Chapter — 8
CONCLUSION AND SUGGESTIONS

8.1. Conclusion

Migration is the barometer of changing socio-economic and political conditions at the national and international levels. It is also a sign of wide disparities in economic and social conditions between the origin and destination. It is a natural outcome of inequality in the distribution of resources. Migration and development is a growing area of interest. 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. The history of migration is the history of people’s struggle to survive and to prosper, to escape insecurity and poverty, and to move in response to opportunity. In developing countries like India, migration mostly takes place not only due to the so called pull forces of the destination places but because of poverty, unemployment, natural calamities and underdevelopment at the origin place. Migration in developing countries like India is still viewed as a survival strategy. In India internal mobility is critical to the livelihoods of many people, especially for people from rural areas. Migration in search of livelihood is a stark reality in India today. The bleak livelihood scenario in backward, hilly, tribal, desert, drought-prone, rain-fed, flood-affected, high-density or conflict ridden areas has led to the emergence of migration as a survival strategy for a large number of poor people in the country.

It is very obvious fact that labour migration has become a social, economic and universal phenomenon in modern times. Due to the expansion of transport and communication, it has become a part of worldwide process of urbanization and industrialization. Industrialization creates the gap between rural and urban areas, including a shift of the work force towards industrializing areas. The collapse of rural livelihood in many parts of India also forces the workers to migrate from their native places in search of employment.

The workers are mainly motivated to migrate for the better employment opportunities, higher wages and better living conditions at their destination places. Labour migration is impelled by pull and distress factor at home such as lack of employment, low wage
rates, agricultural failure, burden of debt and natural calamities. The process of globalization and urbanization has forced large numbers of poor in labour and farming communities to migrate from their home to far off places in search of employment. The seasonal migrants are unskilled and semi-skilled workers from lower income groups who could be able to improve their economic condition or income scale after migration. In the destination, migrant labour affects markets, lowering the cost of labour. Migration also affects the labour market at the place of origin. Migrant earnings affect income, expenditure patterns and investment and changes relations at household and community levels. While there seems to be some positive impact on incomes and investment, the major function of migration is to act as a ‘safety valve’ in rural areas.

The labour migration for employment has become one of the most durable components of the livelihood strategies of people living in rural areas. Internal migration is an inevitable component of the economic and social life of individuals depending upon the regional imbalances and labor shortages, among others. Correspondingly, there are also supply-side changes owing to changing social structure, increasing the literacy rate and educational level of the workforce, besides the impetus to develop and modernize thousands of cities to become business hubs. The growing spatial inequalities in economic opportunities and a widening gap in the development between agriculture and industry have impacted on the pace and pattern of migration. Factors attributed to rural-urban migration include the historical development of different regions, interlocked markets for credit, output and labour, marketable traditional skills, other livelihood options that are complementary to migration, the availability of surplus labour within the household, cultural norms regarding the sexual division of labour, as well as decisions related to children’s education.

The process of labour migration in India also influences by the process of globalization and urbanization. The opportunity before the comity of nations is to move to a rural-based, global migration regime and governance structure that is so non-discriminatory, democratic, and can best serve the world over the medium to-long term. One of the imperatives of sustaining global economic growth is the search for talent and the demand for supply of skills across sectors and geographies. The
employment opportunities of the lowest skilled will continue to decline, risking a lost generation, cut off permanently from the labour market opportunity, where skills were once a key driver of prosperity and fairness. To foster competitive, efficient, and equitable economic migration, there is need for new, innovative, and forward-looking global governance structure for labour migration based on a framework that will be rule based, non-discriminatory and democratic. In India urbanization has impact on the rapid growth of labour mobility in the urban areas. Urbanization denotes the progressive growth of town and cities due to the concentration of population in particular areas. This process reflects the index of transformation from traditional rural economies to modern industrial zone. Urbanization is the process of switch-over from spread out pattern of human settlements to one of concentration in urban areas. The main component of urbanization are the shift of an increasing labour force from agriculture to the secondary and tertiary sectors and a change in population distribution scattered rural areas to compact towns and cities which are often accompanied by changes in lifestyles. The process of urbanization is characterized by three stages. The initial stage is marked by rural traditional societies with predominance in agriculture and dispersed settlements. The second stage is the acceleration stage with rapid population concentration in urban areas that is caused by basic restructuring of the economy and the investments in social and economic overheads. In the third stage the rapid growth of urban population remain more or less constant. These characteristic features indicate that the process and pace of urbanization too, is dependent on the levels of socio-economic development that is taking place at particular destination.

