

The Complexities of Construction Labour in India and the Invisibility of Labourers from the Global Value Chain

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The construction sector holds great economic importance worldwide. It is recognized as the ‘biggest non-agricultural industry in the capitalist world’ (Srivastava and Sutradhar, 2016: 2). It stands as the foremost consumer of raw materials globally, and it was forecast to achieve growth of 4.2 per cent annually from 2018 to 2023 in terms of market value (Carbon Pricing Leadership Coalition and International Finance Corporation, 2018). Furthermore, its interdependence with various sub-sectors – such as cement, iron, steel, and brick production, and service sectors such as education, finance, or health – makes it an important part of numerous global value chains (GVCs). Indeed, major construction companies often serve as lead firms in both product value chains and human supply chains (Gordon, 2017; Crane et al., 2019; Barkay et al., 2024).

This interdependence between the construction sector and numerous sub-sectors involves both vertical and horizontal intersections within diverse value chains. The scale of the processes, phases, and stakeholders involved in the construction process within these diverse value chains – such as design, production, conversion of raw materials into manufactured products, and on-site construction – highlights the sector’s economic significance (Carbon Pricing Leadership Coalition and International Finance Corporation, 2018: 2). Nevertheless, the sheer number of processes, combined with ‘the fixed-term, project-based nature of relationships along the supply chain’ contributes to a highly fragmented and multi-tiered structure in the sector (Carbon Pricing Leadership Coalition and International Finance Corporation, 2018: 2). Construction projects are not only characterized by significant variability

in type and scale, ranging from buildings to major civil engineering projects and large-scale infrastructures, but are also at the mercy of ‘local conditions, purpose, regulations, codes, and resources that evolve with time’ (Carbon Pricing Leadership Coalition and International Finance Corporation, 2018: 6). Therefore, to understand the complexities of labour exploitation within construction projects, a highly nuanced analysis of GVCs is required.

While GVC frameworks are useful for understanding exploitative practices such as trafficking or modern slavery in various industries, in the case of construction they have largely been applied to global markets or large-scale projects. To address exploitation within national boundaries or at local levels, a shift from the GVC framework to a domestic value chain (DVC) framework is imperative. Crane et al. (2019: 87) rightly argue that ‘the focus on GVCs instead of domestic supply chains has made it unclear whether and to what extent forced labour is actually associated with production for export rather than local consumption’. As noted, the GVC framework emphasizes the product and the various stages of production flowing mainly from the ‘input-output structure’ (Crane et al., 2019). The product value chain in the construction sector is diverse and easily traceable from its beginning (raw materials) to the finished product (the built structure). However, the human/labour supply chain that is intricately interwoven here is much less readily identified, and certainly less discussed in the literature (Crane et al., 2019). This chapter addresses this gap by focusing on the human supply chain in the final stage of the broader construction-product value chain: on-site construction. More specifically, it examines the recruitment and working conditions of construction workers in India.

The construction sector in India serves as a crucial economic driver. According to a recent report, the Indian construction sector’s 2018 output expanded by 8.8 per cent in real terms – up from 1.9 per cent the previous year, indicating an increased influx of workers into the sector (GlobalData, 2019). Labourers are primarily contracted to work informally (Ethiraj, 2020; Srivastava and Jha, 2016), making it particularly challenging to scope and study the labour supply chain in India. In a recent collaborative publication, the International Labour Organization (ILO) and the research-policy network WIEGO estimated that two billion people (61 per cent of the global employed population) work in the informal sector (Bonnet et al., 2019). This informality renders the workers particularly vulnerable to exploitation.

The construction sector workforce in India, primarily composed of internal migrants, is usually subcontracted through a multi-tier human supply chain. Worker contracts vary considerably depending on factors such as the magnitude

and nature of the project in question, the special design requirements of the buildings, annual investments by the construction company, and the complexities of the work that the labour force is required to perform on the construction site. Many construction projects are thus materialized through smaller, short-term contracts. Exacerbating this precariousness, many labourers are also brought in on verbal contracts and through kinship networks. Furthermore, variations in the scale of the workforce and its composition across different stages of the on-site construction process add to the invisibility of these workers' contributions to the larger value chain, particularly on smaller construction sites. Consequently, they often remain outside the scope of legal frameworks governing the value chains.

The sector is also characterized by pervasive informality: many labourers are hired by subcontractors who, themselves, have been brought in on mere verbal contracts and through kinship networks. In spatio-temporal terms, these workers may be on-site for limited periods only, frequently moving to new sites upon project completion or the conclusion of their own tasks. This movement can span single construction sites, cities, or across states and countries, rendering the nature of informal work in the construction sector ephemeral and mobile. Scholars studying the sector describe workers as experiencing a sense of spatial discontinuity, though the type of work remains largely the same (Srivastava and Sutradhar, 2016; Shivakumar et al., 1991). This form of circular migration is a distinctive characteristic of the construction sector in India that also increases workers' vulnerabilities and ephemerality.

This chapter focuses in particular on recruitment practices in the construction sector, the movement of workers, and bargaining in the shadow of existing legislation. Drawing on Hila Shamir's labour approach to human trafficking (2012), complemented by Prabha Kotiswaran's development approach (2019), we suggest that, to address exploitative recruitment practices and working conditions in the sector, the root causes of workers' vulnerability – which lie in structural and socio-cultural factors – need to be re-thought and transformed. Following Shamir's analysis, we argue that severe forms of labour exploitation in the construction sector should not be understood as exceptions but rather as logical manifestations of the underlying conditions and structural characteristics of the Indian construction sector. We contend that these exploitative recruitment practices can be best understood by adopting the labour approach framework and focusing on market conditions such as partial regulatory frameworks and inadequate application of workers' protections. Moreover, we seek to go beyond this analysis by exploring workers' movement and informality through Kotiswaran's development approach, which considers

the larger context of agricultural distress, forced migration, and socio-cultural hierarchies. Drawing from the frameworks already developed, we seek here to lay the groundwork for developing a 'worker-centric approach' to understanding the dynamics of the value chain in the construction sector in India.

In the next part, we introduce our research methodology. We then proceed to a detailed study of the factors that contribute to construction workers' vulnerability in the Indian construction sector, including regulation, exclusions, and lack of enforcement of protections within the predominantly informal workforce of construction sites. This is followed by an analysis of labour market dynamics and characteristics within the context of the developmental state. Additionally, we explore the movement – internal migration – of Indian construction workers into urban areas, interpreting it as a consequence of increasing distress migration reflecting the growing insecurities among the less privileged. Finally, we overlay this understanding with Kotiswaran's development approach to offer a more holistic analysis of the employment of labourers in the sector within the context of social hierarchies, reflected in hiring practices, working culture, and informality within the construction sector. By combining the labour and development approaches, our aim is to address lacunae in the existing legislation and literature in this field, providing us with better tools to understand the potential role of the state in protecting workers' rights.

Methodology

The inquiry presented in this chapter relies on both primary and secondary data sources. Academic studies, including journal articles dealing with the construction sector, trafficking, supply chains, and GVCs have been reviewed for the purpose of analysis. Other secondary sources consulted here include books; Indian labour laws; census data; government, non-governmental, and stakeholder reports; and landmark judgments and court orders relating to construction workers in India. Analysis of secondary literature revealed that the Indian construction sector is highly fragmented but that most studies focus on large projects such as real estate and infrastructure development. Fewer studies focus on small and short-term construction projects whose labour force includes both skilled and unskilled workers.

