



DASAM

Public Hearing

Understanding the ground level reality of sewer workers in Delhi:

Hundreds of workers removed from jobs!



Report by

DALIT ADIVASI SHAKTI
ADHIKAR MANCH (DASAM)

India

January 2024

Public Hearing

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in Delhi:
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Dalit Adivasi Shakti Adhikar Manch



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Preface

In the month of December 2023, there were an increasing number of complaints of contractual sewer cleaning workers under Delhi Jal Board (DJB) being removed from their jobs without any prior notice. This arbitrary removal was taking place in almost all zones of Delhi and the number of workers removed by the end of December number in hundreds. Since there has been no official intervention on the matter by the Delhi Jal Board or the Delhi Commission for Safai Karamcharis, it is expected that the number of workers being illegally removed from their jobs will increase in the coming months.

Delhi Jal Board is responsible for the sewer cleaning across Delhi and it gets this work done through permanent employees under the DJB and by outsourcing the work to private contractors and companies. The workers who are being illegally removed from their jobs are those working under private contractors, despite the fact that the DJB is their principal employer. In addition to this, these workers were not paid their salary for the work done in the months of October and November. What is even more appalling is that most of these workers have been working under the DJB for the last 10-15 years and are highly skilled and trained in their work. Left jobless and in a heavy financial crisis, the workers who have worked their entire lives in keeping the city clean were left with no one to listen to their voice.

Keeping this in mind, a Public Hearing and Press Conference was organized so that the workers could present their testimonies to members of the administration, unionists, activists, lawyers and journalists who would help decide the future course of action to ensure justice for the workers. This was to draw attention to the exploitation of the contractual sewer workers and the exploitative contracts under which they are forced into a modern kind of slavery.

This report is a compilation of all the testimonies of the Public Hearing as well as the Jury Recommendations. It also sheds light on the ongoing problems faced by the contractual sewer workers in Delhi and what can be a possible way forward. This report also aims to give context of the work done by these workers and their living circumstances, as well as serve as a documentation of the Hearing and of some very important pointers given by jury members.

The Public Hearing was organized by Dalit Adivasi Shakti Adhikar Manch (DASAM) in collaboration with unions like Municipal Workers Lal Jhanda Union (CITU), Delhi Jal Board Sewer Department Mazdoor Sangathan, All DJB Employees Welfare Association, Jal Mal Kaamgaar Sangharsh Morcha, Delhi Jal Board Karamchari Union, National Campaign for Dignity and Rights of Sewerage and Allied Workers (NCDRSAW) and organizations like Peoples Media Advocacy & Resource Centre (PMARC), Sewerage and Allied Workers Forum (SSKM), Vimarsh Media and Magadh Foundation.

Dalit Adivasi Shakti Adhikar Manch (DASAM) is an organization working with sewer workers in Delhi to create a people's centric platform where the worker's can take their issues to higher authorities. DASAM is connected to the sewer workers in Delhi NCR at a ground level and is a platform for the workers to organize themselves to safeguard their livelihoods. Our aim is to create public awareness on social discrimination faced by sewer workers due to their caste and occupation.

Jury Panel

The Jury Panel for the Public Hearing consisted of ten members, who were senior experts in the fields of law, journalism, activism, administration, academics and legislation. This jury of experts heard the testimonies of the sewer workers who were removed from their jobs and gave their recommendations.

- Sanjay Gehlot, Chairman, Delhi Commission for Safai Karamcharis
- Colin Gonsalves, Senior Advocate, Supreme Court
- Advocate Harnam Singh, Chairperson, Monitoring Committee, Delhi High Court
- Hannan Mollah, Vice President, All India Kisan Sabha; former Member of Parliament
- Indu Prakash Singh, Member, State-level Shelter Monitoring Committee (Supreme Court)
- Amitava Guha, National Secretary, CITU; National Co-Convener Jan Swasthya Abhiyan
- Sarita Bhoi, Assistant Professor, Delhi University; author of Dignity and Rights of the Sewerage and Allied Workers
- Dithhi Bhattacharya, Director, Centre for Workers Management
- Anil Varghese, Social Worker
- Meena Kotwal, Founding Editor, The Mooknayak

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Introduction

Delhi Jal Board (DJB) is the primary authority responsible for the sewer maintenance in the national capital, Delhi. The DJB has approximately three stores in each constituency of Delhi and with there being 70 constituencies, there are around 210 stores all across Delhi. A store is an area-wise office where workers are assigned duty under DJB supervisors and go work sewer cleaning. Each store has three kinds of workers, first being permanent employees of the Delhi Jal Board, second being contractual workers working for private companies, and third being contractual workers under individual contractors. Since the last few years, DJB has increased outsourcing and thus the number of contractual sewer workers in each store has increased. Furthermore, DJB has also been recruiting fewer employees and most of the permanent employees left are nearing retirement.

