



# **Human Rights Issues of Migrant Construction Workers in Kerala**

*Project report*

*Submitted to the National Human Rights Commission,  
New Delhi*

By

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January 2014

## Declaration

I, Dr. Jomon Mathew, do hereby declare that this written account titled '*Human Rights Issues of Migrant Construction Workers in Kerala*' is a bonafide record of research work done by me. I also declare that this project report has not been submitted by me earlier for the award of any degree, diploma, fellowship or any other similar title.

Place: Trivandrum

Date:

Dr. Jomon Mathew

## Acknowledgements

*I like to extend my sincere thanks to National Human Rights Commission for providing me an opportunity to undertake a research project entitled Human Rights Issues of Migrant Construction Workers in Kerala.*

*The entire faculty members of the Department of Economics, University College Trivandrum are remembered for the kind of encouragement and support they extended...*

*I extend gratitude towards Dr Nagarajan Naidu, Dr C A Priyesh, Praveenkumar, Anil, Ajeesh C M and Unnikrishnan N B for all the technical supports and encouragement during the pursuit of my study*

*Library staffs of Centre for Development Studies Trivandrum and University College Trivandrum are remembered for their friendly approach and helps....*

*I am also thankful to Ishan, Kalyani, Aasa, Chikku, Lekshmi, my parents and all those people who helped me in the process of data collection and analysis.*

*Once again I thank one and all for suggestions and help to bring this research project a reality.*

**Dr. Jomon Mathew**

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## Executive Summary

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### Introduction

The development experience of Kerala in recent years with special focus on growth of IT sector and tourism development along with urbanization necessitated several construction activities. As large number of Keralites has gone out to other countries for better jobs and majority of Kerala's educated youth go for preferring white color jobs, there is a huge gap in the demand and supply of labourers in the job market especially in the construction sector. This widening gap is very often filled by the migrant workers from other Indian states. While a relatively small section of migrants from other states are professionals and skilled workers, large majority are unskilled workers engaged in construction works. The construction industry is the first point of entry for the migrants to the towns. Though Kerala is known for its peculiar literacy achievements, trade union activities and better quality of life, the migrant construction workers from other states are hardly found enjoying such opportunities. Instead, the migrant construction workers in Kerala do not receive a satisfactory stay in the work place as well as living places. Issues emerging from lack of proper communication opportunities and trade union entry often lead to human rights violations against them. Labour laws aimed at protecting various rights of workers and the privileges ensured by the International Bill of Human Rights seem to be passive in case of migrant construction workers in Kerala. Hence, the present study focuses on the human rights issues of migrant construction workers in Kerala.

### Objectives and methodology

In order to have deep understanding and in-depth investigation about human rights issues of the migrant construction in Kerala, the present study focuses on the following specific objectives:

1. *To understand the socio-economic status of migrant construction workers in Kerala and the push and the pull factors taking them to Kerala*
2. *To evaluate the working and living conditions of migrant construction workers in Kerala and their health issues*



3. *To study and assess effectiveness of various laws and welfare schemes that aimed to protect the human rights of migrant construction workers*
4. *To identify the human rights violations and issues of migrant construction workers at work place and suggest policy solutions*

In order to analyse these specific objectives, the present study focused primarily on a sample survey conducted among migrant construction workers in Kerala. The survey was conducted in all 5 municipal corporations in the state such as Thiruvananthapuram, Kollam, Kochi, Thrissur, and Kozhikode. The study is of a pilot nature on internal migration in Kerala with a very limited sample size of 1000 migrants selected at random.

### **Major findings of the study**

Major findings of the study can be summarized under four sub headings such as those mentioned below.

#### **i) Socio-economic status of migrant construction workers**

Various parameters are identified and used in the questionnaire while interviewing the respondents in order to elicit their socio-economic status. The educational background of migrants, number of family members, marital status, asset ownership in their original place, reason for their migration to Kerala, the nature of works etc are considered key factors while evaluating their socio-economic status. Important findings of the analysis are mentioned below.

- It is found that maximum number of migrants (26.5 percent) arrived from West Bengal followed by Bihar and Assam (16.8 and 14 percent respectively). More than half of the migrant construction workers have only primary school education where as one third of them had no formal schooling. Three forth of the migrants belonged to Hindu religion. It has been found that 26.8 percent of workers belong to the age group of 25 and 30. It can be seen that 65 percent of workers belong to the age group of 20 and 35. Around 5 percent are above 40 years of age. Surprisingly 6.5 percent workers are below 18 years of age and another 11.8 percent between 18 and 20 years. Thus around 18 percent workers come under 20 years of age. Family size migrant workers seem to be large with majority

having 5 members at home and almost one fifth are having more than five members at home.

- It is noticed that more than 80 percent of the respondents are unable to handle Malayalam while only the remaining few can somehow be able to understand the language used in Kerala. Regarding the history of migration, 80 percent are having their first migration experience in Kerala. Majority of them have been staying in Kerala for 2 – 5 years. Surprisingly 4 percent have been staying in the state for more than 5 years. Majority of migrant workers are engaged in unskilled works like doing construction requirements of various sites. Only 18.6 per cent are engaged in skilled works in the construction sites. It is noticed that the more than one - fourth of the migrant construction workers do not possess land and house in own village. In case of durable items, most of them owned radio at home while around one fourth owned TV and mobile phones at home. Around 41 percent had bicycle in village. At the same time the vast majority of migrants do not have such durables in Kerala. The only exception is the case of mobile phones where 61 percent hold a mobile phone for easy communication with their home village.
- Regarding the wages received per day, majority of skilled workers receive remuneration between Rs 400 and 500 while majority of unskilled workers receive wages between Rs 200 and 300. They are also seeking loan/advance facilities from employer but less number of migrants gets loans and advances from their employers. For remitting money to home the most important method accepted is banking facilities.
- The push and pull factors of migration to Kerala are examined. The consolidated data of the respondents reveal that 37.6 percent of the migrants came to Kerala due to the fact that the existing wages in their own villages were very low. Another 33.6 percent came here due to lack of job opportunities in their village. To 27.2 percent, poverty was the major push factor. The high wage rates and more employment opportunities were the key factors that pulled them to Kerala.