Migrant workers are very disadvantage and vulnerable in nature and labour laws dealing with them are not properly implemented. Poor migrants have very little bargaining power. Most migrant labourers are also employed in the unorganized sector, where the lack of regulation compounds their vulnerability. Laws and regulations concerning working conditions of migrants are largely ineffective: legislation fails because regulatory authorities are over-stretched, the state sees migrants as a low priority and because migrant workers are vulnerable with little support from civil society. But there are instances in which both governmental and non-governmental organisations have intervened to reduce the costs of migration and to increase its benefits to migrants. Migrant labourers are exposed to large
uncertainties in the potential job market. To begin with, they have little knowledge of the market and high cost of job searching. The perceived risks and costs tend to be higher the further they are from home. There are several ways in which migrants minimize risks and costs. For a number of industries, recruitment is often done through middlemen. In many cases, these middlemen are known to the job seekers and may belong to the source area. In other cases, migrant workers move to the destination places as of their individual choice without taking any help of the agent but the number is very less.

The problems faced by Inter-State Migrant Workers have many facets to deal with sociological, psychological, economical and legal. The activities in which migrant workers are involved require physical strength and call for much bending and reaching. The important thing of migrant worker is that they are not treated the sons of the soil. The migrant workers particularly the inter-state migrants are dispersed, unorganized and have poor bargaining power in general. They are also called as seasonal worker. Such seasonal work is a feature of the unorganized sector. They suffer from seasonality of employment and lack of sustainable employment. Migrant workers are the greatest sufferers because they are unorganized, illiterate and hence not capable of taking advantage of the provisions of various labour laws applicable to them. Poor legislative protection, ineffective legislation and ineffective mechanism are another major issue.

The research study focuses on the rights of the migrant workers in the State of Odisha. Though the State is sound with mines and minerals but the economic conditions are not stand as better position to promote whole round development. The economy of the State is mainly depending upon the agriculture. The agricultural productivity affect due to drought and natural calamities. The farmers are not able to cultivate their agricultural land with double cropping system. As a result they remain jobless for rest of the period. The responsibility to maintaining the family and burden of debt force them to choose alternative livelihood. The labour migration prevail in this State is known as ‘Dadan Shramika’. The system practiced here since long past. The workers from the rural area of the State were used to engage in the railway road construction work, tea gardens and agricultural labourers in other States. During the lean period (non-availability of jobs, family burden) the poor workers taken advanced from the
local agent or contractors. For a while they can try to mitigate their family expenses. But out of pressure for burden of debt the workers easily comes under the influence of local agent or contractors. The agent arrange available job for the workers in various parts of the country. As the agent has pre-connected with the employer of industry or construction work situated outside of the state and to make available the workers with cheap rates.

The researcher has taken ten districts for survey out of thirty districts of the State. The main labour migration occurs from these prone areas. The workers used to go for work mainly in the brick kiln, construction work, garment mills, hotel and restaurant and other domestic services. From the research study it has been revealed that the large portion of workers engaged in the workplaces with the help of the agent or contractors. In maximum number of cases the workers moves as an illegal migrants. Their names are not enlisted in the registered book maintained by the appropriate authority of the Government. It is the duty of the contractor to make enrolled the name of the workers as documented. The large numbers of workers are illiterate and even they totally unaware about the impact of their documentation. It is on regular basis the news published in the local news paper about the rescue of the illegal migrants from railway station with agents or dalals.