In a densely populated city like Delhi the task of sewer cleaning is a challenge which was mainly tackled by the contractual sewer workers. However, these contractual workers have been working under exploitative conditions where they are not even paid minimum wages or given regular salary. In addition, they have no health benefits, ESI Cards, Provident Funds or other social security. To make matters worse, most of these workers are not given an appointment letter upon commencement of work and are removed at the whims of the contractor without any prior notice.¹ These workers, who manage bulk of the sewer cleaning work in Delhi do not get paid leave and are often paid varying amounts of salary by cash. All of these practices are illegal but are still rampantly practiced by the DJB.

It is also important to note that most of the sewer workers are Dalits, and that too of Valmiki caste. The caste based oppression is also reflected in their present working conditions where their basic social and financial security is not ensured. These workers, coming from marginalized sections of the society, work as modern day slaves under government institutions. Despite mechanization these workers are exposed to toxic gases and have to still perform a lot of manual work. For example, the process of sewer cleaning begins with opening the 100kg sewer lid which has to be done by the sewer workers. Upon opening the lids, the workers are immediately exposed to toxic gases that severely affect the eyes, lungs, skin and other organs. Furthermore, in places where the machines cannot enter, the workers use a bamboo stick to remove the silt from the sewer lines and then are made to carry the silt to the nearest dumping site. This form of labour also brings them in direct contact with toxins, excreta, and industrial waste despite the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013. Most of this work is carried out by contractual labour who are underpaid and do not receive any social security.

In this unacceptable state of affairs, matters got worse in December 2023 when hundreds of contractual sewer workers were suddenly removed from their jobs without any notice². The sudden loss of jobs came as shocking news to the workers, some of whom have been working

¹ This claim is made based on the testimonies given by the workers in the Public Hearing held on 28.12.2023 at New Delhi.

² based on the interviews conducted by DASAM's team with the contractual sewer workers under Delhi Jal Board in December 2023 and before. These facts are also verified in the testimonies given the workers which is included in the report (pg. 8 onwards)

since the last 10-15 years and were hoping to secure regular employment under DJB. The workers were also not given salary for the work done in the months of October and November and were already facing a financial crisis. Hundreds of workers from different parts of Delhi were illegally removed from their jobs and not given their due wages. This brought thousands of lives of the families of the workers to a standstill, where medical expenses, school fees, house rent, and even food was hard to procure.

In these circumstances, it is also important to note that most of the sewer cleaning work in Delhi was done by the contractual workers because of the decreasing numbers of permanent employees under the DJB. Delhi is now left with approximately 1,500 permanent employees only who have to fill in for the work that was earlier done by both permanent and contractual workers. With only the decreasing number of permanent employees left, most of whom are nearing retirement, there is also concern about the future of sewer cleaning of the densely populated national capital. These questions about the worker's livelihoods and the future of sewer cleaning in the national capital are left unanswered by the administration

In this context, many social organizations and unions joined hands to organize a Public Hearing and Press Conference so that the voices of the sewer workers can reach people and the administration can serve them justice. The Public Hearing was held on 28th December 2023 at Constitution Club of India, New Delhi- 110001. It was attended by around 300 sewer workers and many union leaders, lawyers, journalists, academicians, and members of the civil society. The Public Hearing was widely covered by many news channels³ and it helped bring the worker's issue to the forefront. This report shares in depth detail about the cases that were brought to the Jury members and their proposed recommendations. It serves as a guide to anyone who wants to educate themselves on the condition of workers and understand how caste exploitation seeps into public institutions in India. We would urge readers to read the testimonies of the workers to understand how they have been exploited ever since they started their work. These testimonies serve as evidence that these workers have been employed illegally for the last 10 years or more and their exploitation is not limited only to the last 2 months.

³ Attached at the end of the report as part of Annexure.

Testimonies of Contractual Sewer workers removed by Delhi Jal Board (DJB)

Below is a detailed summary of the testimonies given by contractual sewer workers of the Delhi Jal Board in the Public Hearing held on 28th December 2023 at the Constitution Club of India, New Delhi. These testimonies were heard by the jury members and the audience who engaged in detailed conversation with the workers. These discussions also reveal a long history of the workers working under exploitative conditions for the DJB.

Note: The names of the workers have been changed to safeguard their identities. This is done because many workers are threatened by contractors and authorities for expressing their concerns and revealing their names would put them under direct risk. However, all other details are accurate as given by the workers in the Public Hearing.

1. Name: Gautam

I work as a contractual sewer worker under Delhi Jal Board in Pitampura. Like the others, I was also suddenly removed from work and have not been given my salary for the past 2 months. I have been working here for the last 9-10 years on minimum salary and no paid leaves. Because of this I have always faced financial difficulty.

I have two children to look after and I have no other family. I have raised my children alone with whatever money I had. I was the only earning member of the family and I cannot get other work because I have given my life to this job. My daughter is of marriageable age and I was planning on getting her married in the coming months. But after being suddenly removed from my job I do not know what the future of my children will be and from where I'll arrange money for daily expenses.

2. Name: Hardik

I have been working for sewer cleaning in a Pitampura store on a contractual basis for the last 10 years. I live in Mangolpuri and was hired as a contractual worker under the Delhi Jal Board. After serving for so many years I was shocked to know that I was suddenly removed from my job without any reason given by the supervisor or the contractor. I have also not been given a salary since the last 2 months for the work I have done.

