

Migration in Chhattisgarh

Features, Trends and Policy Challenges with reference to the Inter-State Migrant Workmen (Regulation and Conditions of Service) Act, 1979

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Earlier human migration from present Chhattisgarh had reportedly occurred in the late 19th Century. Much later, drought years during the 1960s had triggered wide-spread migration. However, in the recent years migration has become more of a norm than exception, accentuated by misguided development policies that force the poor to migrate in search of improved livelihoods. If data from last census (2001) is any indication, intra- and inter-state migration from the state has been an estimated 6,784,937 persons. Within districts



of the state, women migrants outnumber men. This not only indicates the role of women in securing livelihoods for the household but reflects an overall inadequacy of welfare schemes of the state to reach out to the poor. Given the diversity in the nature of migration in Chhattisgarh, the causes are also of multiple in nature. Armed with the Inter-State Migrant Workmen Act (1979), the Ministry of Labour and its concerned departments are instrumental in formulating and implementing measures to protect the rights of the migrant workers. However, serious gaps in actual implementation of progress on the ground have been observed and reported in recent years. With this broader perspective, the consultative meeting brought together 33 participants drawn from the government, academia, trade union, media and civil society to deliberate upon the key features and trends in migration from the perspective of addressing policy challenges.

Context

In his comprehensive and authoritative keynote presentation, former Secretary to the Government of India **Dr. Laxmidhar Mishra** made it clear that the provisions of the 1979 Act, which was placed in the statute book on Oct 2, 1980, was not intended to completely arrest or prevent the incidence of migration. Instead, it was ameliorative and anti-exploitative in character meant to compensate the dislocation of home/family life and alleviate the misery and suffering of the interstate migrants. It was further stated that though more than three decades have elapsed since the law was passed, all expected outcomes of the provisions under the law have been sadly belied. Citing the case of the Commonwealth Games wherein 100,000 workers were initially recruited but the number had come down to about 20,000, all-round ignorance of provisions of laws were noted on the part of the principal employer, contractor and all other middlemen. Dr Mishra pointed out that had the officers of the Labour Department monitored all the worksites compliance of statutory provisions could have been ensured. While examining several of such cases, the following specific suggestions in relation to regulatory and ameliorative measures were tabled:

1. Since interstate migration involves at least a source and a recipient state, the two states must come forward to appointing inspectors (as provisioned) having jurisdiction in other state.
2. Joint study teams comprising senior officers of the State Labour Departments of both the states need to be constituted for effective monitoring.
3. Recruitment of workmen from one state to another could be channelized through Migrant Workers' Boards of respective states for protecting the rights of the migrant workers.

Making the law work in favor of the migrant labor could be a wishful thinking, argued **Dr. Praveen Sinha** of Frederique Ebert Stiftung, as it (the law) hasn't shown any promise in the last 35 years ever since it was enacted.

Had it been otherwise, there would not have been as low as 800 registered agents and just about 30,000 migrant labour in official government records across the country. It is well known that actual numbers are several times higher. **Mr. S K Mishra**, former Chief Secretary of Chhattisgarh Government was of the opinion that 'social legislation cannot be effectively implemented by the government'. Mr. Mishra, who chaired the inaugural session, felt that with government officials representing both the sides joint study teams may not work to resolve the crises. While inadequacies in compliance of provisions under the law came to light, the focus of discussions shifted to finding out a way forward in protecting the rights of the migrants.

Issues

The nature of discussions that followed centered on both the diagnosis of the problem as well as possible solutions within the legal framework. While inevitability of migration under varying socio-economic conditions was generally accepted, developing a clear understanding on the reasons for repeated migration from some of the naturally-endowed regions remained an open question. While presenting a case study from Bilaspur, **Mr. Umi Daniel** of Aide-At-Action reported indebtedness as the primary cause for migration followed by lack of productive work and absence of loans for the poor. So desperate are the poor that they often mortgage their PDS cards for quick monetary gains. **Dr. Hanumant Yadav**, Chairperson of the Mayaram Surjan Foundation expressed serious health concerns for migrants workers employed in construction and health hazardous industries. Though there are provisions under the law for accidents at such sites, rarely do these get reported. Consequently, the vulnerable migrants have to bear the same at the cost of their lives. Despite the provisions under the 1979 Act, regulatory conditions for migrant workers are rarely complied with. Migrant workers are often exploited at the destination, both by the contractor as well as the employer.

Representing Chhattisgarh Unit of the All India Trade Union Congress, **Mr. C R Bakshi** lamented the policies of the state that encouraged landlessness and consequent exodus of the poor in search of greener pastures. Quoting the case of the highest irrigated district of the state Janjgir-Champa, Mr. Bakshi pointed out that proposal to generate 30 thousand megawatt thermal power from the district has meant forcibly acquiring an estimated 1,29,000 acre of prime agriculture land for constructing over 2 dozen thermal power plants.

Estimates indicate that some 300,000 farmers have been rendered landless who have no other option to migrate in search of livelihoods. Short interventions by **Mr. Gautam Bandyopadhyay** and **Mr. Lalit Surjan** brought to attention the misguided policies of the state in promoting forced migration.

The deliberations not only lamented the lack of compliance to protect the rights of migrant workers on one hand but stressed the need to examine those factors that accentuated migration. While *aspirational migration and opportunity migration* are made more out of choice, it was the plight of *distress migrants* and *forced migrants* which were the subject of focus. Reference to successful initiatives to protect the rights of brick-kiln workers, construction workers and agriculture workers were brought to light, for the concerned departments to learn for possible scaling up. Labour Commissioner **Mr. Jitendra Kumar** enumerated several steps taken by his department in protecting the rights of the migrant workers. It was heartening to note that the Government of Chhattisgarh has signed memorandum of understanding with few destination states to better the living conditions of migrants from the state.

Way Forward

Dr. Praveen Sinha concluded by saying that there are many aspects of migration that haven't been fully understood and stressed the need to identify data and knowledge gaps in order to better inform policy formulation. **Dr. Sudhirendar Sharma** sought enumeration of diversity of migrants (forced, stress and opportunity migration) in census records such that official records and localized studies are not at variance with each other. Only by reducing such data gaps can the phenomenon of urbanization of poverty and exclusionary urbanization as structural impediment to migration could be brought to light in policy formulation. **Mr. Sanjay Kumar** of Deshkal Society found opportunity in leveraging comparative advantage of different stakeholders in forging an alliance to not only identify action points emerging out of the one-day discussions but to formulate strategies for influencing policies of the state as well.