To complete the picture, primary data were gathered through semi-structured interviews with construction workers and a sample of organizations

in Delhi advocating for their rights. The study employed mixed methods in the field. The fieldwork was conducted from September to November 2019, in the National Capital Territory of Delhi. To highlight the nuances of construction work, we selected two residential building sites in the Vasant Kunj locality, where houses were actively under construction. Proximity to the home of one of the authors enabled non-participant observation of the workers' daily lives at the sites. All the workers who were interviewed stayed in temporary shelters at the sites, and this allowed us to observe their work and after-work routines and the conditions they were staying in. Additionally, we conducted interviews with 10 construction workers present at the sites outside of working hours. Interviews with advocacy organizations – such as the National Campaign of Construction Workers spearheaded by NIRMANA – that actively work to secure construction workers' rights provided insight into existing gaps in sectoral laws. Attempts to interview subcontractors, however, proved unsuccessful. All references to interviewees have been anonymized (using fictitious names, where necessary, to ensure privacy).

Worker Vulnerability in the Indian Construction Sector

This part covers the numerical presence of construction workers in this ever-growing sector and attempts to trace their movement patterns. It is widely recognized that many workers employed in the Indian construction sector are circular migrants or seasonal labourers (Srivastava, 2011; 2020a), often eluding official counts and census data. The uncertainty surrounding the actual number of workers employed in the construction sector impedes the proper implementation of the law, thereby exposing workers to vulnerabilities and exploitation. Furthermore, the movement of workers from their place of origin to the destination sites is not always linear, in the sense that the workers undertake circular and seasonal migration while also moving from one site to the other. These complexities prompt an examination of the position of workers and the structure of the DVC in the Indian construction sector and how the dynamics of the human supply chain work. The causes of worker mobility are numerous, and since the presence of informal workers is extremely difficult to systematically trace, their contribution to the DVC remains obscure. A brief analysis of worker numbers and migration patterns can enhance our understanding of their vulnerabilities and emphasize the lack of recognition of their presence in the Indian DVC.

Numerical Overview of the Construction Sector

Here, we attempt to understand the structure of the Indian construction sector and the reasons behind its circular migration phenomenon,¹ which often results in a significant number of migrants being excluded from the census count. A *migrant*, as defined by the Census of India, is ‘a person enumerated in the census at a different place than his/her place of birth’ (Registrar General of India, 2011b: 1). Consequently, the Census fails to adequately account for short-term or circular migrants. The Government of India’s National Sample Survey Office (NSSO) published a report on internal migration covering the period 2007–08, in which it defined *short-term migrants* as ‘persons who had stayed away from the village/town for 1 month or more but less than 6 months during the last 365 days *for employment or in search of employment*’ (NSSO, cited in Ministry of Statistics and Programme Implementation, 2010: H-iii). However, according to Ravi Srivastava (2020b), most circular migration lasts between seven and nine months. The definitional ambiguity thus potentially leaves a substantial number of circular migrants from being considered in any official statistics.

Most short-term migration in India ultimately serves the construction sector (see Table 9.1), and estimates suggest that there are more short-term migrants than long-term migrants (Ministry of Housing and Urban Poverty Alleviation, Government of India, 2017). According to Srivastava (2011), the number of short-term migrants was estimated to be 40–50 million, while long-term migrants numbered 30–35 million. No further figures have been released since then, but it is reasonable to assume that they have risen tremendously.

Table 9.1 Occupational structure of short- and long-term male migrant worker population in India

	Rural Origin		Urban Origin	
	Short Term	Long Term	Short Term	Long Term
Primary	24.9%	59.5%	13.2%	14.7%
Manufacturing	16.8%	13.1%	26.0%	19.9%
Construction	41.6%	5.3%	25.2%	5.3%
Traditional Services	13.0%	11.3%	23.0%	25.0%
Others	3.7%	10.7%	12.6%	35.1%
Total	100%	100%	100%	100%

Source: NSSO (2007–08), quoted in Ministry of Housing and Urban Poverty Alleviation, Government of India, *Report of the Working Group on Migration* (2017: 13).

Construction is the second-largest employment sector after agriculture in India, with the latter employing 60 per cent of the country's workers. In recent years, the agricultural sector has experienced distress, while the manufacturing sector has faced stagnation. The ensuing decline in employment opportunities has led to increased seasonal/circular migration from rural areas to urban centres. According to the Government of India's *Periodic Labour Force Survey 2017–18* (Ministry of Statistics and Programme Implementation, Government of India, 2019), 11.7 per cent of male workers and 4.1 per cent of female workers were engaged in construction work in urban areas. The sector's contribution to employment has significantly increased, even in rural India, where the proportion of male and female workers engaged in construction has risen considerably over the years, from just 1.7 per cent in 1977–78 to 14.5 per cent in 2017–18 for males and from 0.6 per cent in 1977–78 to 5.3 per cent in 2017–18 for females. In urban areas during the same period, the percentage for males increased from 4.2 per cent in 1977–78 to 11.7 per cent in 2017–18; and, for females, it rose from 2.2 to 4.1 per cent (Ministry of Statistics and Programme Implementation, Government of India, 2019).

A report by the NSSO (2016–17) puts the number of construction workers in India at around 74 million (NSSO, cited in Saha et. al., 2021). This implies that the construction sector, being one of the major employers of migrant workers (or workers in general), needs more robust legal safeguards and a worker-centric framework to reduce exploitation and inequalities.

However, existing frameworks and legislation are not only faced with implementational constraints but must also contend with data insufficiencies. If the aforementioned numbers and estimates are taken into account, it appears there is an underestimation of the number of circular migrants in the construction sector. Furthermore, since no specific survey is undertaken to ascertain the number of migrant workers in the construction sector, a section of migrant workers remains unaccounted for in the official data. Even the (unofficial) data reported independently by different organizations or advocacy networks are not pulled together to gauge the extent of the problem. A lack of coherence in the data pertaining to the internal migrants in the construction sector makes for difficulty in implementing the law as well.

Mobility and Construction Work

Besides the natural human impulse to search for a dignified way of living and a way to fend for oneself and care for one's family, several specific factors – indebtedness,

agricultural distress, poverty – contribute to internal migration towards the construction sector in India. Deshingkar and Akter (2009: 5) report that ‘circular migration is the main form of mobility for work and that such migration is higher among the poor and especially SCs and STs [Scheduled Castes and Scheduled Tribes]’. As one of the major absorbers of the migrant population, the construction sector attracts both skilled craftspeople and tradespeople (masons, carpenters, electricians, plumbers, and so on) and unskilled workers. Although there is some room for upward mobility, poorer, lower-caste, and tribal migrants tend to remain in low-paid, unskilled jobs (Bowers, 2019; Roy, 2019). Roy (2019: 78) has suggested that the ‘highly fragmented nature of India’s construction industry contributes to the vulnerabilities of circular labour migrants’. The working and living conditions and wages are questionable, drawing the attention of many scholars, activists, and human rights organizations. Respondents from the field corroborated that men are paid more than women and that there is further discrimination among men on-site, based on skill and seniority. Determining seniority among migrant labourers in the construction sector is problematic since one worker who is new to one particular site may have worked for some time on another site and acquired different skills there, yet may not be accorded any seniority on the new site. The ephemerality of workers in the construction sector makes for fluid hierarchies. Despite these vulnerabilities and hardships, one study estimated that a quarter of short-term inter-state circular migrants are active in this sector (Srivastava, 2020b); and, if we include the intra-state circular migrants, then 50–60 per cent of workers employed in the construction sector are circular migrants (Srivastava, 2020b).