Now, I do not know when I will get my job back or whether I will get my salary. I am the sole earning member of a family of six and have two school going children. My wife is suffering from kidney stones and doctors have advised surgery but because my salary has been denied, we have not been able to get proper treatment for her.

I was not given any document for my salary and was paid ₹9,000-10,000/- in cash. I do not have any salary slip for the 10 years of my work even though my attendance has been recorded by the supervisor. My provident fund was not deducted earlier and has only been deducted since last

year. Neither did I receive any gratuity or compensation even though I have been working for the last 10 years.

3. Name: Ayush

I have been working as a contractual sewer worker under Delhi Jal Board at Pitampura store. I live in Mangolpuri and travel everyday for work for the last 10 years. My family and I have been facing a financial crisis for the past few years. It has been one month since the contractor relieved me of my duties and I have no ways to deal with the financial situation of my family. Now, I am facing severe financial difficulty to support my wife and four daughters.

Even before being removed from my job, my salary was paid arbitrarily. Sometimes the supervisor gave us money in cash and sometimes it was transferred into our bank accounts. Because we are not given salary in our bank account every month, the bank denies us a provident fund. Moreover, when we are paid salary in cash, we are not given any receipt or voucher and there is no documentation of how much money we are given. The contractor or supervisor has never told us our exact salary and we do not know how much our exact wage is.

During the COVID lockdown, one of daughters suffered a paralysis attack and one of her legs has stopped working. I was paying for her medical treatment from my salary but now we do not have the money for her medicine and treatment. I went to an ESI Hospital but the hospital authorities denied that my card is valid. My family and I do not have any health benefits nor have I ever gotten proper wages for my work. Now my salary for the last 2 months has not been released. I am finding it very difficult to pay the medical bills of my daughter. I have not been able to find any other job to sustain my family because I have worked for sewer cleaning all my life and hold expertise in this work.

4. Name: Kartik

I work in Malviya Nagar, New Delhi and have been working for sewer cleaning through private contractors for the last 16 years. I was not paid his salary for the last 2 months and then suddenly removed from my job. For 2 months I have been struggling to sustain my family.

I stay in a rented house in Madangir Village with my wife and two children. The house has a monthly rent ₹5,000/-. I have two sons, one of age 7 and the other of age 10. Both my children are studying in government schools and if I'm not paid the salary then I'll have to remove my children from the school. I had also invested in a motorbike to travel to work but now I am in debt because I cannot pay the monthly installment.

I asked the store supervisor about the future of my job and why I was removed but he had no reply and said he could not do anything about it. I don't know if I'll get my job back or the salary for the work I have done. No supervisor or contractor is willing to address my problem or give reason for why I was suddenly removed. The authorities are not trying to find a solution to our problem and I'll be brought to the road if this continues.

5. Name: Sahil

I work on contract basis under the Delhi Jal Board for sewer cleaning. I had not been paid my salary for the last 2 months and suddenly I was asked to sit at home and not come to work. I was suddenly removed from my job and my past dues were not cleared nor was I given a reason.

When I started working my salary was around ₹10,000-12,000/- and since the last two months my salary was ₹16,000/-. Earlier my salary was transferred into my bank account but since the past few months I have been paid in cash. When I asked my supervisor why I was not paid my salary from October onwards they said that DJB is removing contractual workers. However, since the past years many contractors have come and gone but we have been constantly providing our services to the Delhi Jal Board. I do not understand why we are being removed suddenly and not being given our due wages.

I live in Harkesh Nagar, Okhla with my father, three sisters, wife, and my son. I was the only earning member for my family and I do not have any money left even for the daily expenses of the house. My 2-year old son has epileptic seizures and has been on regular medicines since the last one and a half years. His medicines cost ₹6,000/- every month which I used to pay from my salary. I had tried getting his treatment done from government hospitals like Safdarjung Hospital, but nothing was helping him so I had to get his treatment done from private doctors. I am very troubled these days because if the treatment stops my son will get very sick.

It is becoming impossible to run the house and it is getting very difficult to arrange money now. All I want is that I get my job back and be paid my previous salary!

6. Name: Suraj

I live in Mangolpuri and work in Pitampura as a contractual sewer worker. I started working as a contractual sewer worker in 2016 and have worked under many contractors since then. On 16th July, contractor Sushil Garg hired me, however he did not give me any details of my salary or PF. When I enquired about my wages, I was told that I can either work for a daily wage of ₹420/- or they would replace me with someone else.

I have been working here for many years but recently I along with many workers was removed from my job without any prior notice or reason. Since then, I have been going through acute economic troubles. I used to live in a rented house but I could not afford to pay the rent for the past few months because of which the landlord threatened and removed my family from the premises. Now I don't know whether I'll be given my job back or if I'll be able to earn a livelihood.

7. Name: Tarun

I work in Sector-3 R.K. Puram, New Delhi for sewer cleaning on contract basis under the Delhi Jal Board. My last contractor was Rajender Singh when I was told that I have been removed from work. The Junior Engineer informed us that our sanction (tender) has ended and will not be renewed. Earlier the sanction would be immediately renewed but now we are not given any reason for ending the sanction. But I have not been paid my salary since the last 2 months and the supervisors said they do not know when the sanction will be renewed or when I will get my previous salary.