## **ii) Working and living conditions**

The analysis of the working and living conditions of the migrant construction workers as well as to health status of migration is made and summarized in three sub heads such as working condition of migrant construction workers in Kerala, living condition of migrant

construction workers in Kerala and health issues of migrant construction workers in Kerala. Important findings of the analysis are mentioned below

- Maximum number of workers has been doing construction work in Kerala between 2 and 5 years. Very less number has completed more than 5 years in Kerala. The average number of hours of work per day is found to be nine hours per day. As high as 82 percent of the workers reported that they have to work for more than 8 hours on a working day. It could be noticed that 82 percent of the migrants in Kerala are doing overtime work. The wage received by the migrant workers differs in accordance with the nature of work they do. The skilled and unskilled workers are paid differently. Among the unskilled category, there are wage differences in various work sites and different geographical areas. The mode of payment varies among different employers. The most common mode of payment is found to be weekly payments of wages.
- Most of the migrant workers expressed satisfaction in getting promised pay in time. However there is an exception that a few of them are not given payments in time. It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons. 89 percent of migrants are engaged in construction works without any training. Only 11 percent of the workers get training especially the group engaged in skilled works. Employers are not alike in providing sick leaves because once they get a chance to leave the work sites, it may be difficult to bring them back to the same job. The tendency of leaving for better chance is also common among migrant workers. Data reveals that 58.5 percent of the migrants get sick and other kinds of leaves both to take rest as well as going home for treatment.
- A major issue faced by the migrant workers is related to harassment in the work sites. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors. Migrant workers in Kerala are not having any trade union membership. It has been observed that three-fourth of the migrants are staying at the work site itself. It can be found that 36 percent workers stay in rooms with 5 persons. Another 12.2 percent stay in rooms with 6 persons and 6.5 percent migrants stay with 7 persons. It is also noticed that nearly one percent workers live in rooms where more than 7 persons reside. The most pathetic situation related to overcrowded stay is the

toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons.

- Most of the migrant workers, to be precise, 88 percent are not having any chronic diseases. It is revealed that 68 percent workers had come across some kind of accidents and work related illness. This includes accidents in connection with construction works, chronic allergic problems, severe and continuous headaches while in the sun light for long hours etc. Around 81.5 percent workers depend on government hospitals because of the low cost or free treatment provided. Three percent workers have used to consult private hospitals. It is noticed that 12 percent construction workers used to consume medicine directly from the medical shops without consulting doctors. Around 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/ group insurance in Kerala

### **iii) Human rights issues of migrant construction workers**

The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols. The International Bill of Human Rights ensures several rights to the workers all around the world. In the light of these articles of the International Covenant on Economic, Social and Cultural Rights (ICESR), it can be noticed that the human rights of migrant construction workers in Kerala are severely violated and therefore, this category of workers demand immediate attention from the part of the governments and human rights agencies like State Human Rights Commission as well as National Human Rights Commission.

The most important objective of the study was to examine the human rights issues of migrant construction workers in Kerala. These issues are examined in close observation and interview with the respondents. The study summarizes the human rights issues of migrant construction workers in three sub areas such as human rights issues at work place, accommodation and Human rights issues and social relation and human rights issues. Important findings of the analysis may be pointed out as follows

- It is observed that the workers usually work long hours, often 9 to 10 hours per day. Nearly 4 percent of the respondents used to work more than 10 hours daily. It is reported that 35.8 percent workers do not receive payment in time. It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons.
- The construction sector is risk prone sector where there are every chance to get accidents and illness. In provision of sick leaves, the workers are not getting equal opportunities in Kerala. 35.5 percent have bitter experience of denying their leave requests. Another human rights issue faced by the migrant workers is related to harassment in the work sites. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors. As the migrants have no trade union membership, there is high possibility of exploitation and several types of job related harassments.
- Migrant workers do not get the benefits of social security schemes. Many of them have worked outside their states of origin before coming to Kerala. They are unaware of their labour rights and obligations as they are not unionized. The housing and living conditions of the migrant workers are abysmally poor. They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens. Cooking, bathing etc. takes place mostly in the open.
- The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. The poor living conditions have raised fears of the spread of diseases among the local people. There is a tendency among the workers to depend on medical shops and own treatment. It is found that the 15 percent who either go directly to medical shops or do not go for any treatment.
- The human rights issues concerning the social relation are found to be very serious. The survey data reveals that 81.4 percent of the migrant construction workers in Kerala do not have knowledge in Malayalam. As a result 22.4 per cent of the migrant workers in Kerala do not have any communication with the local people and another 59 percent workers do have very less communication with the local people. More than half of the respondents have the opinion that they do not receive any kind of help from the local public. In case

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of any emergency the workers have to contact their employer or the co workers. The workers are afraid of approaching the local public in emergencies at nights because of indecent behavior of the local people. They behave in such a manner that the migrant workers are all social criminals and thieves.

- They have extreme hardness in work site, poor quality of living conditions and social loneliness. These aspects are not in a way the naked violation of their human rights which is not expected to occur in a state like Kerala.

#### iv) Effectiveness of labour laws to protect the human rights of migrant workers

Though there exist several laws protecting the rights of workers, the migrant construction workers in Kerala are not supported by any of these laws. The study summarises the important findings in this issue below.

- In spite of prevailing 'The Child Labour (Prohibition and Regulation) Act 1986' and the Interstate Migrant Workers (Registration of Employment and Conditions of Service) Act 1979, in the construction sector, large numbers of child labours are working. The age composition of migrant workers reveals that 6.5 percent workers are below 18 years of age and another 11.8 percent between 18 and 20 years. The survey data reveals that only 12.6 percent migrant workers have got registered. The remaining 87.4 have not yet registered with the labour department of the state.
- Construction sector is supposed to be field where workers were doing risky work and prone to health problems. Though this is the situation, 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/group insurance in Kerala. Though there are Equal Remuneration Act 1976, the Minimum Wages Act 1948, the Payment of Bonus Act 1965 and the Payment of Gratuity Act 1972, 35.8 percent migrant workers admit that they do not receive payment in time. Around 77 percent do not get any allowance while they stay in Kerala. It was noticed that 43 percent of the workers are working 9 hours in a day, and another 34.6 percent, 10 hours. It is also noticed that a minority of 4.2 percent are engaged in work for more than 10 hours. In short, as high as 82 percent of the workers report that they have to work for more than 8 hours on a working day. The draft State Labour Policy envisages low cost

housing for workers. However, the laws are not being practiced in case of accommodation of migrant construction workers. The housing and living conditions of the migrant workers are abysmally poor.

From the results emerging from the Study, there is clearly a need to address the following issues urgently. The recommendations under the areas such as migrant registration, improvement of housing and living conditions, social security and health issues, employment issues, support through help-line etc are made in the report. There is still scope for further studies covering the migrant workers engaged in all sorts of works in Kerala. Especially those women workers are excluded from the present study as construction sector rarely employs migrant women workers.

The present study examined the human rights issues and dimensions of vulnerability of migrant construction workers in Kerala, a state in India known for its social development and implementation of social protection mechanisms for labourers. Majority of migrant workers reported to be satisfied in terms of wages and availability of jobs in Kerala. Even though the migrant construction workers are receiving high wages, they are facing several problems. The working conditions as well as their living atmosphere are not satisfactory while comparing the overall human development achievements of the state. Poor quality of living conditions of the migrant workers very often challenges the healthy atmosphere in the populated cities. Effective implementation of the existing laws and creation of new laws with the help of registration system and trade union activities would help solve their problems. Language barriers and inadequate communication with the local people should be seriously addressed in order to ensure a better social life for the migrant workers in Kerala. Human rights issues of migrant workers can be effectively solved if existing laws are properly implemented.

