

MIGRATION – A STRUGGLE FOR SURVIVAL IN INDIA

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The history of migration is the history of peoples struggle to survive and to prosper, to escape insecurity and poverty and to move in response to opportunity. In developing country like India, migration mostly takes place not due to the so called pull forces of the destination place as usually happens in case of developed countries, but because of poverty, unemployment, natural calamities and under development at the place of origin. Migration in developing countries like India is still viewed as a survival strategy.

Migration in India is mostly influenced by Social Structures and pattern of development. The development policies since Independence specially neo liberal policy of the government have accelerated the process of migration. Uneven development is the main cause of Migration. Added to it, are the serious income disparities, agrarian distress, inadequate employment generation and vast growth of informal sector economy. The landless poor who mostly belong to lower castes, indigenous communities and economically backward regions constitute the major portion of Migrants. In the very large Tribal Regions of India intrusion of outsiders, settlements by the outsiders displacing the local tribal people and deforestation also played a major role in Migration.

The pull factors of higher wages caused external migration to the middle-east countries by skilled and semiskilled workers. Migration of professionals such as Engineers, Medical Practitioners, Teachers and Managers to developed countries constitute a small fraction of the total migrants.

The wage and working conditions of migrant labourers differ at destination depending upon the factors such as skills, security, length of employment and employment in the formal and informal sector.

A number of studies have focused on the working conditions of circulatory migrants but these conditions are also found in migrants who operate in urban and rural labour markets without any employment security. Inspite of a plethora of laws in this regard, there is an absence of any government intervention in the recruitment or employment of migrant labourers.

Keyword: Labour, Working Condition, Migration.

INTRODUCTION

Migration of people from one place to another place is an age old process. It dates back to human civilization. Its pace and progress has accelerated with the development of the country. It is the only factor which can change the demographic features of a region apart from the natural growth of population. It is an ingredient of changing socio-economic and political conditions. It mainly exists due to the wide disparity in economic and social condition between the origin and destination.

According to census of India migration is of two types – Migration by birth place and migration by place of last residence. When a person is enumerated in census at a place, i.e., village or town, different from her/his place of birth, she/he would be considered a migrant by place of birth. A person would be considered a migrant by place of last residence, if she/he had last resided at a place other than her/his place of enumeration.

There has been much debate on the negative impact of migration on development and vice versa. On the one hand, it is argued that underdevelopment is a cause of migration and on the other hand, prosperity also leads to migration (it is true in case of educated migration or brain drain). The history of migration is the history of peoples struggle to survive and to prosper, to escape insecurity and poverty and to move in

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response to opportunity. In developing country like India, migration mostly takes place not due to the so called pull forces of the destination place as usually happens in case of developed countries, but because of poverty, unemployment, natural calamities and under development at the place of origin. Migration in developing countries like India is still viewed as a survival strategy.

It is observed that most of the studies try to explain migration in terms of wages/income differentials between the place of origin and destination. Todaro (1969) in his seminar paper, tried to explain migration behaviour in developing countries in terms of 'push' 'pull' factor respectively.

The Harris-Todaro model (1970) described the difference between rural earnings foregone and the expected value of urban income as the driving force behind migration. Thus, poor members of households tend to migrate (Connele et al., 1976). It is well documented in the literature that migration is emerging as a significant livelihood strategy for poor households in several regions of India (PRAXIS, 2002, Mosse et al., 2002; Haberfeld et al., 1999; Rogerly et al., 2001; Srivatsava, 1998; Srivastava and Sasikumar, 2003).

Dandekar and Rath (1971) treated rural poverty as a 'push' factor. Banerjee and Kanbur (1981) taken an oppositive view. Other studies by Yeshwant (1962), Sovani (1966), Connel et al. (1976) as cited in Banerjee and Kanbur (1981) indicated a higher propensity to migrate among middle income groups rather than in the lower and upper income groups. Chkrapani and Mitra (1995) noted the importance of employment in non-household manufacturing on migration behaviour of rural people.

In LDC's a good deal of migration occurs between rural and urban areas. But what is not so commonly recognized is considerable degree of migration between urban areas also occur (Greenwood, 1971). According to his study a kind of in stage process occurs in India whereby rural persons first migrate to nearby small town, become acclimatized, then shift to larger cities and towns. Yap (1977) found that urban migration is substantial in LDC's Kundu (1986) noted that the growth of a large number of small towns and emergence of several new towns around big cities because of such step wise migration.

Thus, a review of migration literature reveals the importance of economic – factors but they are certainly not exclusive ones. Attraction of urban amenities and social factors like marriage also play significant roles.

OBJECTIVES

The objectives of the present study are

- 1) To study the magnitude of migration in India.
- 2) To analyze the causes of migration.
- 3) To evaluate the wages and working conditions of migrant labourers in India.
- 4) To examine the legal provisions.

MAGNITUDE OF LABOUR MIGRATION

The data on migration by last residence in India as per Census 2001 shows that the total number of migrants was 31.4 crore. In the decade 1991-2001, about 9.8 crore persons migrated to a new place from their place of last residence. Out of these migrants by last residence, 8.1 crore were intra-state migrants, 1.7 crore inter-state migrants and 7 lakh international migrants. The largest volume is confined to migration from one part of the State to another. Migration on account of change of residence by women after marriage constitutes significant proportion of these migrants.

