

Seminar

On

SOCIO-ECONOMIC DIMENSION OF MIGRANT LABOUR HOUSEHOLDS IN BIHAR

9 - 10th July

MIGRANTS WORKERS FROM BIHAR : ISSUES AND PROSPECTS

S.P.Ahuja*

Migration today is an important feature of contemporary socio-economic and political life. However, it remains somewhat of an under studied and therefore, less understood phenomenon. In this background the present study carried out by the Bihar Institute of Development Studies is a welcome addition to the knowledge base in a sector which has come to acquire considerable importance in recent past both because of increasing numbers involved and rather iniquitous treatment of large sections of migrant population.

Migration, per se, need not and must not be decried. It is part of a universal phenomenon which has been with us ever since and signifies increasing division of labour not only within States and countries but also across States and countries. Further, it is now accepted that we are in an era of knowledge based economy and more and more knowledgeable persons if engaged in any economy can help accelerate the development process. For this reason a number of countries have developed special frameworks to attract human capital from across the world so as to enrich their technique and technology base which serves as a springboard to their economic development.

But most of these policies and strategies to attract the best talents across the world are based on re-construction of the pull factor by the advanced economics which provide work and other incentives for the educated and the capable. This may be an area of concern in the context of brain drain be it at the country level or the state level but this is not the focus of the present seminar.

* Hony. President, Centre for Research, Planning & Action

At this seminar we are more concerned about migrants, who because of certain reasons have largely for temporary periods, re-located themselves for improvement of their livelihood possibilities. These migrants who are at the margin of survival/livelihood both in the new locations and their regular place of stay should deserve attention as part of the overall development strategies of the country and the state so that they find a rightful place in the social and economic space available in the location to which they move from their original habitation, and for the time they remain there.

A study carried out by our Centre for Research, Planning and Action (CERPA) suggests that of all the migrants who move out in search of work from labour exporting states to labour importing states 52 percent enroll themselves as casual workers in their new location, 32 percent as seasonal workers and 16 percent as regular workers. This analysis shows that about 84 percent or more of the migrants maintain their links with their original habitation with the possibility of returning to their original habitat. Even those who migrate to settle in their new location on regular basis do maintain some links with their place of original habitation, at least till about the third generation.

The study also suggests that these migrants were generally not acceptable in their new locations. Almost 92 percent of the local workers contacted as part of the study expressed that they were not comfortable with these emigrant labourers. The main reason given for this behavior was that they were causing shift in their occupation pattern. Whereas their existing occupations, largely labour based, were taken over by the migrants they did not have skills to adapt themselves to emerging occupations in their place of regular work. This is one important pointer to need for training and improving the employability of the labour force in the labour short states because their increased job mobility to other profession will much facilitate the absorption of the labour force coming from labour surplus states. The fact that the emigrant labourers were not really absorbed into the socio-economic milieu of their new location is also established from the fact that less than 2 percent of these migrant labourers had voter ID cards.

The study suggested that almost 72 percent of the migrants in their new locations had come through push factors such as

- (i) lack of employment opportunities in the home state/location;

- (ii) lack of alternative sources of livelihood;
- (iii) insufficient cultivable land and ever increasing size of the household;
- (iv) poor farm productivity; and
- (v) inaccessible infrastructure generally in the nature of transport and communication. This stressed the need for programmes such as Bharat Nirman and PURA (Providing Urban Amenities in Rural Areas).

Only about 28 percent had moved out because of the pull factor which may be described as

- (i) support by kith and kin;
- (ii) access to modernity; and
- (iii) better quality of life. Though access to modernity and better quality of life also attracted migrants to urban locations the key factor in their movement was through an invitation by a family member, generally a brother or a sister already living in some urban location.

Such a movement of labour has resulted in breakdown of traditional economy as also traditional livelihood practices. It is known that in India the economic activity of the household was largely merged with the socio-economic practices and support systems. The economic activities thus were not a separate function of livelihood but an integrated part of their socio-economic life. Cultivation, pre-harvesting and post harvesting activities generally provided for the upkeep of families, bringing up of children and all such activities were enmeshed in everyday life of the household. Migration disturbs all this socio- economic balance and results in

- (i) decline of traditional/indigenous practices;
- (ii) scarcity of able bodied persons in a particular household/location;
- (iii) disturbance of traditional institutions that have elements of mutual support system and sustainability; and
- (iv) emergence of a market economy characterized by uncertainty and risk.

It is the uncertainty and risk involved in the new locations that have become a major source of concern in an increasingly iniquitous society where emigrants are being exposed to considerable

hardship and, therefore, deserve attention of the concerned such as those assembled in this seminar.