# 1

## *Introduction*

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- *Introduction*
- *Inter-state migration in Kerala*
- *Background of the study*
- *Laws applicable to migrant workers*
- *A human rights approach to migration*
- *Issues that focus special attention*
- *Significance of the study*
- *Objectives of the study*
- *Methodology*
- *Expected outcome of the study*
- *Plan of work*
- *Limitations of the study*

## Introduction

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### 1.1. Introduction

Migration of people from one place to another is a complex phenomenon. It has multiple dimensions and differs according to class and social groups in developing countries. The process of migration is changing very fast, particularly in globalization era which is characterized by structural changes and consequent alterations in the economy as a whole and in rural economy in particular. Hence, the nature, pattern and magnitude of migration have been evolving overtime. Migrant workers constitute a major category of migrants in general. *The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* has defined a migrant worker as 'a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national'.

The United Nations Multi-lingual Demographic dictionary defines migration as a form of geographical mobility between one geographical unit and another, generally involving a change of residence from the place of origin to place of destination or place of arrival. Therefore, migration involves the 'detachment from the organization of activities at one place and the movement of the total round of activities to another' (Goldscheider, 1971).

People started moving across borders in search of better opportunities and jobs for several decades. However, labour migration was speeded up and popularized during the era of globalization. Accurate data on migration is difficult to obtain because many migrant workers lack official status. According to an estimation of UN Department of Economics and Social Affairs, there were around 200 million international migrant workers and their families in 2010. Due to lack of employment opportunities in developing countries and increased demand for low wage workers in developed countries, people are pursuing work in other countries in order to support themselves and their families back home.

According International Labour Organisation (ILO) estimates, out of the 175 million migrants worldwide, 120 million are migrant workers and their families. Today, ILO estimates, there are roughly 20 million migrant workers, immigrants and members of their families across Africa, 18 million in North America, 12 million in Central and South America, 7 million in South and East Asia, 9 million in the Middle East and 30 million across all of Europe. Western

Europe alone accounts for approximately 9 million economically active foreigners along with 13 million dependants. Migration has become a key policy issue for many developing countries, depending on the state of the national economy and the employment situation.

In India, people migrate from rural to urban areas mainly due to poverty, high population pressure on land, absence of infrastructure facilities etc. There are also many other factors like natural disasters and local conflicts that give extra push to migration. On the contrary, there are several pull factors which attract people from rural areas to urban centers. The most important pull factors are better opportunities, higher wage rate and availability of regular work in urban areas. Availability of better education and health facilities and sources of entertainment are also considered as major pull factors. The remittances play vital role in the economic development of migrant families to a great extent.

### **1.1.1 Inter-state migration in Kerala**

The historical process of migration determines the extent of the availability of labour and contributes the changes in the flow of migration. According to this approach, what is of importance in the process of migration is the structured transformation of the social set up (Cohen, 1996). Therefore, it has been argued that the study of migration should base itself on an exclusive theory of social-economic and political changes of which migration forms a part. It can be seen that human beings have migrated across the world throughout history. The process of migration has been a central aspect of human existence.

Earlier, people migrated due to many factors like changing climate, natural disasters, food shortage etc. The pace of migration accelerated since the 18<sup>th</sup> century and speeded up in the 19<sup>th</sup> century. The industrial revolution in England also contributed much to the growth of migration. Another pattern which acquired worldwide significance was the large scale migration of Europeans to the new world known as transatlantic migration. While the migratory movements of gigantic proportion were underway in Europe, Indian sub continent also witnessed the emergence of different patterns of migration. The Caribbean Islands, Guiana, East Africa, Mauritius, Sri Lanka, Natal, Malaysia, Fiji etc. were the important destinations of the migrants during the early periods. Similarly the important centers of origin of the migrants were



the regions like Punjab, Bihar, Uttar Pradesh, Orissa, Tamil Nadu etc. From the very beginning the people from Kerala also started to move in different directions.

Though Kerala has emerged as an important migrating state during recent years, very few Keralites seemed to have moved out of Kerala till the end of 19<sup>th</sup> century. When the Europeans opened plantations of coffee and tea in the Trivandrum region of Kerala during the latter half of the 19<sup>th</sup> century, the bulk of the labour supply came from the then Madras Presidency (South Indian Planters Enquiry Committee, 1896). The state has also been witnessing large inflow of migrant labourers not only from the neighbouring states of Tamil Nadu and Karnataka, but also from the North Eastern states like Assam. There is also migrant inflow from Nepal. This tendency of migrant inflow to Kerala helped to offset the shortage of labour caused partly due to the outmigration to the other states and emigration to other countries (George and Remya, 2008)

An important factor determining inflow of migrants to Kerala is the high Human Development Index of the state. Kerala ranks first in the country in HDI index. Along with higher wages and better job opportunities in the state, the high quality of living attracts labourers from other states. As a result, Kerala has become the Gulf to those poor workers from North and North East. A study conducted in 2001 by N Ajithkumar, Director of Center for Socio- economic and Environmental Studies summarises that, “traditionally we have had large number of Tamil labour but they have declined because of jobs and better wages back home. The migrations from these areas are akin to international migration because they travel more than 2000 kilometers to come here. They are not going to the big cities.”

In recent years, Kerala became a major centre of exporting human resources to the Gulf countries. According to estimation, among the total emigrants from Kerala, about 90 percent are working in Gulf countries (National Family Health survey, Kerala, 1993). Kerala workers seem to be loosing out in the international competition for jobs in the gulf market. Just like any other industry, migration too requires periodic technological upgradation of the workers.

Apart from international migration, there is another significant phase of internal migration in every country. In India, people migrate in different state seeking employment. Among Indian states, Kerala state, which accounts for 1.18 per cent (38863 square kilometres) of the total land area of India, accommodates 3.1 per cent (34 million) of the Indian population. The state has become an important destination of internal migration. The achievements of Kerala, going at least by macro level indicators of social development, have exceeded those of other

Indian states and some of the developed countries. All these and the ongoing development activities open the vast scope for employment in Kerala. Kerala is, therefore, witnessing large inflow of migrants from states like Tamil Nadu, Karnataka, West Bengal, Bihar, Uttar Pradesh and Orissa.

Keralites have been migrating to other states in India and to other countries for several decades in search of employment. It is estimated that 1.85 million Keralites have migrated to other countries and 0.97 million people to other parts of India (NSSO 2010). According to the National Sample Survey estimates for 2007-08, the number of migrants from other states in Kerala is about one million. Thus, the inflow to Kerala exceeded outflow to other parts of the country though not to other countries. The shortage of local labour, higher wages for unskilled labour in the state and opportunities for employment led to the massive influx of migrant labour to the state. It is interesting to note that while many Malayalees migrate to the 'Gulf' countries (Middle East) both for skilled and unskilled work, many of the unskilled labourers from other parts of the country consider Kerala as their 'Gulf'. With signs of rapid growth of state's economy and the increase in activities particularly in the infrastructure and construction sectors, the in-migration is expected to grow faster in the coming years.