There are different streams of migration generally relating to the degree of economic and social development in the area of origin as well as area of destination. The most important component among the

streams is the rural to rural migration. As per 2001 Census in 1991-2001, about 5.3 crore persons migrated from one village to another. The number of migrants from villages to towns was about 2.1 crore. Similarly, number of migrants from towns to villages was about 62 lakh and from one town to another about 1.4 crore.

The number of net migrants by last residence during the past decade, i.e., the difference between in-migrant and out-migrants for each State, showed Maharashtra at the top of the list with 23.8 lakh net migrants, followed by Delhi (17.6 lakh), Gujarat (6.8 lakh) and Haryana (6.7 lakh) as per Census 2001. Uttar Pradesh (-26.9 lakh) and Bihar (-17.2 lakh) were the two states with largest number of persons migrating out of the two states.

Migration into large metropolises were significant in 1991-2001 with Greater Mumbai UA drawing about 24.9 lakh migrants, Delhi UA about 21.1 lakh migrants, Chennai UA about 4.3 lakh migrants to name the largest three urban destinations in the country. As the trend in migration to large Urban Agglomerations continued, the Census 2011 is likely to show a spurt in population in these places.

Another aspect of interest is the volume of International migration to this country. Due to partition of the country in 1947 a large number of persons had migrated from both West Pakistan and East Pakistan. Later at the time of 1971 War a large influx of population was recorded from Bangladesh. The data on migration show that in 2001 Census among the total population about 51 lakh persons in the country were migrants from across the International border. About 97% of them were from the eight neighbouring countries (including Afghanistan). Of these migrants 30 lakh were from Bangladesh, 9 lakh from Pakistan, 5 lakh from Nepal and 1 lakh from Sri Lanka. The volume of total migration had declined considerably over the decades since 1971. Number of migrants from other countries reduced to only 7.4 lakh during the last ten years at the 2001 Census. In comparison to 1991, there is 31.6% decline in International migration to India (excluding J&K) in 2001. This is due to substantial decline in the number of recent migration and death of earlier migrants due to old age.

CAUSES OF MIGRATION

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The Indian daily Hindustan Times on 14th October 2007, revealed that according to a study by a Government Institute, 77% of the population i.e. nearly 840 million Indians live on less than Rs. 20 (40 cents) a day. Indian agriculture became non remunerative, taking the lives of 100,000 peasants during the period from 1996 to 2003, i.e. a suicide of an Indian peasant every 45 minutes. Hence, the rural people from the downtrodden and backward communities and backward regions such as Bihar, Orissa, Uttar Pradesh travel to far distances seeking employment at the lowest rungs in construction of roads, irrigation projects, commercial and residential complexes, in short, building the “Shining” India.

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WAGE AND WORKING CONDITIONS OF MIGRANT LABOUR

The wage and working conditions of migrant labourers differ at destination depending upon the factors such as skills, security, length of employment and employment in the formal and informal sector.

A number of studies have focused on the working conditions of circulatory migrants but these conditions are also found in migrants who operate in urban and rural labour markets without any employment security. In spite of a plethora of laws in this regard, there is an absence of any government intervention in the recruitment or employment of migrant labourers.

Long and flexible working hours, combined with low wages, are reported in the case of most circulatory migrants. Migrant work is characterized by low wages, often below the level prescribed by minimum wage legislation and those prevailing in the area for local labourers (Singh and Iyer, 1985; Krishnaiah, 1997). Except in a few areas and sectors at a particular period of the year, migrant labourers do not get minimum wages stipulated under the Minimum Wages Act. The modalities of wage payment are such that migrant labourers often remain indebted to the contractors for the duration of their employment. Singh and Iyer (1985) report lower than minimum wages for migrant labourers in Punjab. This is also corroborated by Berman (1985). Employers in Gujarat side-step minimum wages by using piece-rates. Wages are dictated by employers and the migrants, who have taken advances through the *mukaddams*, have little room for bargaining. Sugarcane harvesters in Gujarat, organized into small teams called *koyatas*, generally consisting of a three member team consisting of man, woman and child received a wage lower than the minimum wage (for a 12 hour working day) than the one stipulated for an 8-hour working day. Moreover, wages were adjusted only at the end of the season and workers were paid fortnightly advances which were not sufficient to meet their basic requirements. Wages in sugarcane harvesting were reportedly even lower in Maharashtra. Wages in paddy, cotton, sugarcane and tobacco cultivation were generally 'set as piece-rate and implied long hours of work (Berman, 1985).