Every month I am paid a different amount through varying modes of payment. Sometimes the salary is transferred into my bank account, sometimes it is paid through cheque or cash. Sometimes I am given ₹10,000/- and on other months I am paid ₹12,000/-. I do not know what my exact salary is and why I am paid different amounts each month.

I used to stay in Ashram, South Delhi in a rented house with monthly rent of ₹5,000/- but was not able to pay the house rent for the 2 months when I did not get my salary. The landlord asked me to vacate the house and I had to shift with my mother and wife to Keshavpura. I was not able to pay the rent for my new house and the landlord kept pressurizing us. My relatives helped me financially and helped me pay one month of rent.

I cannot afford proper meals for my family and have to go to my relatives house to eat. I cannot live without money for proper food and shelter and I want my salary so that I can support my family. After my removal I am accumulating debt to meet monthly expenses and I want to know why the sanction suddenly stopped and when it will be renewed.

8. Name: Manish

I live in Mangolpuri, Delhi and I have been working in Delhi Jal Board, Double Tank, Pitampura since the last 10 years. We have always been working under difficult conditions on daily wages. Earlier we were paid ₹400/- per day but we had no paid leave and were not paid for government holidays or Sundays. Last year we were recruited on a salary basis and got ₹450/- per day but still were not given any paid leave for festivals or Sundays. Due to this, we had monthly earnings of ₹9,000 - ₹10,000/- but that also stopped last month when we were suddenly asked to stop coming for work. I do not know why we were removed or if we will get back our jobs. I am not able to find another job because I have been doing sewer cleaning all my life and this is the only work I know.

I am the only earning member in a family of seven and pay for the household expenses and the education of my children. I have three daughters who are 7, 10, and 11 years old and two sons who are 8 and 18 years old. My wife has a brain tumor and cannot work because of her illness. The money for her treatment also came from my salary. Now there is no way for me to support my school-going children and my terminally ill wife.

I have given 10 years to this work and I need to get my job back so that I can support my family.

9. Name: Surender

I live in Mangolpuri, Delhi and I have been working as a contractual sewer worker under the Delhi Jal Board for the last 12-13 years. I have been working in Pitampura store and last month I was asked to stop coming to work and my salary was stopped. We, as contractual workers, have always been underpaid. When I started working I was given daily wage of ₹300-350/-. Even though we have been working for many years we have never received any benefits of our years of service or our skills. Many contractors have come and gone, we had to fight to even secure daily wages of ₹450/-.

I know that we are entitled to Provident Fund, but even when I asked about it I was threatened. The contractors allure us with promises of bonus but when they get the contract they do not

even pay us our due wages. Three years ago, my wife fell sick and she could not get proper medical treatment because of lack of money. I lost my wife to the incident and I am the sole caregiver of the two children since then.

I have two daughters, the elder one is 8 years old and the younger one is only 4 years old. I do not have my parents or any other relatives to support me and I have to look after my children alone. Since losing my job I do not have the money to properly feed my children. I am not educated and I have skill only in this field of work. I do not know how I will properly raise my children without my job and I desperately need my job back.

10. Name: Arvind

I work in the sewer department of Delhi Jal Board for sewer cleaning and was employed in R.K. Puram Sector 7, New Delhi. I haven't been paid for two months and have also been removed from work. Other contractual workers with me in the R.K. Puram store have also been removed from their jobs without two months of salary. I know of 20 other workers who have not been paid their salary for 2 months and have been removed from their jobs. I haven't been able to find any other work because of our line of work. I have been working here for 15 years and now I have nowhere to go.

For the months of August and September I was paid ₹16,700/- but before that I was paid ₹12,000/-. I started working for the Delhi Jal Board at a monthly income of ₹2,000/- in the hopes that my long years of service would help me get permanent. But even after serving for 15 years I have been removed from my job without any notice.

I am the sole earning member of the house. I have an old and ailing mother at home and now there is no source of income in the house. My mother is suffering from cataract and needs an eye surgery for which I am in need of money. I appeal to the Delhi Jal Board to release our salaries and reinstate us as sewer workers with regular pay.

11. Name: Rakesh

My name is Ajay Kumar and I have been working as a contractual sewer worker in DJB, Eidgah store for 13 years. As a contractual worker, we do not have any job security nor do we get any health and social benefits. Six months ago, I was removed from the job because the contractor took a sanction for less number of workers. Many workers were kept on job because they had contacts with higher authorities but I was removed despite my years of experience. I approached the Chairman of Delhi Commission for Safai Karamcharis who assured me that they will talk to the contractor. However, after filing the complaint the contractor threatened me even more and said I will not get a job anywhere under DJB. Since then I have been working as a daily wage labour but I want to go back to sewer work because I have expertise in it.

Now that more contractual workers are removed, I have no hope of having my job back. I am 36 years old and am worried if I'll even get a regular job at my age. My wife got ill and I have to take a loan for her treatment. I am still under a debt of ₹50,000/-. I have also talked to the Junior Engineer about my situation and appealed to keep me back for work. However, no one has given me any surety and I don't know what my future will be like.

