

To,
The Chief Secretary,
Government of Karnataka
Bangalore.

A Fact-finding Report on the Deaths of 2 Manhole Workers in Tiptur

On 18.12.2011, Jagdish Bin Manjashetty, resident of KB Hala village, Lakki Hobli, Chikmagalur district, and Dharma, resident of Kennere village, Arsikere taluk, Hasan district, labourers in a UGD project in Tiptur, Tumkur district, were working in a newly constructed manhole on the by-pass road from KSRTC bus stand towards Tumkur, and died reportedly due to suffocation. This matter was reported in Kannada Prabha, Prajavani, and Prajapragati.

People's Union for Civil Liberties (Karnataka) organized a fact-finding team consisting of Kemparaju and S. Raghupathi to investigate this case. On 19.12.2011, the team visited Tiptur in Tumkur district on a fact-finding investigation. They visited the spot of the incident, met residents of the area and local officials, and prepared the following report.

Facts of the Case:

At present, new UGD work is being undertaken in Tiptur, Tumkur district, and labourers have been hired from this and other nearby districts for this purpose. On the noon of 18.12.2011, while these workers had come for lunch to the canteen of the KSRTC, Jagdeesh and Dharma who had left the site to have lunch had not returned till 6.30 pm. Then, the other workers went in search of them, and around 9 pm, found that, on the by-pass road from KSRTC bus stand to Tumkur, the cover of the first newly constructed manhole was open, and next to it 2 pairs of chappals. When they went closer, they found the dead bodies of Jagdeesh and Dharma floating in the new manhole. Sadananda Gowda, their fellow-worker, was the first one to

notice it. Then, Manjunath, manager of this project, contacted the police and fire services, who came and extracted the dead bodies and took them to the city government hospital. Manjunath also contacted the families of the deceased. The next day, Manjunath Shetty filed a complaint against manager Manjunath and contractor K. Balaraj for not taking precautionary measures while undertaking this work, which caused the deaths of his son and his fellow worker, and demanded that action be taken against the two. The police station in Tiptur registered this complaint and filed a case (no 147/2011) under IPC section 304 (a).

The foregoing account of the incident was narrated to us by Prabhuswamy, assistant engineer, municipal corporation.

Accounts of the Incidents from various Persons

CM Saraswathi @ Preetha, Chairperson Municipal Council

According to her, while no information is available regarding the incident, she shared with us what she found about it. She informed us that a month ago a worker had died accidentally while working on a new manhole, and the municipal council had sanctioned a sum of Rs. 1 lakh to the family of the deceased. She said that a detailed account could be obtained from assistant engineer Prabhuswamy and she asked him to appear before us and provide information of the incident.

Prabhuswamy, assistant engineer, municipal council, Tiptur

Prabhuswamy provided the account given above regarding the facts of the case. He told us that no compensation has been paid by the municipal council so far. When a worker died while working in a manhole, the municipal council decided to sanction rs. 1 lakh to the family of the deceased, but no compensation has been paid so far. Further, he informed us that they were not able to determine how Jagdeesh and Dharma fell and died in the manhole. When we asked him about how water had flowed into the newly constructed manhole, he stated that it could be due to seepage

from the pond nearby. He told us that while they had not provided sewage connection to any of the houses, several people had, without authorization, connected their sewage line to the manholes. He guessed that was why the manhole could have been covered with water.

Police Inspector, City Police Station, Tiptur

He corroborated the account of the incident given above. He informed us that a case had been registered (no. 147/2011) under IPC section 304 (a) and had commenced an investigation. He informed us that negotiations were going on between the family of the deceased and the contractor in the presence of the members of the municipal council.

Our Findings

1. Prima facie, the deaths of Jagdish and Dharma appear to have been caused due to the neglect of KBR Company, the contractor, the municipal company, and the city development department (check translation).
2. No precautionary measures to the benefit of the workers have been taken by KBR Company, the contractor, the municipal company, and the city development department (*check translation*).
3. It is possible that several people have, without authorization, connected their sewage line to the manhole causing water to flow into it.
4. It has not yet been determined when the workers died. But considering the spot where they fell into their deaths and the water found in the manhole, it appears that they died of suffocation while working in the manhole.
5. Prima facie, it appears that the KBR Company, the contractor, the municipal company, and the city development department (*check translation*) have concocted their story in order to escape blame for the deaths of the workers.
6. We were unable to meet any of the the other workers who were there

on that day. This could be because immediately after the incident, the contractor sent them back to their respective towns in order to prevent detection of the truth regarding the incident.

7. Considering that this incident comes just one month after another worker had similarly died while constructing a manhole strongly suggests neglect on the part of the KBR Company, the contractor, the municipal company, and the city development department (*check translation*).

Our Demands

1. A proper investigation need to conducted regarding the incident.
2. Proper action under law should be taken against the contractor, the municipal engineer, and the city development council who are responsible for the deaths. (*check translation*)
3. The families of the deceased should be paid a compensation of Rs. 10 lakh each.
4. The license of the contractor KBR company should be cancelled for failing to undertake precautionary measures.

Yours sincerely,

(Kemparaju)

(S. Raghupathi)

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