The same pattern is revealed in studies of construction works, quarrying, fish processing etc. (Das, 1993; NCSEW, 1988). Keralite female labourers working in the Gujarat fish processing industry put in as much as 16 hours per day (H. G. Patel, 1987; Sardamoni, 1995). Brick kiln workers work for 12 or more hours per day. Apart from those who fire the bricks, all other categories are paid piece rates, calculated on a daily basis but wages are adjusted at the end of the period and labourers are often left in debt after repayments to employers, labour contractors and supervisors (Das, 1993). In Assam, wages per day were slightly higher than the minimum wage but working hours were far in excess of the stipulated eight hours (NCRL, 1991). In the construction sector, wages varied by the nature of work the extent of segmentation among the workforce etc., but workers in several metropolitan cities reported wages below minimum and 9 to 10 hours of work. Stone breakers of Palampur work about 10 hours per day (Krishnaiah, 1997). In stone quarrying, where again the tasks were piece-rated, wages per adult worker were very low forcing these workers into debt (Das, 1993). In public projects, construction was generally implemented by contractors and wages were below minimum, while work hours often in excess of eight. Gender based wage discrimination was quite common. Harassment was reported from Punjab and several other places when workers asked for their due wages at the end of their work period (Singh and Iyer, 1985; Chapra, 1982; Das, 1993).

The provision of basic facilities, and even security, to the migrant labourers falls in a no man's land with neither the employers nor the government catering to these requirements (Berman, 1996; Teerink, 1995; NCRL, 1991; Das, 1993; Singh and Iyer, 1985). A majority of migrants do not have adequate shelter, drinking water or toilet facilities. In most places migrants stay in makeshift shacks or in the open and have no access to safe drinking water. In the urban areas, shortage of open space and harassment by policemen and local hoodlums adds to the misery of the migrants. These conditions persist despite various provisions of the Contract Labour Act. Health hazards are a serious problem for the migrant workers. In Punjab, illnesses

of long-duration migrants receive routine treatment but the burden of serious illnesses falls on the migrants themselves and further, casual workers have to fend entirely for themselves. In Gujarat, migrant workers suffer from a number of illnesses as a result of their unhygienic conditions. Construction and brick-kiln workers suffer from a number of diseases which are a result of their occupation and/or working conditions. In only a few cases (such as brick-kiln workers in Assam) do employers take care of the illnesses even on a limited basis (NCRL, 1991). Quarry and mine workers suffer from a number of serious lung diseases. Accidents and lung diseases are also common among construction workers.

The children of migrant labourers, who often are a part of the labour process, and are on the move with their parents, have little opportunity to go to school. Migrant women are exposed to the risk of sexual harassment and exploitation (Acharya, 1987; Sardamani, 1995; Teerink, 1995). They often have to continue working till the last stages of pregnancy and have to resume work soon after child-birth, exposing themselves and the children to considerable danger (Bremar, 1985). Women migrant workers in sugarcane cutting work as harvesters, house-wives and mothers for almost twenty hours a day (Teerink, 1995). Keralite female labourers in the fish processing industry are subject to various forms of hardship and exploitation at the hands of their supervisors (Sardamani, 1995).

LEGAL PROVISIONS

The Government of India made an enactment in 1979 in the name of “Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979”. Though the act covers only inter state migrants, it lays down that contractors must pay timely wages equal or higher than the minimum wage, provide suitable residential accommodation, prescribed medical facilities, protective clothing, notify accidents and casualties to specified Authorities and kin. The Act provides right to raise Industrial Disputes in the provincial jurisdiction where they work or in their home province. The act sets penalties including imprisonment for non-compliance. At the same time the act provides an escape route to principal employers if they can show that transgressions were committed without their knowledge. Needless to say, that the Act remained only on the paper. The record of prosecutions or dispute settlement is almost nil. The Migrant Labourers face additional problems and constraints as they are both labourers and migrants.

Hence, there is no improvement in the working and living conditions of the migrant workers. There is lack of sincerity on the part of the Rulers and Policy Makers in ensuring compliance of the barest minimum of the so called legislation. There are no structures to adequately address the basic issues concerning migrant labour relations, leave aside, addressing the whole gamut of labour relations. The reasons are obvious. The Government desires large pool of cheap migrant labour, be made available to the capital, both Domestic and Foreign. The Indian Judiciary occasionally comes to the rescue of the Migrant Labour and makes pronouncements and observations to fill the gap in the justice delivery system. In spite, the Rulers and Policy makers conveniently ignore and bypass with impunity. Legislation failed, because, Regulatory mechanisms are over stretched, inadequately structured, manpower deficient and resource crunched. State lacks sincerity, yet, Migrant workers are not organized sufficiently to lobby and form a pressure group. There is lack of support from civil society.

One noteworthy enactment to address seasonal migration is National Rural Employment Guarantee Act (NREGA), which guarantees 100 days of employment in a year. The rate of daily wages is, as per the Minimum Wage applicable to that territory. Though the Act was announced with much fanfare, it did not really take-off the ground, as there is neither political will nor social commitment and hence it largely remains on paper. It is implemented successfully only in a very few places which is a miniscule. In most cases the funds are canalized to vested interests.

Lack of organizational structures, awareness, desire on the part of the trade unions and Civil Society Organizations permit such deprivation and exploitation. It is a sad commentary upon the conduct of the Trade Unions and Civil Society Organizations in the cause of the Migrant Labour.

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