The study suggests that about 9 to 10 percent of these migrants move out because of prospective (pre-identified) employment in their place of destination and other 2 to 3 percent move out on account of prospective business. This means only 12 to 15 percent protect themselves with work possibilities in their new place of location. Rest of the large majority just move out to other new locations hoping for the best. They have no prior notion as to where they are going and what for. Most of them just look out for some work at their place of arrival though others depend upon their relatives/family members for support till they are able to settle down with some work.

Average stay of these migrants who are largely seasonal and are attracted by pre and post harvest work in labour short states stay away from their original habitat for about 3 to 5 months in which they appear to have gathered some resource to be able to return to their homesteads and take care of themselves and their families for sometimes, in which period hopefully the new saving or harvesting season will begin.

As mentioned earlier a large majority of the migrants just move in without any clear knowledge about their destination or what they will do. Since these migrants are not only "refugees" in their new location but also illiterate they get exposed to exploitation by somewhat organized human traffickers who have by now have perfected their skills of identification and handling of such helpless "arrivees". The nature of exploitation / pain to which the new arrivees get exposed include:

- (i) possibility of accident during travel or being caught without suitable travel documents including the travel ticket;
- (ii) at the arrival point there are agents/goons who are able to spot such persons and rope them in on one pretext or the other to be marketed to prospective employers or even engage them in nefarious activities. This may carry the label of human trafficking;

- (iii) since they are trafficked/marketed by very skillful people they have no defence available to them. In this situation money is largely extorted through short payment of wages or compensation against work.
- (iv) they are also exposed to inhuman working conditions and are sometime forced to perform inhuman tasks working for 12 hours or more in a day is commonly observed.
- (v) since these workers are unable to defend themselves against any contingency they are often exposed to extremely risk prone activities. These relate to both construction activities and agriculture. For example, in any particular season almost 300 labourers who travel to Punjab largely from Bihar get incapacitated by threshers during the wheat harvesting season.

It is true that there are plethora of laws to protect the workers. These laws exist both at national and state level. These include :

The Child Labour (Prohibition and Regulation) Act, 1986

The E.P.F. and Miscellaneous Provisions Act, 1952.

Industrial Disputes Act, 1947

The Maternity Benefit Act, 1961

Minimum Wages Act, 1948

Payment of Bonus Act, 1965

Payment of Gratuity Act, 1972

Payment of Wages Act, 1936

Payment of Wages (amendment) Act, 2005

Public Provident Fund Act, 1968

Workmen's Compensation act, 1923

Factories Act, 1948

ESI Act, 1948 (Employees State Insurance Act, 1948)

These Acts provide guidelines for various types of contract systems including

- (i) the labour contract where labour is employed against wages; and

- (ii) the job contract where payment is made against work measurement.

In both the cases the labour is often over worked and under paid and all this is achieved by the employers and their agents in such a manner that employers remain out of the purview of labour laws. How this is achieved is fairly common knowledge and need not be elaborated here. This manipulation is so convenient and easy that the legal aspects of contractual labour have seldom been brought into play in favour of these temporary hands who travel from labour surplus states to wherever they are required or consider they may find some livelihood. Hardly have any complaints of excesses or exploitations of labour been lodged or investigated.

Therefore, future reliance on the legal system in matters of migrant labour cannot be relied upon to provide succour to the poor and vulnerable migrants. Whereas existence of migrant friendly laws and even their strengthening is in itself desirable, these cannot be relied upon much for the deliverance and well being of the migrants.

In this background reliance through future years for the well being of the migrants and vulnerable groups of population may be more on efforts in the area of socio- economic protection and/or social security and development of migrants to organize themselves better. To some extent this is already happening. Several of the central and state government schemes have been put into motion of which most recent and most important are the National Rural Employment Guarantee Scheme (NREG), rise of Panchayati Raj Institutions and the right to information Act. NREG, in particular has impacted the most by providing some minimum work to all households. This has provided many with some minimum livelihood. This then becomes what may be described as an opportunity cost to migration and because of this many have opted to stay put in their natural environment. Given the basic sustenance in their own habitation/location the prospective migrant workers are also trying to find better livelihood avenues through diversified activities and thus staying back at home..

Already, it is understood that fewer workers are moving out of Bihar. This has, it is noticed, caused considerable shortage of labour in labour receiving states including Punjab, Haryana, Maharashtra, and Gujarat. One estimate suggests that there has been almost 40 percent reduction in the annual migration from Bihar which was earlier estimated at 60 lakh persons.

In this background reduction in emigration of labour to Punjab, Maharashtra and Gujarat and also North East may be a positive phenomenon as far as workers welfare is concerned. Since there will be relatively fewer workers available hopefully they will command better terms of trade in the form of level of wages and living and working conditions. We understand this has started happening.

It is understood that there are already feelers from the labour importing states to the concerned that they should encourage export of labour from Bihar. When this happens hopefully the condition of migrant labour will automatically improve and they may now travel to labour importing states on their own terms. Already one estimate suggests that wages of labour for paddy plantation have doubled in the state of Punjab.