Srivastava et al. (2014: 7) note that ‘contractors, along with family members or kinfolk of the labourers, are the ones who influence the decision of the worker to migrate’.² Similarly, Roy (2019: 83), in his analysis of circular migration in Bihar, points to the fact that mobility outside rural boundaries is the result of the ‘dynamic interaction between political inclusion and spatial mobility’. He suggests that the decision to migrate is greatly influenced by villagers seeking opportunities beyond the traditional boundaries of caste occupation, driven by ‘growing subaltern confidence’ (Roy 2019: 82). Other scholars, too, argue that, apart from the push-and-pull factors of economic growth, the quest to break free of hierarchical social and caste structures in rural communities may also drive migration. Roy’s case study from Bihar illustrates how the decline in power of the upper-caste landlords, the growing land ownership of lower-caste peasants, and the untouchable workers caught in-between this conflict lead the latter groups to migrate. Migration occurs mostly among those lower down the

caste hierarchy who were previously agricultural labourers on the landholdings of upper-caste landlords. Similarly, Danailova-Trainor and Laczko (2010) found that development initiatives aimed at alleviating poverty may contribute to migration, since people move out of abject poverty and migrate in search of a better life with their newfound confidence and knowledge.

These factors can be understood as social consequences of economic conditions. Most migrant workers possess extremely scant assets in terms of landholdings and lack reliable sources of income in their native villages. Bowers (2019: 21) argues that 'the increasing number of landless and land-poor families in rural India' has led to limited options for sustaining their livelihood. In these circumstances, circular or seasonal migration serves as a crucial subsistence strategy (Srivastava and Sutradhar, 2016). Bowers (2019) also highlights that the growing construction sector acts as a major alternative to agricultural work when it comes to absorbing migrants, owing to its demand for unskilled labour.

However, scholars posit that individuals migrate to cities not to establish new homes but, rather, to support their households back in their villages. According to Picherit (2009) and Pattenden (2012), the construction sector offers the best compensation and sustainability for such scenarios since it allows workers to return home intermittently. Circular migration thus enables construction workers to fulfil 'aspirations and objectives which largely remain rurally rooted – the paying off of agricultural loans; the marking of lifecycle events; ... and in their most basic form, the sustenance of one's family' (Bowers, 2019: 32).

Applying the Labour and Development Approaches to the Indian Construction Sector

On the one hand, the legal discourse on modern slavery has focused on a criminal justice response that attempts to prosecute traffickers and perpetrators such as employers and buyers – alas, with little success. On the other hand, the human rights approach to trafficking depends primarily on the 'two central expressions of international willingness to address trafficking', namely the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000 (Trafficking Protocol) and the US Trafficking Victims Protection Act of 2000 (TVPA) (Shamir, 2012: 78). In the paper entitled 'A Labor Paradigm for Human Trafficking', Shamir (2012) argues that the human rights approach and the criminal justice response to the issue of the unprecedented increase in modern slavery are inadequate.

Following the ratification of the two aforementioned legal instruments, many states formed their own anti-trafficking legislation and policies that can be characterized as victim-oriented and deeply rooted within the larger principles of 'prevention, prosecution and protection'. However, as Shamir (2012: 79) further emphasizes, 'the implementation of these international and national legal instruments has focused on sex trafficking – the trafficking of women and girls into the sex industry for prostitution – while tending to ignore labor trafficking – the trafficking of persons for the purpose of labor exploitation into other labor sectors'.

Shamir's paper poses the problem that the human rights approach to trafficking may leave employers' exploitation of employees in some major labour sectors around the globe unaddressed. She contends that 'human trafficking is better understood as predominantly an issue of economic labor market exploitation, and therefore a labor approach to trafficking is required to deal with the phenomenon's underlying causes' (Shamir, 2012: 80).

The findings and recommendations of Shamir (2012) thus draw our attention to the overlooked exploitative practices prevalent in the construction sector, leading us to advocate a more holistic theoretical framework to focus on labour exploitation practices. We share Shamir's view that the human rights approach to trafficking has, to some extent, become part of the problem, as today's anti-trafficking efforts concentrate mostly on criminalization of the exploiter. Less attention is given to the supply chain, employment conditions at the source of movement, and destination sectors and geographical areas. Furthermore, criminalization overlooks the willingness of the trafficked person to return to the place of employment, thus affording them less opportunity to break the cycle of exploitation or acquire more negotiating powers. In the construction sector, then, most of the exploitative activities of the employers are overlooked by legal intervention; and, since the workers are mostly migrants, they suffer social and political exclusion (Roy, 2019: 93).

In presenting the labour paradigm, Shamir's focus remains on the structural aspects of the labour market that she frames as the primary cause of workers' vulnerability and exploitation. This paradigm then addresses the workers' weak bargaining positions, substandard working conditions, and lack of rights. Shamir believes that the trafficked person can exert agency in changing their own situation. She also – like Chuang (2010) and other critics of the anti-trafficking framework – argues that more attention should be paid to the movement/migration of labour and to the working conditions attached, some of which the migrants might agree to and some of which they might not.

However, this is where we would like to depart from Shamir's argument in favour of largely expanding on the definitional and categorical understanding of trafficking. She argues for human trafficking to be seen as labour market exploitation as the issue at the root of the human trafficking problem. She does not go as far as dismissing the terminology of 'trafficking' altogether. Trafficking, for Shamir, is 'severe labor exploitation that shares characteristics with other forms of worker commodification, which is, to some extent, typical of all employment contracts' (Shamir, 2012: 82). According to this understanding, the distinction between worker exploitation and trafficking is thus a matter of degree and not kind, with trafficking being at one extreme of the continuum of commodification.

The arguments presented in the study by Shamir (2012) are written in the context of cross-border migration, which tends to be permanent, suggesting that unionization could be a possible policy response that improves the bargaining power of workers. However, motifs of exploitation are also discernible even in the national informal sectors, construction being one such arena. As we have seen, a large proportion of migrant workers in India find employment in the construction sector, which is characterized by its discrete and fragmented nature and the high incidence of informal employment that relies on a circular-migrant workforce (Roy, 2019). Nevertheless, for short-term local migrations, where destinations vary, as seen in India, there need to be other solutions. Informal employment in the construction sector typically involves circular migrants, whose vulnerabilities are well documented (Connell et al., 1976; Roy, 2019: 78). Concomitantly, exploitative practices in the Indian construction sector often go unnoticed, due to the social and political exclusion faced by migrant workers (Roy, 2019: 93).

In light of these observations and oversights, we argue for a more holistic and comprehensive framework to examine labour exploitation practices. Kotiswaran's (2019) development framework calls for a more holistic and micro approach. This framework moves away from the carceral criminal justice model, seeking instead to address the root causes of trafficking and exploitation within the global economic order. Taking the example of India, Kotiswaran argues against a single universal development approach. Like Shamir, she also criticizes the transnational legal order for its focus on trafficking as an organized crime that calls for a criminal justice response. A crucial insight from her work, diverging from Shamir's framework, is the significant proportion of unorganized workers in India. She contends that even as the state liberalizes, it continues to implement welfarist measures to secure its vote bank. Kotiswaran

emphasizes the need for labour reforms and improved implementation of labour laws to tackle the root causes of labour trafficking, arguing that Indian laws have been grounded in Indian realities while also being quite progressive in terms of workers' rights and social security.