In-migration of workers to Kerala has a long history. But the recent migration is different in terms of the profile of the migrant workers, the occupation they are engaged in and the magnitude of inflow. The activities they are engaged in also got much more diversified than earlier. The migrant workers are now performing various activities such as casual labourers, agricultural and plantation workers, road workers, domestic workers, carpenters, masons, plumbers, electricians etc. They are also employed in jewellery making, cashew processing units, plywood factories, flour mills, quarries, brick kilns, hotels, slaughter houses, petrol pumps etc. There is also a trend towards allocating more difficult, hazardous and menial jobs to migrant workers.

However, the recent development in the neo liberal era is fast growing construction works in Kerala. As majority of the youth in Kerala prefer white colour jobs, and many others migrate to foreign countries, there emerge a situation of acute shortage of labourers in the state. This necessitates the huge number of manpower in the construction sector, which is met through in migration to Kerala from other Indian states like Tamil Nadu, Karnataka, Orissa, West Bengal etc.



### 1.1.2. Background of the study

The development experience of Kerala is characterized by high social development disproportionate to the level of economic growth. The development experience often termed as Kerala Model of development has received world wide attention from both scholars and development agencies. The achievements of Kerala in terms of indicators of social development have exceeded those of other Indian states and even some of the developed countries of the world. The state made remarkable achievements in HDI to become top among the Indian states. The state has become successful in eradicating poverty to great extent. The state's development pattern also indicated relatively low inequalities in education, health and other relevant fields.

Migration highly contributes to urbanization. Urbanization is closely associated with rising human development. Kerala has been significantly turning to be an urban village today. This fast urbanization of the state demands large number of construction workers for creation infrastructure like roads, railways, airports etc. Urbanization has also led to increased demand for migrant workers for domestic works, construction works and hotel works.

Within the state, the cities like Thiruvananthapuram, Kochi, Kozhikode, Thrissur and Kollam have seen unprecedented growth in urban characteristics in the past few decades. These are the five Municipal Corporations of the state where large number of construction works are being carried out during the past few years. Among these five centers, Thiruvananthapuram and Kochi are most urbanized cities in the state. The rate of population growth is very high in these cities. In addition to these, these corporations have major trading, business and industrial locations. Airports, IT centers, tourist places, railways etc are in existence in these urban centers. Provision of essential services and facilities enhanced the demand for resources like water and electricity, housing, health, sanitation, education, transportation, civic amenities etc. These rapidly growing urban centers therefore, require huge construction works every day.

In the background of the above facts, the corporation centers of the state require large number of construction workers. As large number of Keralites has gone out to other countries for better jobs and majority of Kerala's educated youth go for preferring white color jobs, there is a huge gap in the demand and supply of labourers in the job market in these urban cities. This widening gap is very often filled by the migrant workers from other Indian states. While a relatively small section of migrants from other states are professionals and skilled workers, large

majority are unskilled workers engaged in construction sector. The construction industry is the first point of entry for the migrants to the towns. Thus the shortage of local labour, higher wages for unskilled labour in the state and better opportunities for employment led to the massive influx of migrant labourers.

The migrant construction workers have to face a lot of problems in Kerala. The vulnerability of the migrant construction workers arise because of living in a place which is totally different in culture, language, social set up, legal protection, consumption habits etc. from their native places. These construction workers also cannot enjoy many benefits like PDS, ration system, subsidies, health insurance etc here. Similarly their social contacts with local people also affected due to language barriers. The working conditions of these unskilled workers also generate severe issues in their social and personal life. Human rights aspects of these workers also need to severely addressed in a proper way.

### **1.1.3. Laws applicable to migrant workers**

Almost all labour laws are applicable to migrant workers also. One specific Act pertaining to inter-state migrant workers is the Inter-State Migrant Workmen (Regulation and Conditions of Service) Act 1979. The Act only covers interstate migrants recruited through contractors or middlemen and those establishments that employ five or more such workers on any given day. Contractors and establishments are required to be licensed and registered by a notified registering authority. The Contractor is required to issue a passbook to every worker, giving details about the worker, including payments and advances.

Other laws include Minimum Wages Act of 1948, Contract Labour (Regulation and Abolition) Act of 1970, Equal Remuneration Act of 1976, Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act of 1996, Workmen's Compensation Act of 1923, Payment of Wages Act of 1936, Child Labour (Prohibition & Regulation) Act of 1986, Bonded Labour Act of 1976 etc. but very often these laws are neglected and the migrants are least aware of them. This intensifies the vulnerability of migrants in every location whatever be the nature of it whether, internal or international migration.

Among the laws passed in Kerala include The Building and other Construction Workers' Welfare Cess (Kerala Amendment) Bill, 2012. This Act aims to provide for the constitution of a Fund to grant relief to, promote the welfare of and to pay pension to the construction workers in the State of Kerala and for certain other matters incidental thereto. In Kerala there are also laws applicable to migrant construction workers such as The Interstate Migrant Workers (Registration of Employment and Conditions of Service) Act 1979, Child Labour (Prohibition and Regulation) Act 1986, Equal Remuneration Act 1976, The Minimum Wages Act 1948, The Payment of Bonus Act 1965, The Payment of Gratuity Act 1972 etc. However, there is a slew of laws that regulate employment of contractor labourers such as the Inter-State Migrant Workmen Act, Contract Labour System (Regulation and Abolition) act, Equal Remuneration Act, Factories Act and the Trade Union Act.

#### **1.1.4 International Covenant on Economic, Social and Cultural Rights (ICESR)**

The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols. *"...in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can be achieved only if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights."*

*"...the International Bill of Human Rights represents a milestone in the history of human rights, a veritable Magna Carta marking mankind's arrival at a vitally important phase: the conscious acquisition of human dignity and worth."*(Fact Sheet No.2 (Rev.1), The International Bill of Human Rights)

Important rights ensured in the articles of the International Covenant on Economic, Social and Cultural Rights (ICESR) are summarized below.

##### **Article 1:**

All peoples have the right of self-determination, including the right to determine their political status and freely pursue their economic, social and cultural development.

**Article 2:**

Each State Party undertakes to take steps to the maximum of its available resources to achieve progressively the full realization of the rights in this treaty. Everyone is entitled to the same rights without discrimination of any kind.

**Article 3:**

The States undertake to ensure the equal right of men and women to the enjoyment of all rights in this treaty.

**Article 4:**

Limitations may be placed on these rights only if compatible with the nature of these rights and solely for the purpose of promoting the general welfare in a democratic society.

**Article 5:**

No person, group or government has the right to destroy any of these rights.

**Article 6:**

No person, group or government has the right to destroy any of these rights.

**Article 7:**

Everyone has the right to just conditions of work; fair wages ensuring a decent living for himself and his family; equal pay for equal work; safe and healthy working conditions; equal opportunity for everyone to be promoted; rest and leisure.