12. Name: Dilip

I work in the DJB Yamuna Vihar store as a contractual sewer worker and live in my village in Ghaziabad. I had to travel for over 2 hours daily to reach my place of work. I had been working here for 13 years, since 2010, and was hoping to get regular employment after my long years of service. Never in my 13 years of service was I ever given a bonus and was paid a salary of ₹12,000-13,000 in cash and sometimes in my bank account.

Since the past two months, my salary has not been released by the contractor. My contractor, Rajiv Chodhary, said he cannot pay us because the DJB has not released the money. However, the contractor paid us 5 thousand and asked us to continue working without salary. Now, the contractor says that the tender will end on 31st December 2023 and has asked to stop working. We have not been paid wages for two months of our work, and now we have been suddenly relieved of our jobs.

I am the sole earning member of my family and have two children. After my brother's death, I am also the sole caregiver of his four children. Without any work or stable salary, it has become increasingly difficult to sustain the families.

13. Name: Vishal

I work as a contract based sewer worker in Jagatpuri, Parwana Road Store in East Delhi. I am 37 years old and I have been working for sewer cleaning under Delhi Jal Board for the last 10 years. I was earlier paid daily wages of ₹450/- which has now been increased to ₹500/-. I do not know the name of my current contractor and our only communication is with the store supervisor. We work for 8 hours a day and do not get paid even for government holidays like Sundays. Many times we are asked to address 'emergency' complaints on non-working days but we do not get any extra money for this.

I live in a rented house in Sundarnagri in East Delhi with my two children. I am the only earning member of the family as I have no support from my parents or relatives. I used to pay for the house rent, household expenses, and my children's fees through my salary.

After working for 10 years under DJB, suddenly last month the contractor told me that the tender has ended and we will have to stop coming to work. This sudden news was very shocking to me and I had no time to look for other sources of employment. I have not been given my salary since last month and now I'm also in debt. I appeal to the government authorities to reinstate my employment because of my years of service and the expertise I have in this field of work.

14. Name: Tushar

I have worked in Navjeevan Vihar, Kalkaji, DDA flats as a contractual sewer worker under DJB for the last 14 years. On 7th December 2023 I was asked to stop coming to work and was told that I have been removed from my job. The Junior Engineer verbally informed us that our contract has ended and we were not given any notice of this.

For the last few months I received a salary of ₹16,600/- in my bank account but before that my salary was ₹13,500/- per month. I have not been paid my salary for two months and it is

extremely difficult to sustain my family of four especially in a city like Delhi. We live in the slums of Tigri and everywhere we're denied employment. I am 35 years of age and everywhere I go I am told that there are no suitable jobs for me. I was not given any prior notice and was suddenly removed from my job under DJB and have not been compensated in any way.

15. Name: Nikhil

I have been working as a contractual sewer under DJB for 8 years. I was working at the Bihari Colony DJB Store and I live in the slums of Sundarnagri, East Delhi. For the last 3 months I have not been paid my salary and recently the contractor asked us to stop coming to work.

I am the only earning member in my family. I have to financially support my 2 children, 3 sisters and my wife. My children are school going and the money for their education came from my salary. My sister is also unmarried and I was saving money for her marriage. But since I have been removed from my job, I have fallen into an economic crisis.

I am not educated and it is very difficult for me to find another job at this age. The contractor is saying they might reinstate us as sewer workers but I do not believe their false promises. We do not know till when we will be unemployed and when our previous salary will be released.

16. Name: Kapil

I work as a valve boy for sewer maintenance in Tughlakabad Extension, New Delhi. I have been working for the last 5 years under the DJB as a contractual worker. My working hours are from 3:00 am at night to 11:00 am in the morning. Due to this, we face severe harassment by the police. However, we have never been given an Identity Card by the contractor or the DJB which would help us prove our work and stop the police from harassing us. Whenever we face police harassment in our working hours at night, no official comes to help or even picks our phone call. Our working conditions are made difficult by the contractors and officials on multiple levels.

My monthly salary is ₹13,500/- but for the last 5 months the contractor has only been paying me ₹5,000/- per month. I live in Faridabad and travel to Tughlakabad every day for work. My monthly travel cost comes up to ₹3,000/- and it is practically impossible for me to sustain my family with ₹5,000/- per month. I have not been able to pay my house rent or the school fees of my children since the last five months. When I enquired about my salary, the contractor told me that either I work with this money or they will get 'cheaper labour' who are ready to work for ₹10,000/-. This is why we have to continue working without money in the hope that we will receive our due wages some day.

17. Name: Nitin

I work in R.K. Puram store as a contractual sewer worker under the DJB for the last 15 years. I have also cleaned sewers from my own hands for 5 years before manual scavenging was banned in 2013. After having given all my life to this work, this month I was suddenly removed from my job and expected to find another occupation.

In addition to this, I have not been given my due salary for the last 2 months. Everyday the landlords threaten to throw us out of our house because I have not been able to pay the rent. I had planned on getting my daughters married from my salary and by taking out a loan but now my family is at a standstill and everyone's future is uncertain.