In this regard, Kotiswaran references the National Rural Employment Guarantee Scheme (NREGS), which promises work to potential labourers for 100 days. She also mentions labour law reforms – via the Contract Labour (Regulation and Abolition) Act, 1970 (CLRAA);³ the Bonded Labour System (Abolition) Act, 1976 (BLSAA);⁴ and the Inter-state Migrant Workmen Act, 1979 (IMWA)⁵ – as indicative of the state's progressiveness in terms of workers' rights and social security. According to Kotiswaran, these legal reforms reflect Indian realities and account for the diversity of informal labour and other social factors in India by providing definitions and solutions to employer–contractor–employee relationships without labelling them as 'trafficking'. She notes that the global trafficking debate, along with the laws derived from it, often distinguishes between 'traffickers'/'exploiters' and the 'trafficked'. However, she argues, these labels are inadequate and restrictive when applied to the Indian construction sector because, in many informal labour sectors in India, supply chains are built on kinship networks, blurring the lines between employer–employee and trafficker–trafficked relationships.

Kotiswaran (2019: 415) concludes by advocating for a development approach to trafficking that 'focuses on addressing root causes rather than an *ex post facto* approach based on prosecutions, raids, rescues and paternalist models of institutionalised rehabilitation'.

Nevertheless, her inclusive welfarist approach does not address the full spectrum of reasons influencing migrant construction workers to leave their native villages and seek work elsewhere. For example, Roy (2019) identifies social structures, dignity, and the desire for a respectable lifestyle as factors driving migration. Bowers (2019) also highlights that, in addition to financial vulnerabilities in their native villages, the aspiration for an urban lifestyle influences the decision of some migrants to leave. Shetye (2020), one of the authors of this chapter, found that the breakdown of social relations and the rejection of non-normative lifestyles compel women to undertake unsafe migration, a pattern not fully explained by Kotiswaran's theorization. In such cases, the development framework may fail to consider the subjective realities of migrants, especially in the cyclical and fluid construction sector.

While we acknowledge that each of the two frameworks helpfully endeavours to encompass larger areas of influence pertinent to the issue of trafficking and

exploitation, neither can be applied to *all* sectors – and certainly not to the Indian construction sector. To distinguish our work from these frameworks, we present the legal perspective in the next part, followed by an analysis of our field experiences to incorporate the subjective realities of workers and contractors in the construction sector, often overlooked in the discourse on modern slavery.

The DVC of the Indian Construction Sector and Worker Vulnerability: The Need for a New Framework

The Legislative and Regulatory Framework: Insufficient Protection of Construction Workers

Article 39 of India's Constitution mandates the state to direct its policies towards securing the right to an adequate means of livelihood, ensuring equal pay for equal work for men and women, safeguarding the health and strength of workers, and ensuring that citizens are not forced by economic necessity to undertake work unsuited to their age or strength. Article 41 guarantees the right to work, and Article 42 concerns just and humane conditions of work and maternity benefits. Together, these constitutional rights establish basic minimum standards for workers, irrespective of their status.

As noted earlier, the construction sector is regulated by the BOCWA. This Act sets out the conditions of work for establishments that employ 10 or more workers in a year (cumulatively) (Section 1(4)).⁶ It covers skilled, semi-skilled, and unskilled construction workers between the ages of 18 and 60 who have been employed for at least 90 days in the preceding 12 months. Given the requirement for a minimum of 10 workers, in practice, it tends to be only larger projects, including residential and commercial ones, that fall under the jurisdiction of this Act, as smaller building projects commissioned by individual homeowners are effectively excluded unless they employ a greater number of workers. The Act includes social security provisions for pension contributions, maternity benefits, the education of children through Social Welfare Boards, and provisions regulating hours of work, wages, access to drinking water, housing facilities, crèches, first aid, canteens, and safety measures for workers on larger sites.

Importantly, this Act provides for social security for all building and construction workers (pertaining to establishments employing at least 10 workers) through the establishment of Social Welfare Boards in Indian states. These Boards provide social security by collecting a *cess* (tax) under a sister law,

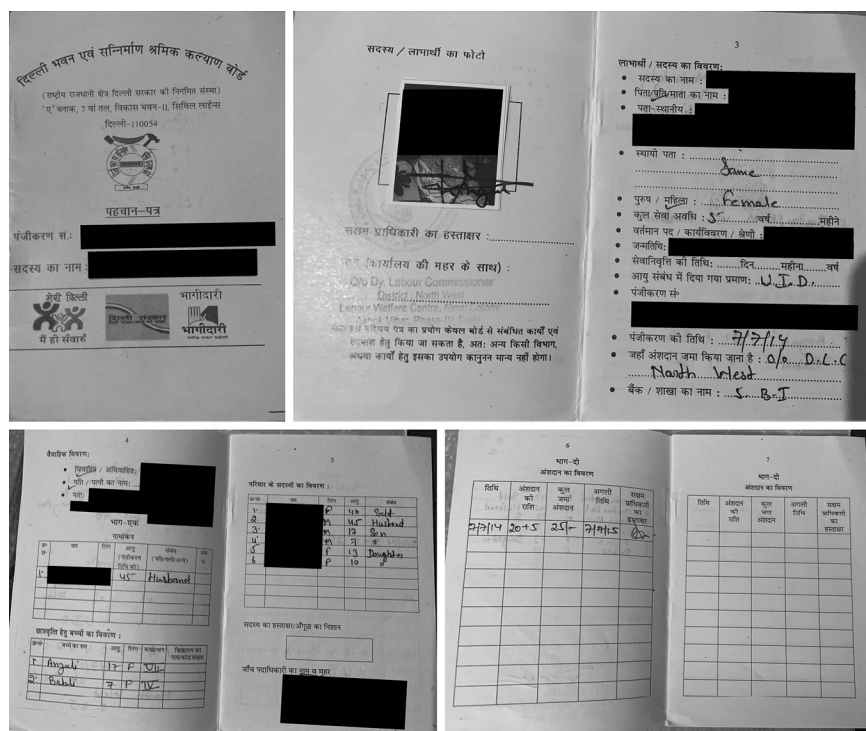
the Building and Other Construction Workers Welfare Cess Act,⁷ which was enacted in 1996. Under the Cess Act, the tax is levied according to Section 3, which mandates that it must be between 1 and 2 per cent of the construction cost. The proceeds of the cess are to be paid by the local authority or by the collecting state government to the respective board, after deducting the cost of collection, which may not exceed 1 per cent of the amount collected. Additionally, the Act includes a provision for obligatory interest charged on the cess collected in cases of delayed payment. However, the implementation of the BOCWA faces two main problems. First, there is poor registration of workers due to lack of awareness, circular migration, and unorganized hiring practices and, second, there are bureaucratic delays on the part of the national and state governments and a lack of intent to fulfil the commitment to provide welfare benefits.

In a landmark case concerning the welfare of construction workers (Writ Petition (Civil) 318 of 2006), the orders of the Honourable Supreme Court illuminated the under-utilization of cess and the poor registration of workers. In one significant order, dated 19 March 2018, the Court addressed the implementation of BOCWA and the Cess Act. Given the highly unorganized nature of the construction sector, the Court stressed the importance of implementing the social welfare measures outlined in the Acts and the need for proper constitution and auditing of the Social Welfare Boards collecting cess. The Court also highlighted the fact that only 28 million out of 45 million construction workers were registered with these Boards, meaning that far too many workers were not receiving the social security benefits provided for in the Cess Act. These Social Welfare Boards were tasked with providing assistance in a range of areas, including accident insurance, pension disbursements, loan approval, and financial support to fund children's education. Initially, the Court observed that, while cess was being collected by state governments, the benefits were not reaching the workers, and significant amounts of unutilized cess were reported across the country.