The labour migration process is to some extent motivated and control by the agent or the contractors in the rural areas. The maximum numbers of the contractors continuing the process without obtain any license from the appropriate authority of the government. According to the Inter-State Migrant Workmen Act, 1979 the contractor should obtain a valid license prior to deal with the labour migration process. The contractor has the responsibility to provide identity card to the workers where description about every requisite term must be written. If the contractor fails to do so then he should be punished according to Section 25 of the Act. The real scenario is that even the workers have not shown any interest to make them registered. They are totally unaware about the impact of registration. So in that way large numbers of workers remain undocumented. The study further reveals that the large number of workers faces with various problems in the working places. They need to pursue overtime work and the condition of work is inhuman in nature. The workers are not provided with equal payment for their equal nature of work. They
forced to stay in dingy and congested houses. The workers are not facilitated with mineral water. The children of the workers suffered with malnutrition. Sometimes the children also share their hands in helping their family. In that way the children are deprived of their right to education in the working places. The conditions of the women workers are also very miserable. They face huge discrimination in regard to payment of wages and even not getting the facility of maternity relief. So the workers are totally deprived from receive entitlement under social protection schemes in the working places. In this regard the employer has not fulfilled their duty. The administrative authority also very rare to visit and investigate in the working places.

The workers have no freedom in the working places. If the workers suffered with health problem then also they forced to continue restless work. Though the Constitution of India provides about socio-economic justice, freedom of movement and prohibition of forced labour but the working class in maximum number of cases deprived from their rights. To frame adequate legislation is not sufficient enough to protect the workers from mental and physical harassment and gross injustice but the real fact is that until and unless the Central and the State Government plan, schemes, policy and project properly implemented in the rural areas and the workers remain unaware about their rights, the legislation will remain as paperwork. So in this respect the workers should train about their respective rights and the initiation should be taken by the Government and simultaneously the NGO should come forward and organize the awareness campaign in the work places.

As per oriental Saying:

Where the vision is for one year,

Cultivate flowers;

Where the vision is for ten years,

Cultivate tress;

Where the vision is for eternity,

Cultivate peoples;
8.2. Suggestions

Labour Migration in Odisha can be classified as both distress and opportunity driven. While it is imperative to address the destitution and distress involved in migration, there are also ample of opportunities to spearhead a planned and organized migration management programme to safeguard and protect the interest of migrant workers. Broadening the scope for probability of socio-economic and democratic rights of the migrant is crucial. Regarding this some of the key suggestions are presented below:

- The Inter-State Migrant Workmen (Regulation and Condition of Services) Act, 1979 provides for registration of inter-state migrant workers and has a provision for issuance of licenses to labour contractors. The study reveals that only a small number of workers are registered under this Act. It is suggested creating a special plan to register the migrant workers at the Panchayat level and a policy should be mandate to empower Panchayat to issue licenses under the Act.

- The Government should also appoint more labour inspectors in block level to monitor and enforce the implementation of the Act.

- The Government should identify the vulnerable and high migration pockets and target creation of gainful employment during the lean period. The employment under MGNREGA should be augmented to prevent people from getting into debt traps leading to distress migration.

- Sustainable livelihood promotion through development of farm and non-farm activities, markets and co-operatives should be promoted for the vulnerable people to regain their lost livelihood.

- Skill building training programme to the rural youths, job placement, safe and planned migration will reduce the vulnerability of people while migrating for work to other States.
• Strategy to prevent migration of school going children by availing the services of seasonal hostels should be operationalized by Sarva Shiksha Abhiyan (SSA).

• The left behind family members of migrants particularly women, the elderly, disabled, diseased and children often undergo multiple levels of vulnerability which need to be addressed at the source villages.

• Natural disaster prone areas should have contingent plans for effective rehabilitation and resettlement measures to prevent people from migrating and getting trafficked.