**Article 8:**

Everyone has the right to form and join trade unions, the right to strike.

**Article 9:**

Everyone has the right to social security, including social insurance.

**Article 10:**

Protection and assistance should be accorded to the family. Marriage must be entered into with the free consent of both spouses. Special protection should be provided to mothers. Special measures should be taken on behalf of children, without discrimination. Children and youth should be protected from economic exploitation. Their employment in dangerous or harmful work should be prohibited. There should be age limits below which child labor should be prohibited.

**Article 11:**

Everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Everyone has the right to be free from hunger.

**Article 12:**

Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health.

**Article 13:**

Everyone has the right to education. Primary education should be compulsory and free to all.

**Article 14:**

Those States where compulsory, free primary education is not available to all should work out a plan to provide such education.

**Article 15:**

Everyone has the right to take part in cultural life; enjoy the benefits of scientific progress.

**1.1.5. A human rights approach to migration**

Migrants are a particularly vulnerable population, but they have been low — often invisible — on the international human rights agenda. No single institution has a mandate that is comparable to UNHCR's protection role for refugees, and much — perhaps most — national migration policy making takes place outside a human rights framework. The challenge of enforcing human rights at a national level and integrating human rights into international migration governance discussions remains difficult and urgent. A migrant's human rights are largely defined by the migration "category" to which he or she belongs, and by the reasons underlying that migration. At one end of the human rights/migration spectrum are voluntary migrants, including migrant workers and other economic migrants. At the other end, more than 10 million refugees are forced to leave their countries to escape persecution. Victims of trafficking occupy an intermediate point on the spectrum. Both they and refugees have special rights protections in international law. In the case of refugees, these protections have become a separate and well-established protection regime.

Voluntary migrants, who constitute most of the world's estimated 185 million migrants, are protected under general principles of international human rights law, and increasingly under the UN International Convention on the Protection of the Rights of All Migrant Workers and Their Families (ICMW), which recently entered into force. Migration and human rights intersect at a number of points, starting when the migrant crosses a frontier, the act that defines international migration. While international human rights law recognizes the right to leave one's country, there is no corresponding right to enter another country, even for a refugee, without that state's permission. This complex interrelationship between migration and human rights is multifaceted, and found at all stages in the migratory cycle: in the place of origin, during transit, and in the place of destination.

Bustamante (2011) points out that "migrants are inherently vulnerable as subjects of human rights from the time they leave home to initiate their migration. In other words, any human being is less vulnerable at home than right after he leaves it to become a migrant. The same applies to the sociological extension of the notion of home to a community of origin. The same person that migrates had more resources, both material and human, to defend and/or protect, himself, when he was at home, prior to moving elsewhere, than after the outward movement had taken place." vulnerability of the migrants arise because of living in a place which is different in culture, language, social settings, legal protection, entitlements and consumption habits from their native places and the loss of the traditional support system they enjoyed before migration. Though these aspects are usually discussed in the context of international migration, the situation is more or less the same when migrants cross borders of states within large countries like India.

Unskilled workers, who form the majority of migrants, are more vulnerable to rights violations, particularly when they work in the informal sector as construction workers. Lack of co-ordination and miserable working conditions and living atmosphere force them to lead quite a different life in a state like Kerala which is often considered to be the gulf of the migrant workers. A human rights approach to migration places the migrant at the centre of migration policies and management, and pays particular attention to the situation of these marginalised and disadvantaged groups of migrants.

### **1.1.6. Issues that focus special attention**

In India, social security is listed in the Directive Principles of State Policy and is one of the subjects in the Concurrent List in the Constitution of India, which is federal in nature. Kerala state has been a front runner among the states in India in initiating social security schemes for different vulnerable sections of the society. Extending the coverage of social security net to workers in the unorganized sector is identified as one of the major priorities of the state government (Government of Kerala, 2009). The state government introduced a welfare scheme for the migrant workers on the May Day of 2010. Under the scheme titled 'Inter State Migrant Workers Welfare Scheme', a membership card is issued to each migrant worker who gets enrolled. However, the migrant workers are not aware of the features and possibilities of this scheme and therefore, stay away from the reach of its benefits.

Migrant construction workers face diverse forms of harassment in the workplace and in the host society, ranging from non-payment of wages to insufficient medical facilities and death while on duty. Other issues include bad working and living conditions, miserable job conditions, discrimination among domestic workers and migrant workers, forced and enhanced working hours etc. Migrants are vulnerable because of crowded and unhygienic living conditions and inadequate provisions for their safety at the worksite. The limitations to access health care due to language barriers, lack of time, lack of knowledge about the public provisioning of health care etc. exacerbates their vulnerability.

Migrant workers often fall outside of state sponsored health programs, and frequently are unable to afford private insurance. Consequently, migrant workers, even in very rich countries, generally live in poor health conditions and are largely uninsured and frequently uninformed about the programs that do cover them. In addition to unsafe working and living conditions, migrants frequently resist seeking medical treatment because of associated costs, inability to miss work, inability to find childcare and problems of transportation. Many are unfamiliar with the local health care systems, and may have linguistic or cultural difficulties communicating their problems.

## 1.2. Significance of the study

Migration research has gained prominence in today's globalised world given its relevance for the economy and the society at large. There are a number of studies on the diverse aspects of migration of Keralites to other countries particularly to countries in the Middle East. But the growing in-migration to the state has received only very little attention from researchers. It warrants, in our view, high priority in the research agenda of the state. There is a strong need for more in-depth and policy-oriented research on internal migration which should focus on issues relating to labour market, poverty and vulnerability, access to health care and education, urban planning and environment. Issues related to labour market include the nature of migration, its seasonality and its effect on work scheduling in Kerala, reasons for preferring migrant construction workers, recruitment patterns, work style of the migrant workers, their skill sets etc.

Just as the underdeveloped capitalist class wants super profit, the relatively privileged indigenous workers, fed on a steady diet of economism and having internalized a backward culture of capitalism, are interested in job security and decent remuneration for themselves and look down upon those from outside the state. Apparently, employers here have learnt the art of 'divide and rule' in case of migrant construction workers. In many places mainstream workers' organizations look the other way when employers resort to crude exploitation. The more radical TUCI (Trade Union Centre of India) has been demanding nationalization of the construction industry, implementation of the Inter-State Migration Act and other relevant legislations, living wage and end to contract labour. The media, both print and visual, have also been, by and large, giving short shrift to the acute livelihood problems facing the migrant workers

There are huge numbers of construction workers in Kerala from other Indian states in recent years. The globalization process has speeded up this in migration of unskilled workers in the construction sector due to the growing need for meeting labour shortage in the relevant sectors. The growth of IT sector and tourism development in Kerala necessitated several construction activities where the labour shortage is met with the migrant workers who are paid comparatively less and forced to work more. There is a growing concern regarding the inaccessibility of laws concerning the migrant construction workers and violation of their human rights in several fields particularly in the work place. The mode of payment, working atmosphere, conditions of living and hygiene cause several health related issues and the welfare



schemes of the state still away from the reach of such construction workers. Human rights violations against migrant construction workers are severe therefore require urgent need for a thorough understanding of the situations for better policy suggestions. Hence the present study focuses on the human rights issues of migrant construction workers in Kerala.