In a meeting with a trade unionist, the authors of this chapter learned that low registration was due to the unorganized nature of the work and the difficulty of providing the required proof of 90 days of work in a given 12-month period. Demonstrating these 90 days was challenging because workers moved frequently from one site to another, because of the nature of contracting, and because there was a general lack of awareness about maintaining proper documentation (such as timesheets) among both workers and employers. Moreover, the workers had neither stable employers nor stable contractors, often finding work through informal channels such as word of mouth and

Issues with registration persist despite the issuance of identity cards. During our fieldwork, we encountered two types of cards. The first type (Figure 9.1) is facilitated by a trade union and provides job and family details, along with the signature of the inspecting officer. In contrast, the second (more informal) type (Figure 9.2) (in this case, maintained by a contractor at a construction site we visited) lacks any relevant details from a social security or identification perspective.

In addition to the BOCWA and the Cess Act, other regulations, too, influence working conditions and hiring practices. The CLRAA (1970) and the IMWA (1979) regulate the terms and conditions of work and labour migration. The CLRAA regulates working conditions in establishments employing a



Source: The authors.

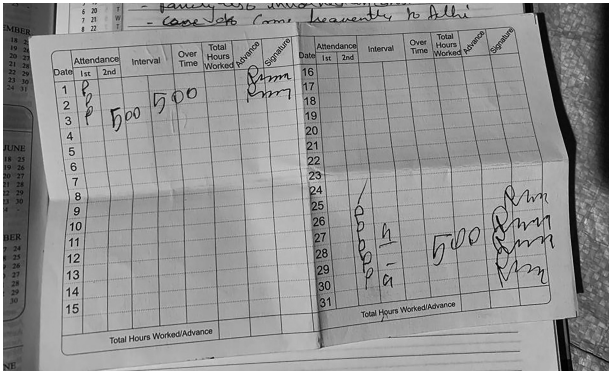


Figure 9.2 Identity card issued by a local contractor in Delhi
Source: The authors.

minimum of 20 workers: for example, the principal employer is obligated to provide specific facilities in the workplace. Under certain circumstances of employment, however, employers are exempt from CLRAA obligations. The IMWA regulates the hiring of inter-state migrant workers and mandates establishments and contractors to provide various facilities and social security to these workers, including provision for transport expenses.

More recently, the Indian government introduced new labour codes to consolidate some older (general and sector-specific) labour laws. These codes cover: (a) Wages (passed in 2019); (b) Industrial Relations (2020); (c) Social Security (2020); and (d) Occupational Safety, Health, and Working Conditions (2020). While these laws did not come into force until April 2021, after the data-collection period for our inquiry, the following offers a brief analysis of the clauses therein.

A notable difference lies in the expanded applicability of these codes, where the threshold for the number of workers was increased across the spectrum. The codes on social security and occupational safety continue to apply to establishments that employ 10 or 20 workers. However, the Occupational Safety, Health, and Working Conditions Code makes some distinctions for establishments where hazardous activities are carried out, leaving many workers out of these regulatory protections. Formerly, the CLRAA applied to establishments/contractors hiring at least 20 workers. This threshold was amended by the Occupational Safety, Health, and Working Conditions Code, increasing it to 50 workers. This Code also subsumed the IMWA, with the threshold from 5 to 10 workers.

Unions and activists have advocated for the application of these laws to *all* establishments where workers are hired. Scholars, too, have time and again pointed to how the older labour laws were not effectively implemented due to low worker registration, circular migration, and the temporary nature of the work, making legal entitlements inaccessible. These new Codes do nothing to address these issues, and they further weaken collective organization. We further believe the increase in the threshold for their application will likely leave even more workers outside the protective scope of social security and labour laws. However, implementation of these Codes has been postponed due to delays in the drafting of Rules under the Act.

Additionally, an analysis of trafficking laws shows that these do not address exploitation in the construction sector explicitly but, rather, in other more generalized contexts. For instance, the Trafficking in Persons (Prevention, Care and Rehabilitation) Bill, 2021, defines exploitation as

at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation including pornography, any act of physical exploitation, forced labour or services, slavery or practices similar to slavery, servitude or forced removal of organs, illegal clinical drug trials or illegal bio-medical research or the like.

Such laws therefore overlook sector-specific realities or the DVC of construction and other sectors.

Migration as a Driver of Unregulated Recruitment and Exploitative Working Conditions in the Construction Sector: Tracing the DVC in India

There is a growing body of literature dealing with the exploitative nature of the construction sector in India (Roy, 2019; Bowers, 2019). Bowers (2019) addresses the precarious working conditions at construction sites in terms of the payments of wages and other financial obligations, accommodation standards, employer conduct, and on-site safety. However, the extant scholarship often overlooks narratives surrounding the mobility of construction workers from one site to another and the nature of that movement. This part attempts to explore this aspect.

It is well known that construction site work, whether on large or small projects, is time-bound. Roy (2019) and Srivastava and Jha (2016), for instance,

have discussed the temporary nature of this work, which creates scenarios where workers are constantly having to seek new sites and employment opportunities. The movement of Indian construction workers often gravitates towards districts with higher levels of urbanization, such as Delhi-NCR, Gujarat, Maharashtra, Western Madhya Pradesh, Telangana, Tamil Nadu, Karnataka, and West Bengal. Furthermore, rural-to-rural mobility is common for migrant construction workers, leading to clusters in eastern and southern Uttar Pradesh, Chhattisgarh, and Odisha as well, where urbanization rates are low (Roy et al., 2017). According to those authors, major receiving cities for construction workers include Mumbai, Ahmedabad, Delhi, Chandigarh, and Kolkata, where most of the work is related to domestic projects.

Middlemen, including contractors or subcontractors, play an important role in mediating employment, reducing transaction costs for both employers and workers and determining working conditions. Studies have observed substantial variations in recruitment patterns across different types of projects. The construction sector, both globally and in India, presents disjunctures in capital production processes as well as in hierarchies of contracting and subcontracting, thus making negotiations difficult for workers (Srivastava and Jha, 2016; Clark and Herrman, 2004, cited in Srivastava and Jha, 2016).

Rama,⁸ a respondent in the present study, worked at the construction site (field site) along with her husband, performing tasks related to cement-mixing and carrying building materials. This type of work was considered unskilled, which is typical for the entire construction sector. In contrast, a male respondent, Chaman Lal,⁹ was more experienced and skilled in cementing techniques, enjoying a higher position and wage. Women often start and continue as helpers to their male counterparts, resulting in employers favouring lower pay for women. Female workers have limited opportunities for skill enhancement while balancing their unpaid household and care work, while men progress to skilled positions. This pattern was evident in the case of Rama and Chaman Lal, illustrating the sector's lack of regulation, albeit while offering opportunities to both skilled and unskilled workers.