Inferences from the Testimonies

1. Many workers were paid minimum wages in the months of August and September, right before their salary was completely stopped from October. Maybe the reason for this was to hide the non-payment of minimum wages during the entire term of their service.
2. The workers cannot avail the benefit of Provident Funds because their salary is not regularly transferred into their bank accounts.
3. Paying the salary through cash is also a way of depriving the workers of their minimum wages as the testimonies of the workers reveal.
4. Even though the contractors have a contract of roughly 6 months, the workers have been working for the last 10 years or more. Many contractors have changed in the course of these years but the workers have remained the same. These workers must be treated as employees of the Delhi Jal Board and not of a private contractor and get due benefits.
5. Workers are given different amounts through varied modes of payment. They are paid 10,000 on some months and 14,000 on others. They are unaware of their exact salary because they are not given an appointment letter by the contractor. Furthermore, if the workers enquire about their salary they are threatened that they will be replaced by someone else. These intimidation tactics practiced by the contractors and the supervisors make it impossible for the workers to get their due wages.
6. There is no standardized salary given to sewer workers across Delhi and the testimonies show how the salary varies through a great margin. Equal remuneration for same work is a right of every citizen of India but it is not extended to the sewer workers coming from marginalized communities.
7. Workers are not given any Identity Card by the contractor or the Delhi Jal Board. These workers are giving their services to the government at less than minimum wages without any official record of their work or proper paperwork by the contractor.
8. Many of the workers have been working for 15 years under the Delhi Jal Board. They have worked as sewer cleaners before manual scavenging was banned in 2013. They have entered the sewers of Delhi and cleaned them manually. They have faced this extreme humiliation and exploitation at the hands of the authorities. Despite all this, they are now removed from their jobs without any notice.
9. All the workers were removed without any official notice which is why they must be reinstated and paid their pending dues.

Concerns Raised by the Jury Panel

The Jury Panel of ten members took cognisance of the testimonies and were deeply concerned about the conditions of contractual workers under DJB. The Chairman of Delhi Commission for Safai Karamcharis, Sh. Sanjay Gehlot took cognisance of the matter and assured the workers that action would be taken by the Commission. He said that the government office is bound to take actions on the recommendations of the Delhi Commission within 60 days as per the law. However, many workers voiced that whenever they have filed an official complaint in the past, they have been removed from their jobs and all contractors refuse to hire them. This has created a reluctance within the workers to file a complaint with their names. Hearing this the Jury members recommended issuing suo moto cognisance so that the workers can be given their due without putting them at the risk or the threats of the contractors.

The High Court took a decision in 2007 stating that contractual workers must be given regular salary and they cannot be removed with every changing contractor. The DJB is in clear violation of this decision and there needs to be action taken for it. Furthermore, the International Labour Organization (ILO) Convention 114 states that there must be equal pay for equal work. The supreme Court of India has also accepted this convention. Despite this, it is seen that every worker is given a different salary even when they are doing the same work. This unevenness goes against the convention listed by the ILO and the Supreme Court of India and it is the duty of the Delhi Jal Board to ensure equal pay of workers across Delhi.

The testimonies the workers shared during the public hearing also revealed the illegal nature of contracts under the DJB. The workers were never given any appointment letter by the contractor or the DJB, they were not paid their salary in their bank accounts, and they were even removed without any notice, all of which is illegal. Most of their wages are below the Delhi Government's enlisted minimum wages which is also a clear violation of the law. This is a type of modern day slavery that is practiced through these illegal contracts where the workers are not paid even their minimum wages and are removed without notice.

It also needs to be pointed out that there is a provision for about 24,000 permanent workers under the DJB out of which only 14,000 have been filled. Most of these 14,000 workers are also nearing retirement. Despite this, the DJB does outsource most of the work to contractors who exploit the workers. Delhi's population is increasing but the number of workers working to sustain the city are decreasing, with the remaining ones still working under oppressive conditions.

The Jury members took cognisance of all these facts and gave a six-pointer recommendation that laid emphasis on reinstatement of all contractual workers and payment of their pending wages and dues like Provident funds, social security benefits, gratuity, etc. The Jury also stated that it must be ensured that the workers are given minimum wages, ESI Cards and Identity Cards to ensure social and financial security. Keeping in mind the exploitative practices under the contractual system, the Jury recommended regularization of workers who have given more than 240 days of service.

The Jury consisted of the following members:

- Sanjay Gehlot, Chairman, Delhi Commission for Safai Karamcharis
- Colin Gonsalves, Senior Advocate, Supreme Court
- Advocate Harnam Singh, Chairperson, Monitoring Committee, Delhi High Court
- Hannan Mollah, Vice President, All India Kisan Sabha; former Member of Parliament
- Indu Prakash Singh, Member, State-level Shelter Monitoring Committee (Supreme Court)
- Amitava Guha, National Secretary, CITU; National Co-Convener Jan Swasthya Abhiyan
- Sarita Bhoi, Assistant Professor, Delhi University; author of Dignity and Rights of the Sewerage and Allied Workers
- Dithhi Bhattacharya, Director, Centre for Workers Management
- Anil Varghese, Social Worker
- Meena Kotwal, Founding Editor, The Mooknayak

After the public hearing, the ten member jury with experts from different fields of law, administration, academics, journalism, activism came together and drafted the sex-pointer recommendation⁴.