### 1.3. Objectives of the Study

The objective of this study is an in-depth investigation about human rights issues of the migrant construction in Kerala. The present study is based on the following objectives:

1. *To understand the socio-economic status of migrant construction workers in Kerala and the push and the pull factors taking them to Kerala*
2. *To evaluate the working and living conditions of migrant construction workers in Kerala and their health issues*
3. *To study and assess effectiveness of various laws and welfare schemes that aimed to protect the human rights of migrant construction workers*
4. *To identify the human rights violations and issues of migrant construction workers at work place and suggest policy solutions*

### 1.4. Methodology

#### 1.4.1. Area of study

The area of study is confined to Kerala. The study is based primarily on a sample survey conducted among migrant construction workers in Kerala. Only those who do not possess a Ration Card in Kerala are included in our survey. The survey is conducted in all 5 municipal corporations in the state such as Thiruvananthapuram, Kollam, Kochi, Thrissur, and Kozhikode. Such a selection is made due to fact that large numbers of migrant construction workers are concentrated in these corporation centers for construction activities compared to other parts of the state.

#### 1.4.2. Sample design

The study is of a pilot nature on internal migration in Kerala with a very limited sample size of 1000 migrants i.e., 200 sample from each of the 5 municipal corporations of Kerala. The

respondents are selected randomly. Pre-tested semi-structured schedule is employed for collecting information from the respondents. The sample survey is supplemented by in-depth interviews with a few migrant workers, employers and local labour.

#### **1.4.3. Sources of data**

The study is based mostly on primary data. In addition, analysis of the laws pertaining to migrant labour and review of the available documents, newspaper reports and other publications are undertaken. The study also utilizes all the available secondary data published by various agencies, state and central governments, magazines and books.

A detailed questionnaire is drafted for the purpose of data collection. The questionnaire may contain questions related to:

- socio-economic conditions of migrant labourers
- details of working conditions, savings and consumption habits
- job security and job accessibility
- health issues and medical benefits received
- awareness about various laws and welfare schemes
- accessibility of various welfare schemes
- government benefits received
- human rights awareness and related issues
- human rights violations faced by migrant labourers at the work places
- social relations in the state and with society of their own state
- major problems faced by migrants in Kerala
- policy suggestions

#### **1.4.4. Tools used**

For the purpose of analysis, various statistical tools like averages, graphs and diagrams, correlation, etc are used in the study.

### 1.5. Expected Outcome of the Study

*The study aims to achieve the knowledge of the social, economic, occupational, and financial conditions of the migrant construction workers from various states in Kerala. Effectiveness of various laws and welfare schemes that aimed to protect the human rights of migrant construction workers are evaluated in the study. The human rights issues and violations against them are also be identified through the study. The proper idea about the benefits they receive from the employers and the state governments, their awareness about various programmes meant for them are expected to achieve. The study will provide a good database for the policy makers regarding the overall conditions of the in migrant construction workers in Kerala. The study also tries to make certain recommendations before the policy makers on matters relating to the socio- economic improvement, human rights protection and relevant issues that need special attention.*

### 1.6. Plan of work

The report of the study is arranged in 8 units. The detailed plan of work is given in the following table.

The study is intended to be carried out in twelve months. During the first two months, a detailed literature review concerning migration and its human rights issues was made. Attention was given to international and national status of the issue. A detailed questionnaire was drafted in the third month so as to address the mentioned objectives of the study. A pilot survey was conducted and required modifications were made thereafter in the schedule. Data collection was conducted during the next 5 months of the study. The next three months were devoted for data processing (including coding, sorting and computer processing) and the analysis of the data. The last month was utilized for report writing and making final modification in the report.

### Plan of Work

Sl.No	Title	Unit	Page Nos
1.	Introduction	Unit 1	01 –
2.	Review of Literature	Unit 2	
3.	An overview of migrant construction workers in Kerala	Unit 3	
4.	Analysis -1: Socio-economic status of migrant construction workers in Kerala	Unit 4	
5.	Analysis -2: Working and living conditions of migrant construction workers in Kerala	Unit 5	
6.	Analysis -3: Effectiveness of various laws that aimed to protect the human rights of migrant construction workers	Unit 6	
7.	Analysis - 4: Human rights violations and issues of migrant construction workers	Unit 7	
8.	Suggestions, policy recommendations and concluding remarks	Unit 8	
9.	Appendices and Bibliography		

### **1.7. Limitations of the study**

The present study examined only human rights issues of migrant construction workers in Kerala. There were also other sectors other than construction sector where migrants were actively employed in the state. These majorities were not subject to the study. The study area was confined to the five municipal corporations in the state. However, the construction workers employed in other areas were not interviewed during the data collection process. The most important difficulty faced was the language constraint in interacting with the migrant construction workers. It was quite difficult to communicate with the workers from Assam, West Bengal and Orissa. Therefore, the data collection was done with the help of experts who could

handle the language fluently. Another important difficulty in obtaining data was the hesitation of workers in giving full and free information in the presence of construction owners. The owners of construction sites/contractors were also not giving permission to interact with the workers. In most cases the workers were found afraid of providing information relating to working and living conditions. These gaps to some extent have affected the authenticity of the report.

#### References:

- Bhagat Ram B. (2005), "Conceptual Issues in Measurement of Internal Migration in Board, Thiruvananthapuram
- Bustamante Jorge A. (2011), "Extreme Vulnerability of Migrants: The Cases of the United Experience, Daanish Publishers, New Delhi
- Government of Kerala (2010), Kerala Economic Review 2009, Kerala State Planning India", Paper presented in the 25th IUSSP International Conference, Tours, France, 18-23, July
- Jomon Mathew (2011), Issues and Impacts of Land Grabbing, *Human Rights: Victims and Rehabilitation (Ed)*, Mangala Publications, Chennai
- Prakash, B.A. 1998. 'Gulf Migration and its Economic Impact: The Kerala Report No. 533: Migration in India, 2010 States and Mexico', *Migraciones Internacionales*, Vol. 6, N0:1
- UN Special Rapporteur (2003). *Report on Mission to the Philippines*. E/CN.4/2003/85/Add.4.
- ILO, *Ratifications, International Instruments on Migration/ Migrants Rights as of 1 July 2003*, (ILO, International Migration Branch, 2003).
- NSSO (2010), "Migration in India 2007-2008", Report No.533, NSS 64th Round (July, 2007-June 2008)
- Zachariah, K C and S Irudaya Rajan.2009. *Migration and Development: The Kerala Experience*, Daanish Publishers, New Delhi

# 2

## *Review of Literature*

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- *Meaning and theoretical base of migration*
- *Empirical studies*

## Review of Literature

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Migration has emerged as a very complex phenomenon that takes different forms such as internal migration, external migration, seasonal migration, rural urban migration etc. Several studies on various aspects of migration have been conducted by scholars at the regional, national and international levels. This chapter reviews those existing studies concerning the different aspects of migration and migrants' living conditions. Various theories relating to migration are also reviewed with due significance.