As discussed earlier, most of the population in the construction sector in India consists of circular migrants (Roy, 2019; Srivastava, 2011). Circular migrants continuously move from one site to another, either following existing contractors or seeking work with new ones. In a study on the Bengaluru construction sector, Bowers (2019) describes how different projects provide various arenas of interaction and negotiations for workers. Drawing on the concept of 'ethnographies of mobility' (Roy, 2019: 78), unless a construction

project is long-term, there is arguably a continuous movement of workers among various sites within any given destination city (Bowers, 2019). The factors that lead to migration, as Roy (2019) suggests, are linked to the social structural conflicts of the village, the quest for dignified lives, and a growing confidence among subalterns. Adding to these factors driving worker migration, Bowers (2019) also suggests agricultural distress, landlessness, and hopes of creating a better future as contributing to these circular migrations. The construction workers anticipate the completion of their current projects and start looking for their next opportunities at different sites. Sometimes, they move with the same contractor from one site to another, while at other times they rely on a network of kinship ties from their village to find work.

Instances of dependency on kinship were evident in our conversations with another interviewee, Churan Singh,¹⁰ at a local construction site in Delhi. He informed us that, since his wife was from Delhi, he was in continuous contact with her family members in that area. His wife's brothers worked in shops, and they sometimes found renovation/refurbishment work for him. His mother-in-law was also proactive in helping him find work in Delhi, often coordinating with local contractors in the Munirka area. He explained:

I am not bound by any contractor. I go wherever I find some work. Working at the construction site is our temporary engagement every year. My wife and I work in the brick kilns in Punjab. We work there for six to seven months before the monsoon starts. During our off months, we look for any employment. Mostly it is at construction sites where we find unskilled labour opportunities.

He also mentioned that he had moved to several locations to work but mostly tried to stay close to Punjab, where he was working at the brick kiln. The ephemerality of construction sites and his lack of expertise limit employment opportunities for him and his wife. These factors also require him to constantly move from one place to another when he is not working at the kiln, with construction work being a fall-back source of employment.

The site-to-site movement of construction workers may also be linked to their relationship with the contractor or the construction company. Bowers (2019) notes that small companies working on multiple small projects tend to maintain relations with their workers by either withholding payment or providing advances beforehand, ensuring that the same workers move to the new site with the company. In some instances, construction workers remain on

one site for long periods due to the continuous nature of the project, relying on the contractor for the next project when the first one finishes. Another aspect is the role of multiple contractors and kin in securing the next assignment for work, as observed at our fieldwork site. The workers we interviewed mentioned their networking skills and said they were in touch with several contractors and kin from their native villages; and they also referred to the practical kinship relationships (Bourdieu, 1977) they had developed while working at the sites. Keeping in touch with multiple contractors provided the workers with a sense of security that they would be able to find work somewhere. As Bhanwar Singh explained:¹¹

... finding work isn't difficult. We already know our next two subsequent locations for work. It is due to working for a long time in the sector that we have developed our connections. When we were new from our village, it was a completely different scenario....

Other interviewees also highlighted the role that practical kinship plays in finding work. Workers prefer these associations with people they already know rather than relying on the contractors or people at the sites where they work. Mamta,¹² for instance, spoke about the importance of such relationships:

I was able to work as a domestic help when my husband was working at a site in the Western part of Delhi. A friend of my husband asked him to tell me to get in touch with his wife, who was also working as [a] domestic help. This way, I found a different job [from] working at the site. It was more convenient then. But since my husband has to move for work from one site to the next, I too have to do [so], as per his convenience. Moving from one place to another has taken away my sense of belonging.

Furthermore, due to the temporary, intermittent nature of migrant workers' presence at any given site, they are unable to 'draw upon the same means of collective organisation as settled workers' (Bowers, 2019: 20). Site-to-site movement, in one sense, *perpetuates* migrant precarity and dependency on employers and other forms of social relations. It also became clear from our field study that the power to control recruitment in the construction sector DVCs lies with the main contractor of the project. Even subcontractors rely heavily on these major contractors to get work. The power is diluted as we move further down the hierarchy. This is also true in the case of profit margins, as the main

contractor claims the lion's share. In this pecking order, as construction workers are merely temporary employees hired without any written contract, they lack any say in the negotiations over the split in profits of the project secured by the contractor. All these factors collectively make migrant lives precarious.

The labour market is one of the most important channels through which migration affects the well-being of informal construction workers. How migrants secure jobs in destination areas, their working conditions, wages, availability of social security, and their associational and bargaining power are all largely interwoven with each other in the available labour market. The uncertainties that construction workers face in the potential job market stem from their low skills profile, their lack of knowledge of remedies, and their status as internal migrants.

Despite the presence of forced labour, the cases discussed here do not resemble typical, straightforward examples of trafficking. Nevertheless, the nature of the work and the hiring practices surrounding them create situations of severe exploitation. Figure 9.3 illustrates the hierarchy of employers and hiring practices. The emphasis is mainly on individual residential projects (IRPs) where direct hiring occurs or where work is awarded to a builder who acts as the main contractor.

Subcontracting occurs at various levels and involves the hiring of skilled, semi-skilled, and unskilled labour, often facilitated through kinship networks or via known labourers. There are typically no written contracts with the labourers for present or subsequent hirings. In Figure 9.3, we can observe that, for a given building project/IRP, recruitment may be managed through a subcontractor or through other labourers. In many instances, a given labourer (see L1, upper left-hand portion of Figure 9.3) can transition into a subcontractor (SC) role with experience and may then recruit new migrant workers (L1, L2, L3, and so on) through his own contacts. There can be other instances in which a labourer (see L1, upper right-hand portion of Figure 9.3) might recruit another labourer through personal networks from their village (hence, we see multiple L1s in Figure 9.3), and one of these will further recruit another labourer (L2), and so the chain continues through kinship networks. Notably, power and profits within such supply chains mainly remain at the product supply chain level, although power dynamics may vary at different subcontracting levels, often becoming diluted.

In our description of the labour supply chain, the fluidity of intermediaries (for example, a more experienced worker may transition into a small contractor or may bring their relatives to construction sites) often blurs the worker–contractor

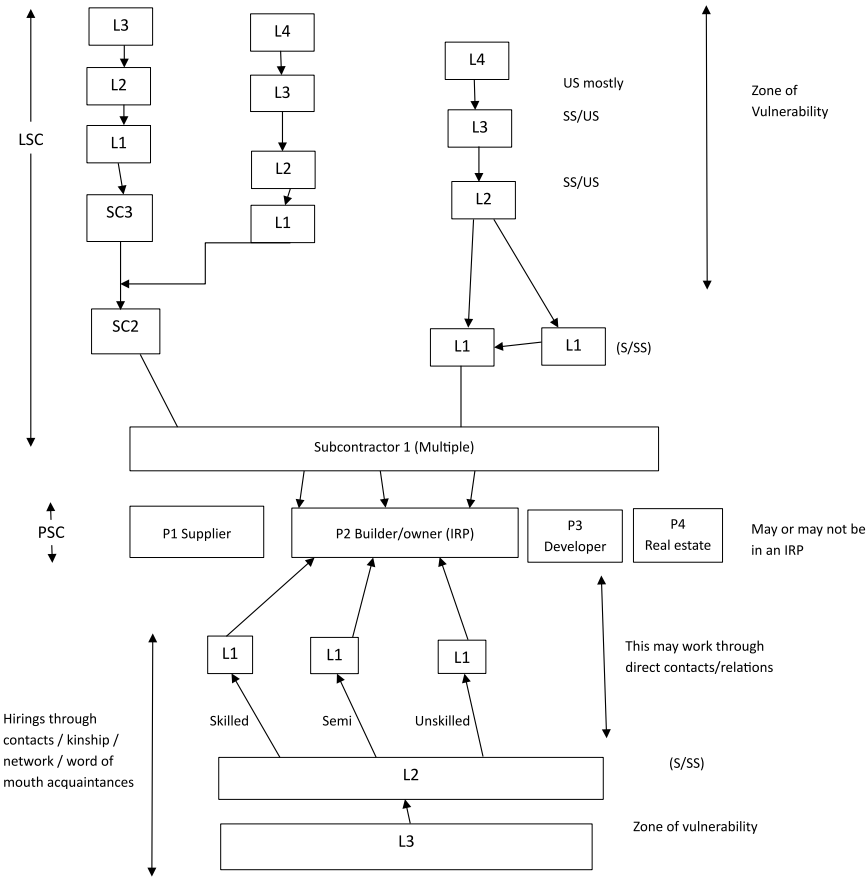


Figure 9.3 Illustration of supply chains in the construction sector in India giving rise to forced labour/modern slavery.