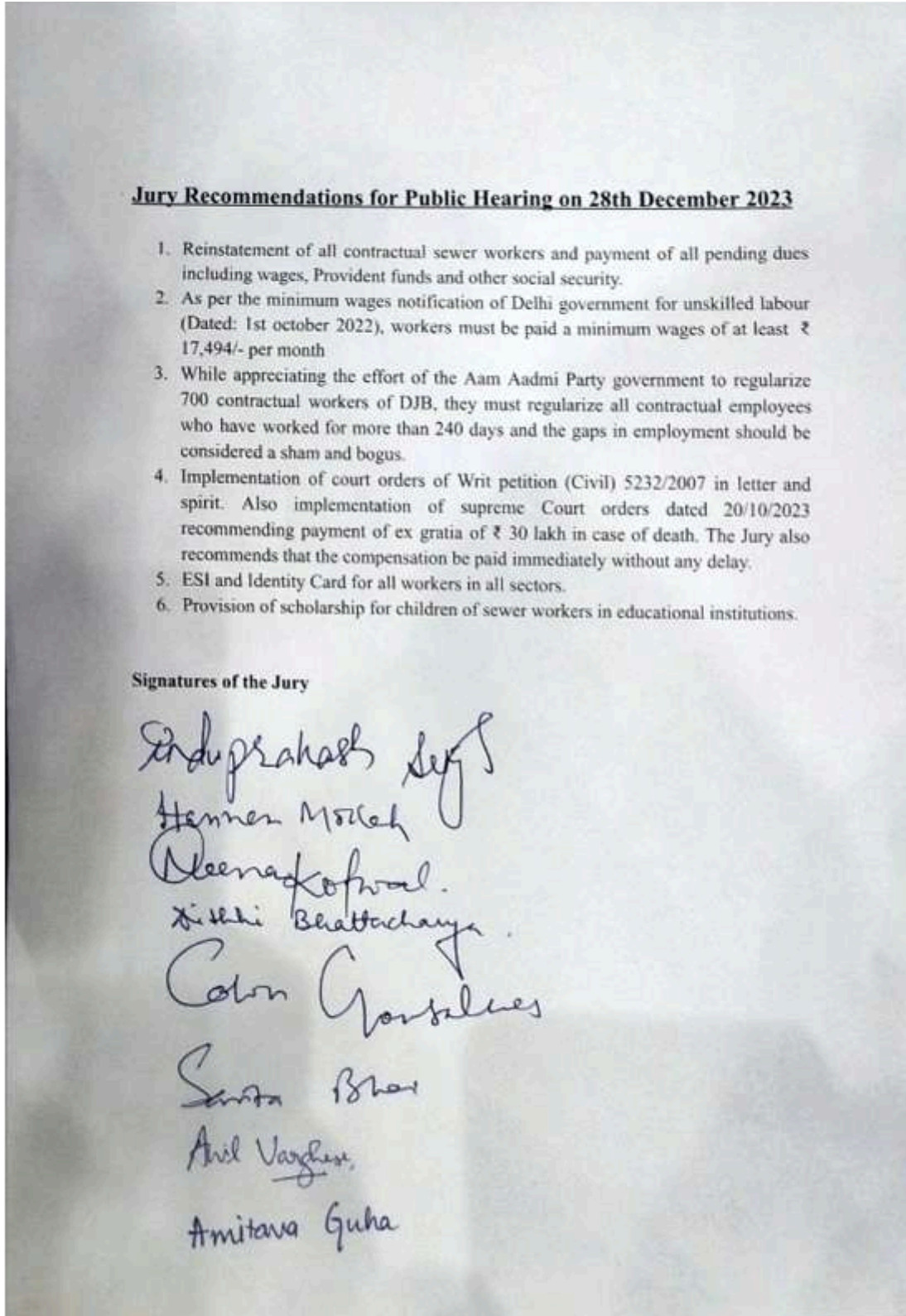
⁴ Please find enclosed a signed copy of the Jury Recommendations in the Annexure.

Jury Recommendations for Public Hearing on 28th December 2023

1. Reinstatement of all contractual sewer workers and payment of all pending dues including wages, Provident funds and other social security.
2. As per the minimum wages notification of Delhi government for unskilled labour (Dated: 1st October 2022), workers must be paid a minimum wages of at least ₹ 17,494/- per month
3. While appreciating the effort of the Aam Aadmi Party government to regularize 700 contractual workers of DJB, they must regularize all contractual employees who have worked for more than 240 days and the gaps in employment should be considered a sham and bogus.
4. Implementation of court orders of Writ petition (Civil) 5232/2007 in letter and spirit. Also implementation of Supreme Court orders dated 20/10/2023 recommending payment of ex gratia of ₹ 30 lakh in case of death. The Jury also recommends that the compensation be paid immediately without any delay.
5. ESI and Identity Card for all workers in all sectors.
6. Provision of scholarship for children of sewer workers in educational institutions.