The present chapter is divided into two sections. The first section discusses the meaning and theoretical aspects of migration and the second section reviews the results of empirical studies on various aspects of migration at the international, national and regional levels with particular focus to Kerala. The study also supplements the evidence with the help of a few case studies.

### 2.1. Meaning and theoretical base of migration

We begin by defining migrant workers and provide statistical descriptions to underscore the significance of their numbers as a population. "The migrant worker comes to sell his labour power where there is a labour shortage. He is admitted to do a certain kind of job. He had no rights, claims, or reality outside his filling of that job. While he fills it, he is paid and accommodated. If he no longer does so, he is sent back to where he came from. It is not men who immigrate but machine minders, sweepers, diggers, cement mixers, cleaners, drillers etc. This is the significance of temporary migration" (Berger & Mohr, 1989). "Most people, given the opportunity, will not choose to move from their family, friends and home. Indeed, most immigrants yearn to return home and may eventually do. It is only under the most hopeless conditions that potential emigrants consider the exit option, and only a fraction of these have the character, contacts and resources to carry it off" (Moses, 2006)

There are several migration theories which discuss the migration process and its economic implications. The Lewis, Fei and Ranis (1961) theory of migration talks about the dual economy comprising the subsistence agricultural sector characterised by surplus labour and

unemployment/underemployment and the modern industrial sector characterised by full employment. In the modern sector, wages are maintained at levels much higher than the average wage in agriculture sector.

Lewis (1954) theory says in the case of individual utility maximisation, the decision to migrate to cities would be determined by wage differentials, plus the expected probability of obtaining employment at the destination. Another important rural-urban migration theory put forward by Harris-Todaro (1970) is that migration is stimulated primarily by economic implications. The theory explains that the decision to migrate would depend upon expected higher wages (real wage differentials) and the probability of successfully obtaining an urban job.

## **2.2 Empirical studies**

Singh (2012) in his study in Punjab has noted that after the green revolution was launched in Punjab in the late 1960's there has a rapid change in the agrarian relations. The inflow of migrant labour to Punjab is coterminous with the green revolution. Migrant labours from Bihar, UP, Jharkhand, MP and other states started flowing to Punjab. It has been noted that the only agricultural operation where migrant labour is still in demand is paddy transplantation as it is yet to be mechanized. Despite the various difficulties the preference for migrant labour is going to stay for some time.

Being the first migration study that covers the entire state and encompasses the various types and facts of migration, the study of Zachariah et al (1999) shows that nearly 1.5 million Keralites live outside India and send millions of rupees annually as remittances. By analyzing the consequences of internal and external migration, they pointed out about several problems like environmental problems, women headed households etc. They suggest that the gulf remittances should be used for the improvement of education sector of the state. They expect that in the next century net emigration would turn negative. The return migrants have taken up self employment as their principal occupation.

Irudayarajan and Zachariah (1997) while analyzing the trends of low fertility in Kerala noted that while Kerala experiencing varying degrees of net out migration and net emigration in the last half a century, migration trend in the next half a century is somewhat uncertain. It will depend more on socio economic developments than on demographic trends.



Zachariah et al (2000) in their working paper concerned solely with the consequences of migration. Migration has contributed to the process of development scenario in Kerala via poverty alleviation and reduction in unemployment. Migration has made direct changes which are structural and indirect changes which are behavioural changes on fertility, mortality and other demographic parameters. Most migrants from Kerala are male and it is a factor which contributes to the unique sex ratio which is favourable for females. The study supports that migration has increased the loneliness of the elderly whose number is growing rapidly in Kerala. The study further suggests a two-fold approach. Firstly, the short term perspective is to improve the job skills of the prospective emigrant workers. Secondly the long term perspective is to restructure the whole education system in the state considering the future demand for workers in Kerala demand all over the world.

Oberai and Singh (1980) studied about the migration process of rural areas of Ludhiana district of Punjab. They deals with 3 streams of migration viz., out migration, in migration and return migration in the heart of the green revolution belt in Northern India,. Poorest and richest persons dominate in the out migration process. The rate of out migration from the rural areas is higher than the combined rate of in migration and return migration. It shows that some of the shortage of labour reported from the region may be due to migration and not to new methods of agriculture. Migration has gradually increasing the proportion of scheduled and low caste people in the rural population of Ludhiana district.

While discussing about the political economy of labour and development in Kerala by examining the roles of labour unions, state and capital, Kannan (1999) pointed out that Kerala's social development without a commensurate transformation of productive sectors has presented Kerala with some dilemmas. The inflow of large scale remittances from migrant labour in gulf countries enhanced the sphere of circulation in the Kerala economy and enhanced construction industry and other related activities. This led to increase in wages in the state. The increased demand for labour for construction works is met by migrant labour from Tamil Nadu.

Saikia (2008) tries to examine the economic conditions of the in-migrant workers in the Trivandrum district of Kerala before and after migration. The study observed that long distance migration from states like West Bengal and Assam dominated the inflow of migrant workers in recent years. The major reason of migration to Kerala is reported as the higher wages,

availability of work and better working conditions. Even after migration, almost all the migrants engaged in temporary works and 70 percent of them engaged in unskilled areas. There is always upward and downward mobility of skill level after migration. The living condition analysis shows that most of them live together in poor rented houses or work sites with one room shared by many and no provision of hygienic sanitation.

In the context of neoliberal policies of the Government, migrant labor poses serious threats or challenges to civil society in general and trade unions in particular (Sarade, 2008). He pointed out that although the working hours are from sunrise to sunset, they only receive a less wage and have no social security, health care etc. There is also discrimination against women in the construction sites. The huge problems of migrant labors require cooperation and coordination between trade unions and other social actors.

Surabhi and Ajithkumar (2007) in their study on labor migration to Kerala has examined Tamil migrant laborers in Kochi stated that laborers from Tamil Nadu outnumber laborers from other states by a big margin. They found that the emigrant laborers get much higher monetary wages than in their native places. But they have to work for longer hours and incur a higher cost of living in Kochi on food, shelter and transport. Their living conditions and sanitation facilities are very poor. Their practices of waste water disposal pose problems of public health and environment.

While examining the dimensions of vulnerability of migrant laborers in Kerala, Ajithkumar (2011) says that the state has been witnessing large inflow of migrant laborers from other states. His study points out that due to limitations in portability of entitlements, the interstate migrants are denied some of the entitlements or benefits from central and state governments they had enjoyed before migration. The host state fails to extend the migrant workers all the legal and social protection that is available to the local labor. The study further finds that the inter-state migrants are faced with language barriers in accessing health care and in protection of their rights. Though there is a welfare scheme for migrant workers introduced in 2010, there is some limitation in their implementation like no separate welfare board for migrant workers.