Source: Adapted to the Indian context from Crane et al.'s (2019) framework, based on the data collected in the present study.

Note: Key: US – Unskilled; SS – Semi-Skilled; S – Skilled; L – Labourer; SC – Subcontractor (1 – main contractor); P – Product; PSC – Product Supply Chain; LSC – Labour Supply Chain; P2 – Employer.

relationship, making it difficult to establish accountability along the chain. Licensing of contractors, as practised in other countries, may not effectively ensure proper wages and contracts because of the fluidity of roles. The labourers we interviewed were subcontracted at various levels and had no contact with the builders or premises' owners. In many instances, kinship networks played a crucial role in their recruitment for work at the sites. It was evident at the sites

we studied that the entire labour force was segregated into different categories based on their skill sets and hierarchies. Thus, we argue that traditional policy responses by the state and the stakeholders to labour exploitation remain inadequate in this context.

Towards a New Framework

Both Shamir and Kotiswaran, on whose work we heavily draw, have made important contributions to the discourse on trafficking and modern slavery. However, as we have observed in this chapter, their work stops short of providing a culturally and industry-tailored approach. To address the realities specific to circular migrants and fragmented workspaces – such as those that characterize the Indian construction sector – one needs to go beyond the development approach and the labour approach to human trafficking. The highly unregulated recruitment practices in the construction sector and the circular nature of workers' employment patterns render it difficult for either of these two frameworks to address the sector's nuances. In this final part, therefore, we attempt to develop a new framework that adopts a bottom-up perspective – one that takes into consideration workers' lived realities. We focus on the seasonal nature of construction work, the resources the workers leave behind (such as the houses and land in the rural areas from which they migrate), and the various policy linkages that remain in the rural areas where they are registered for various social security benefits.

While addressing the issue of trafficking and/or modern slavery, we keep in mind the diverse conditions prevalent at both the source and the destination for those migrating. Conditions at the origin, for instance, including the omnipresent caste system and its hierarchies, rigid social norms, (lack of) access to education, and the quest for dignified employment, all affect migration and employment outcomes at the destination. The increasing incidence of distress migration to construction labour also points to the growing insecurity among economically vulnerable sections of the population.

There is a need to understand construction work within the context of agricultural distress, job insecurity, and social hierarchies that are reflected in the hiring practices and working culture, some of which, like caste, are highly resistant to change. Another crucial aspect that our proposed framework must take account of is the fluidity of roles in the labour supply chain. A contractor/trafficker in one instance might well have been an employee/trafficked individual in the past. While there are aspects of wage-advances and debt that bear a

resemblance to those found in forced labour and trafficking situations, effective responses in such cases might not be through the criminal justice system, following the popular rescue–rehabilitation model often used in counter-trafficking efforts.

Employee–employer relations need not be seen from the anti-trafficking perspective at all, and the language of trafficking and modern slavery needs to evolve to accommodate the fluidity of value chains. Additionally, when discussing the larger GVC of the construction sector, academia and the industry recognize production-related and labour-related value chains. Both Shamir's and Kotiswaran's frameworks are insufficient when it comes to recognizing the contributions of migrant workers who silently support the DVCs.

This significant omission – by which Indian construction workers do not readily fall under the concept of the GVC, and particularly the DVC – can be traced back to the foundational ideas that define it. According to Nathan (2020), the GVC can be understood within the dichotomies of a lead firm and a supplier firm, each of which has further vertical and horizontal relations. However, when the Indian construction sector is placed within the analytical framework of value chains, it appears to have a highly fragmented structure with separate, unaligned sectors including design, production, raw materials for manufacturing, and the construction process itself. Construction workers, following Nathan's logic (2020), should come under the *supplier firm*. However, the highly fragmented structure of supplier firms fails to take into account the contribution of such workers to the value chain. This can be attributed to the constant movement of these workers, the fluidity of their roles at different construction sites, and their dependency on several networks/contractors to find work. It is only through a more diversified and expanded understanding of the GVC, in addition to acknowledging the presence of the DVC, that all contributors can be identified. Furthermore, our discussion in this chapter of GVCs suggests that DVCs and sector-specific approaches need to be included in policymaking.

Concerning the contractors, Deshingkar and Akter (2009) have highlighted those small contractors (*mukadams* and *mistris*)¹³ who do not fall under labour law as they work informally to recruit migrant construction workers. Consequently, their workers also go unnoticed by the law and are absent from the value chains, while the common informality of their relations with workers – coupled with the corresponding lack of accountability and also the fluidity of their roles – only compounds the lack of transparency in the DVC.

The sense of exploitation within the value chain resembles Shamir's (2012) pointed analysis suggesting that the labour framework should examine a

continuum of exploitation along the value chain, rather than viewing exploitation as an exceptional event, as traditionally understood in the case of modern slavery. We further suggest that the causes or push factors of distress migration are better understood beyond the economic benefits for migrants. As we saw earlier, Roy (2019) and Shetye (2020) suggest that the search for dignity and the breakdown of social support systems are significant causes of migration too. These lived experiences do not find space in the present discourse, nor are they addressed when dealing with migrant workers through legislation.

While present legislation in India, including the Labour Codes, provide entitlements for individual workers/families, they only identify individuals within their scope if they work in larger groups on construction sites. This is because they all stipulate a minimum number of workers required in order to apply to a particular unit/construction site, thus limiting their utility for circular migrants and individual migrants not moving with contractors or middlemen. In a landmark 2018 judgment in *National Campaign Committee for Central Legislation on Construction Labour v. Union of India and Others* (Writ Petition (Civil) No. 138 of 2006), the Supreme Court took cognizance of the issue of low levels of informal-worker registration and ordered the provision of Universal Access Numbers for registered workers, ensuring their movement does not hinder access to social security provisions. Both the Model Welfare Scheme for Building and Other Construction Workers and the Action Plan for Strengthening Implementation Machinery (2019), drafted by a committee on the Court's orders in the same case, suggested including provision for self-certification by the worker regarding the number of days worked (Ministry of Labour and Employment), whereby they could give full details of the sites, employers, and number of days' work performed in their passbook/ID card. Some of these measures will ease the access of migrant workers to entitlements. However, they may be insufficient and prove difficult to enforce in informal work environments.

The Proposed Worker-centric Framework

We argue that employability at the destination – that is, the type of work individuals can hope to secure – is deeply dependent on the origin of the worker. Hence, we propose a *worker-centric* framework (Figure 9.4) that should not only pay attention to the destination and the movement/migration but also focus on the origin of the labour force and the transitions that occur when individuals migrate for work to different locations.