Annexure

1. Signed Copy of Jury Recommendations



2. Poster of the Public Hearing

WHO WILL LISTEN TO US?
Understanding the ground level realities of sewer workers in Delhi:
Hundreds of workers removed from jobs!

PUBLIC HEARING

28 DECEMBER 2023
Thursday | 2pm - 6pm

**Speaker Hall Annexe,
Constitution Club of India, New Delhi**

Jury Panel

 SANJAY GEHLOT CHAIRMAN, DELHI COMMISSION FOR SAFAI KARAMCHARIS	 COLIN GONSALVES SENIOR ADVOCATE, SUPREME COURT	 ADV. HARNAM SINGH CHAIRPERSON, MONITORING COMMITTEE, DELHI HIGH COURT	 HANNAN MOLLAH VICE PRESIDENT, ALL INDIA KISAN SABHA; FORMER MEMBER OF PARLIAMENT	 INDU PRAKASH SINGH MEMBER, STATE-LEVEL SHELTER MONITORING COMMITTEE
 AMITAVA GUHA NATIONAL SECRETARY, CITU; NATIONAL CO-CONVENER JAN SWASTHYA ABHIYAN	 SARITA BHOI ASST. PROFESSOR, DU; AUTHOR OF "DIGNITY AND RIGHTS OF THE SEWERAGE AND ALLIED WORKERS"	 DITHI BHATTACHARYA DIRECTOR, CENTRE FOR WORKERS MANAGEMENT	 ANIL VARGHESE SOCIAL WORKER	 MEENA KOTWAL FOUNDING EDITOR, THE MOOKNAYAK

ORGANISED BY: DALIT ADIVASI SHAKTI ADHIKAR MANCH (DASAM) | MUNICIPAL WORKERS LAL JHANDA UNION (CITU) | DELHI JAL BOARD SEWER DEPARTMENT MAZDOOR SANGATHAN | ALL DJB EMPLOYEES WELFARE ASSOCIATION | JAL MAL KAAMGAAR SANGHARSH MORCHA | DELHI JAL BOARD KARAMCHARI UNION | SEWERAGE AND ALLIED WORKERS FORUM (SSKM) | NATIONAL CAMPAIGN FOR DIGNITY AND RIGHTS OF SEWERAGE AND ALLIED WORKERS (NCDRAW) | PEOPLES MEDIA ADVOCACY & RESOURCE CENTRE (PMARC) | VIMARSH MEDIA | MAGADH FOUNDATION

For more information contact: 9958797409, 7065721374, 8626959948

3. Photographs of the Public Hearing









4. Links of Media Coverage

<https://hindi.naagriknews.com/state/delhi/it-is-illegal-to-fire-sewer-employees-without-informing-hundreds-of-delhi-jal-board-employees-united/>

<https://www.ismatimes.com/Removing-sewer-workers-without-notice-is-illegal>

<https://hindi.sabrangindia.in/article/delhi-re-instate-unlawfully-removed-sewer-workers-ensure-dignified-wage-demands-at-a-public-hearing>

<https://sabrangindia.in/delhi-re-instate-unlawfully-removed-sewer-workers-ensure-dignified-wage-demands-at-a-public-hearing/>

<https://youtu.be/94lcqg9l2mg?si=lGTwz-gWOjsOBQ7Z>

<https://thereportify.com/hundreds-of-delhi-sewer-workers-sacked-without-notice-pushed-in-to-livelihood-crisis-india/>

<https://www.groundxero.in/2023/12/28/removing-sewer-workers-without-notice-is-illegal-giving-workers-a-salary-in-cash-is-illegal/>

<https://www.themooknayak.com/labour/delhi-no-mask-no-safety-equipment-cockroach-test-before-going-into-sewer>

<https://en.themooknayak.com/amp/story/labourer/delhi-sewer-workers-demand-justice-sudden-terminations-and-unpaid-salaries-spark-public-hearing>

https://youtu.be/v-kho6_tWtU?si=uFlxwIWcfpHVm1Bs

<https://www.counterview.net/2023/12/no-salary-for-2-months-hundreds-of.html>

<https://hindi.newsclick.in/Delhi-Public-hearing-of-sewer-cleaners-hundreds-of-contract-workers-removed-without-salary>

<https://youtu.be/sQ3tR8q9Q9A?si=TMbYDvuDMhnDo2Sz>

<https://www.newsclick.in/delhi-hundreds-contractual-sanitation-workers-facing-livelihood-crisis-after-being-removed-without?amp>

<https://janchowk.com/zaruri-khabar/hundreds-of-delhis-sewer-workers-removed-without-notice/>

<https://x.com/janchowk/status/1740681713150210090?t=bokuYDPDXCWFUHo8Zp5BbA&s=08>

<https://www.ismatimes.com/Removing-sewer-workers-without-notice-is-illegal>

<https://www.hamarametro.com/17762/>

<https://en.themooknayak.com/labourer/delhi-sewer-workers-demand-justice-sudden-terminations-and-unpaid-salaries-spark-public-hearing>

<https://www.youtube.com/watch?v=lOwODzyz5D8>