The labour shortage in agriculture in agro progressive states such as Punjab and Haryana is not only arising from better livelihood conditions within the state and possible decline in export of labour from labour surplus states such as Bihar but also because of increased absorption of labour by several of the infrastructure projects where employment conditions are not only somewhat better but also better regulated. In particular several of the Highway, Power Generation and Construction projects which are currently in progress are looking for labour and are also concerned about their well being not only to initially attract them but also to keep them attracted over time.

In such a scenario there are greater possibilities and prospects of ensuring that those who move out are not exploited. But still such issues cannot be left to market forces. Market forces have seldom been friendly to the vulnerable and the weak. These, in fact, in their normal functioning, do not provide for the poor and the unprotected such as the migrant workers. In such a scenario what policy framework may guide the functioning of the economy and social metamorphosis that accompanies migration needs careful consideration which, perhaps, is the *raison d'être* of the present discussions.

We understand that Bihar Government has already introduced the system of issue of identity cards for workers who leave Bihar. They are also posting officers in receiving states to look after the welfare of workers from Bihar. These steps will go a long way in improving the working conditions of migrant labourers.

Labourers from Bihar are also now moving to Karnataka and Orissa where many infrastructure projects are in progress. The infrastructure projects certainly are less exploitative and also more remunerative as compared to work in agriculture. The larger projects are more management oriented rather than ownership oriented and this limits scope for exploitation.

Work opportunities within Bihar have also improved. Bihar is now poised for a possible agro revolution for which it has all the conditions favourable to it and it is to be hoped that this will require considerable labour not only pre and post harvest but also for agro-processing.

Overall the environment exists for better all round working conditions for the migrant workers through future years. These are signs of inclusive growth which is the development mantra of the current five year plan. We look forward to its success.

But in the emerging scenario, which appears favourable, specially for migrant workers from Bihar, some additional efforts may go a long way in further improving the lot of these workers. In another study carried out by CERPA among nomadic tribes (Gujjars) in Himachal Pradesh, we observed that Gujjars who travel down in winter from upper reaches of Himalayas to the plains of Punjab had overtime developed a host guest relationship with local landlords. They were, each successive winter, staying with same landlords and providing labour for them. They, however, had an advantage that they had mobile assets in the form of milk animals and were selling milk in addition to their labour. The landlords also benefited from having their animals around which helped them in fertilizing their fields. If similar relationships develop between migrating labour and the receiving landed families, specially in the agricultural sector and the unorganized sector including eateries, it will be helpful.

Further, as mentioned earlier laws in our country though comprehensive and perfect leave much to be desired in implementation. Their implementation is procedurally difficult to the point of impossibility and expensive specially where employer- employee relationship is temporary and location of the relatively disadvantaged is irregular in character, often without a suitable address, identification etc. In such a situation it may be useful to organize outgoing labour in some form of Mutual Support Groups (MSG's). These mutual support groups may constitute a group of 5 to 7 migrant workers or even more, who may organize to travel, stay and work together, at least in the same location, if not for the same employer. These MSGs may be recognized and even provided with some support by the labour departments of the exporting State. It is intended that unit of export in this case is not an individual but a group and hopefully such a unit will be able to have better terms of trade in its favour vis-à-vis the prospective employer. Improvement of terms of trade with respect to what migrants have to offer, largely physical labour, is the task before this august assembly which it may address as best as it can. MSGs as a unit of labour may be considered as one of the possibilities.

An important requirement of migrant labour from Bihar is safety and security of whatever they are above to save from their hardwork often under in hospitable conditions. If some suitable financial instruments, may be Bihar specific, can be introduced to transfer these saving, in small amounts, to their native places, it will be very useful. Further, if proper investment / use of these savings in housing, mutual funds etc. can be guided, it will further add to their well being. In this context it may be, in the first instance, useful to study how these moneys are at present (a) saved & kept; (b) transformed to their nature family members; and (c) utilized.

While we may concern ourselves with the issues raised and possible actions there is no need to panic as a new Bihar in Bihar is in the making which will require more of its own labour that will much reduce surplus labour that can be exported from Bihar. And since the supply of migrant labour will be limited it will probably command a better price and better working conditions.

Further, a new Bihar outside Bihar is also in the making. This is reflected in the changing complexion of Administrative Services, of admission to intellectual citadels such as universities and research establishments and increased presence in the political space on the national horizon.

These changes augur well for the future of Bihar and the betterment of the migrant workers, whose numbers in any case are on the decline.

S.P. AHUJA
Hony. President
Centre for Research, Planning and Action
16, Dakshineswar,
10, Hailey Road,
New Delhi - 110001
email : spahuja71@yahoo.com

Dated: 04.07.2008