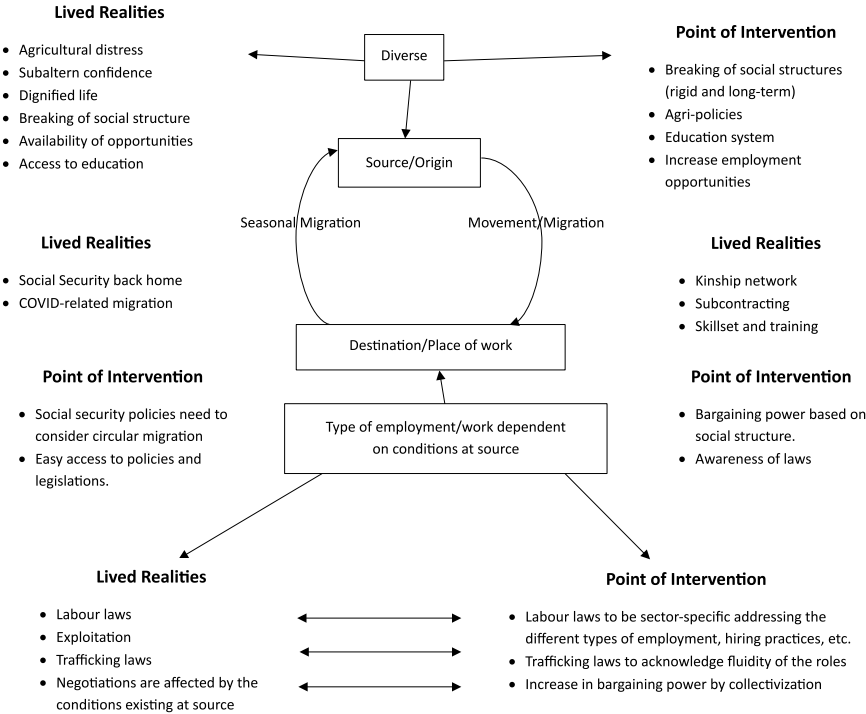


Figure 9.4 The proposed worker-centric framework of the DVC of a sector dependent on circular migrants.

Source: The authors.

This worker-centric framework acknowledges that most migration in India and the subcontinent is circular. Starting out from this premise, we attempt to understand the lived realities of workers at every stage of their movement from source to destination and back. This marks our departure from the literature discussed in this chapter. At the source, we saw multiple factors influencing migration. In this heavily agriculture-dependent society, farm fragmentation and agricultural distress commonly drive migration. Additionally, caste-specific migration occurs, where people migrate for work traditional to their caste group. Furthermore, caste and other social structures such as gender hierarchies are often reflected in landholdings and the exploitative treatment of landless agricultural labourers. Attempts to break these norms often lead to a lack of social support and the impetus to seek a dignified living elsewhere. These factors were also identified in our research into construction workers. We propose that one locus of intervention can be here, at the source itself, where policies

focusing on education, agriculture, and employment opportunities can enable the breaking of social hierarchies and moves towards dignified living. In the absence of such intervention, there can be various other points of intervention to address the peculiarity of such a sector, as shown in Figure 9.4.

The kinship networks and layers of subcontracting become ripe venues for exploitation, mirroring social structures. Yet laws in India, including labour and trafficking laws, remain ill-equipped to address these stratified complexities. Trafficking laws, for instance, lack a fundamental understanding of the fluidity of roles surrounding the trafficked–trafficker–subcontractor–employee. Labour laws, too, overlook the fragmented nature of hiring, the small work units, circular movement, and sector-specific responses needed. Accessing social security measures is challenging due to continuous movement and the lack of a universal identity card system for accrediting scheme eligibility, thus disadvantaging workers. Collectivization as an intervention strategy has seen limited success, as evidenced by the identity cards discussed earlier. While we also propose collectivization, its reach in the fragmented DVC to unskilled and unaware workers has been limited. Policy intervention seeking to address the issue of lower bargaining power among such workers thus needs to ensure a larger membership of these collectives. This could be achieved through some sort of membership/registration at the source of migration itself where knowledge can be more easily accessed by the workers in a familiar setting, as opposed to membership after migration to the city, where the migrant has to grapple with another set of challenges for mere survival. Further, to address the circular nature of migration, policies addressing social security need to have universal applicability.

Recent commentary (Srivastava, 2020a) underscores the need for NREGS-like schemes for urban informal workers, whose vulnerabilities were exacerbated during the COVID-19 lockdown. The pandemic exposed structural issues, with migrants losing jobs, suffering wage losses, and undertaking arduous journeys home without sufficient state support. The precariousness of informal job contracts was laid bare. While the anti-trafficking community hoped the plight of migrant workers during the pandemic would prompt state action, the state response was simply to ease restrictions on employers hiring migrant labour, thus allowing for longer hours of work without necessarily higher wages. This is where the third point of intervention is proposed, at the destination of employment. These policy interventions need to take into consideration the fluidity of the roles in the construction sector or similar sectors; hence, a one-size-fits-all approach should be replaced with sector-specific laws and policies.

In this chapter, we have sought to expand our understanding of movement, labour, value chains, and trafficking, informed by the lived experiences of workers, to bring often-excluded groups into conversation with policy frameworks and entitlements. The worker-centric framework we propose is intended to unpack a sector-specific response to exploitation in the construction of DVCs/GVCs. We argue for a bottom-up approach to policy intervention that is grounded in the insight that workers and contractors are uniquely placed to share, to understand the true nature of their relationships and the power dynamics at play. This proposed framework can be further developed for other specific sectors.

Notes

1. The term 'circular migration' has numerous meanings in different contexts. In this study, we see circular migration as people's repetitive movement away from home and back for temporary work. This movement can be inter-state or intra-state.
2. The term 'contractor' in the present chapter refers to an individual or small company that oversees the hiring of labourers in the construction sector for any particular project. They are the 'middlemen' who mediate the flow of work and payment between the labourers and the principal hiring organisation/industry/company/person/employer.
3. The Contract Labour (Regulation and Abolition) Act, 1970. Available at: <https://clc.gov.in/clc/acts-rules/contract-labour-regulation-abolition-act-1970>.
4. The Bonded Labour System (Abolition) Act, 1976. Available at: www.indiacode.nic.in/bitstream/123456789/1491/1/197619.pdf.
5. The Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. Available at: www.indiacode.nic.in/bitstream/123456789/7735/1/the_inter-state_migrant_workmen_%28regulation_of_employment.pdf.
6. Explanation from Section 1(4): 'For the purposes of this sub-section, the building workers employed in different relays [shifts] in a day either by the employer or the contractor shall be taken into account in computing the number of building workers employed in the establishment.' See <https://clc.gov.in/clc/acts-rules/building-and-other-construction-workers#:~:text=Explanation.,workers%20employed%20in%20the%20establishment>.
7. The Building and Other Construction Workers' Welfare Cess Act, 1996. Available at: www.indiacode.nic.in/bitstream/123456789/1948/1/A1996__28.pdf.

8. Research interview with construction worker, 5 October 2019.
9. Research interview with construction worker, 5 October 2019.
10. Research interviews with construction worker, 7 and 9 October 2019.
11. Research interview with construction worker, 11 October 2019.
12. Research interview with construction worker, 15 October 2019.
13. Research interview with construction worker, 11 October 2019.

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