vomit.