• Special programmes should be envisaged to support and promoting the health of the migrant workers.

• The State Government at the source area and in the destination States, and district administration at the district should take steps to provide subsidized rice, mid day meal, benefits under ICDS and other social security entitlements to the migrant workers.

• Inclusion of migrants in the Rashtriya Swasthya Bima Yojana (RSBY) and registration under the Odisha Building and Other Construction Workers Welfare Board (BOCW).

• The ILO initiated MoU between the sending and receiving States under ‘Decent Work Country Programme’ is a welcome step for ensuring welfare and social security of migrant workers. Creation of the Inter-State Government migration Coordination cell between the host and source State should be envisaged to monitor, regulate and facilitate safe and protected migration.

• Revision of the Inter-State Migrant Workmen Act in the light of current mobility, protection of rights and entitlements of migrant workers should be initiated.
• Special monitoring cell to prevent women and child trafficking in the States should be taken up as a priority. Adequate social and economic rehabilitation should be done for all trafficked women and children who have been rescued.

• Setting up of the Odisha Migrant Workers Labour Welfare Board (OMWLWB) may be given priority to safeguard the rights and entitlements of unorganized migrant workers.

• Effective disaster management response and mitigation to arrest exodus of people should be done. Special plans for mitigating and adapting to climate change related disasters induced migration are also needed.

• The policy should ensure fast track legal response systems to expedite case resolution like minimum wage violation, accidents and workplace abuse etc. The present legal machinery is less sensitive to the nature of legal disputes in the unorganized sector where labour has little documentary proof of his or her employment. It is seen that many disputes never make their way to the court or keep languishing for lack of proof. The jurisdiction of Labour Courts, which is mandated to look at labour disputes, is also limited within the State.

• In cases of long distance inter-state migration, cases of harassment, abuse and cheating in transit are frequently reported. At the destination, migrant workers often get into trouble with police for inability to produce valid identity. At work place, instances of abuse and exploitation by way of with-holding wages, less or non-payment of wages are also abounding. It would be important to set up a national labour helpline supported by a network of migration resources centres. This labour helpline should be managed by labour departments and civil society organizations working on the issue of labour and migration.

• Migrant worker cell should be established in each district labour offices under labour department to monitor and address the issue concerning migrant workers.

• Memorandum of Understanding should be signed with destination states regarding the information, collection of data and implementation of social
welfares measures for the Migrant workers. In the year 2012, Odisha Government signed MoU with Andhra Pradesh Government according to the guidelines set up by the ILO. As because the State of Andhra Pradesh receive large number migrant workers from Odisha and this kind of initiative should be take with other migrant workers receiving States to protect the rights of the migrant workers.

- Labour department needs an urgent infusion of resources both human and capital. It would be important to create more provisions for an effective functioning of the departments.

- There are number of government programmes and policies, which need to build convergence for the migrant community for their effective utilization. The implementation of policy should be done under the guidance of the Ministry of Labour and Employment. A special unit should be set up at the Ministry of Labour and Employment. The unit should work closely with joint collaboration of other ministries such as Ministry of Rural Development, Ministry of Women and Child Welfare, Ministry of Health and Family Welfare etc.

The special unit should be created to perform the following functions:

- Collection, management and collation of migration data.

- Operation of labour migration resource centres created in the high migration zones within the State.

- Operation of inter-state migration management bodies, such as the migrant worker cell, instituted within state labour departments.

- Operation of labour helpline.

- Linkages of migrant workers and their households with existing government schemes.
• Incorporate mechanisms that monitor the provision of decent work for migrants and enable them to access legal provisions for social protection.

• Set up district wise social dialogue mechanisms to address migrant labour issues.

• Promote equality of opportunity by strengthening gender-specific approaches to policies and activities concerning labour migration, particularly in recognition of the increasing feminization of labour migration.

• Facilitate technical co-operation activities with international agencies, ILO, IOM, WHO, UNAIDS and others concerned.