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Ahn (2004) gave an overview about migration from South Asia. He covers five countries in South Asia such as Bangladesh, India, Nepal, Pakistan and Sri Lanka. He pointed out that migrant workers from south Asia make a significant economic contribution to both labour sending and labour receiving countries and they play a significant factor in the economic growth of individual countries reducing unemployment helping earn foreign exchange and enhancing migrants' skills. The study highlights various types of harassments in the workplace and in the host society, ranging from nonpayment of wages to insufficient medical facilities and death while on duty.

Siddiqui (2004) highlights the role of migrants in the national economy and considered various forms of exploitation. He found that the households and families of the migrants were found to be the major beneficiary of migration. They use these remittances on daily subsistence, invested in land or spent on child education. Exploitation of workers was also analysed. Since most of the unskilled and semiskilled migrants are not highly educated, they are ignorant of laws and regulations for their protection. Trade unions have a major role to play for protecting the migrant workers from exploitation and harassment.

Gurung and Adhikari (2004) show that many of the migrant workers in Nepal are in search of foreign employment opportunities being created in Gulf countries and in Indian cities where less initial investment is required because of limited employment opportunities in domestic country. The study pointed out that a major part of the remittances are used to meet the expenditure on food and other daily necessities of the households and also for housing and education of children. The migrant workers are generally paid less and there exist unhealthy working conditions.

Dias and Jayasundere (2004) stated various issues faced by migrant workers in Sri Lanka. Migrant workers who migrate without compulsory registration requirements, continuation of exploitation and abuse in the host countries and lack of control of private recruiting agencies are in the source of exploitation there. Organizing migrant workers there is only little progress has been made by trade unions.

Joseph (2006) covers the migration from Kerala within the context of the migratory movement in India. Education has served as an agent in the development and migratory progress

in Kerala. The income accruing in Kerala through the inward remittances of the migrants has become the main source of sustaining the conspicuous consumption which has emerged as the part and parcel of lifestyle of Keralites.

Harilal (2005) examines the relation between migration and development in the context of Kerala economy. The study attributes the stagnation in growth, especially of the goods producing sectors, to the migration remittances boom. The overall impact of migration remittances boom on the regional economy has been found to be favourable.

In a comparative study about India and Ghana, McKay and Castaldo (2011) pointed out that in India, rural to urban migration is predominant among inter state migrants but rural to rural migration is mostly seen among other internal migrants. The data on internal migration shows that people move from areas of poverty to areas of relative wealth. The study suggests the need for paying attention to internal migration in development planning.

By analyzing the contract labours in the construction industry in India, Vaid (1999) shows that many of the developing countries have been experiencing the practice of labour recruitment through intermediaries. These intermediaries usually recruit and control labour force. They bring labour to the construction site when it is needed and take away when the work is completed.

John (2004) tries to analyze the problems revolving around the Welfare Fund Board created for migrants, its impact on the lives of construction workers and the financial solvency of the fund in the long run. He suggested that it is essential to coordinate the activities of the various Welfare Boards for the efficiency of welfare activities. The basic objectives of Kerala Building and construction Workers Welfare Fund (KBCWWF) is to provide a measure of social security and insurance cover for construction workers. The study reveals that among the construction workers, a positive correlation was found between active participation of workers in trade union activity and membership in Welfare Fund.

Sahai and Chand (2004) analyze the migrant workers of India and they took two emigrant states namely Kerala and Punjab. Indian migrants starting from unskilled to highly professional are falling mainly in Gulf countries and the rest in Australia, Canada, New Zealand UK and USA. Remittances by Indian migrants contribute to its foreign exchange reserves and they play a

positive role in both India and receiving countries. But they often face human rights violations. They do not get chance to participate in trade unions. Indian migrants cannot seek redressal from international legislations.

Previous studies have indicated a slow decline in the overall migratory population mobility in India (Kundu and Gupta, 1996). However, these findings have been contested in a few other studies, which have argued that existing surveys or data sources do not capture labour movements well (NCRL, 1991). This has been found to be true particularly for short duration/seasonal migration. Inter-state inequality in several dimensions of economic and social development has not declined and has, in fact, gone up in certain dimensions (Srivastava, 2003). The broad argument of these studies implies that the underreporting of internal migration data is mainly on account of seasonal and circulatory migrants who are concentrated at the lower ends of the labour market spectrum (Srivastava, 1998).

Kundu (2008) argues that the major problem currently faced by several developing countries is linked to stagnation and volatility of agriculture, India being no exception to this. Hence, the possibilities of creating livelihood opportunities outside agriculture in rural areas seems to be limited, since much of the growth in non-farm employment in many of the states has been witnessed as poverty induced. This is especially true in the case of seasonal migrants (Kundu, 2007). Further, he also argues that seasonal migration cannot be attributed to push factors but is due to short duration transfer of regular workers, temporary posting of marketing and extension workers etc. A large segment among the seasonal migrants could be those adopting a coping strategy or making temporary arrangements in the lean season for a livelihood.

On the other hand, micro studies on migration in India suggest that push factors like inequality in land ownership, poverty and agricultural backwardness as being mainly responsible for out migration (Srivastava, 1998). Migration, though, a part of active livelihood strategies, is also determined by social context, norms and structures, household composition/size, gendered ideologies, caste structure and social contracts and networks which determine who migrates and who can profit from opportunities arising elsewhere (Bora, 1996). Concentration of institutional and other economic activities in the urban areas attracts people to the urban areas. People increasingly invest in urban areas due to economies of scale. Thus, prosperity-push, poverty push and prosperity-pull type of migratory movements are evident in various regions of the country.

Among the four migration streams, the rural to urban migration stream is dominant, and also restricted to short distance movements as compared to other migration streams. Neighbouring states account for a large number of inter-state migrants. In contrast, in poorer states like Bihar, Uttar Pradesh, Orissa and Rajasthan, a larger proportion of short duration migrants head to prosperous states like Punjab, Haryana, Gujarat and Maharashtra (Chand, 2005).

In India, the population Census and National Sample Survey Organisation (NSSO) are the major secondary data sources on migration. However, these data sources severely underestimate seasonal/temporary migration as they only capture permanent and semi-permanent migration in the country (Srivastava and Gill, 1998). Census data is destination based and does not explain the deeper process of out-migration at the source areas. Though NSS provides data on out-migration, its coverage is seriously restricted as it treats out-migrants as only those persons who have to stay outside the state during the last five years (Kundu and Gupta, 1996). There is a statistical difficulty in capturing short-duration migration. One reason for this is that the Indian statistical system is not really designed to capture short-term/seasonal/circular migration; as a result, policy makers may remain unaware of the sheer extent and likely increase in this phenomenon. Therefore, these secondary data sources are unable to capture the extent of short-duration and recent migration that takes place primarily for employment and other livelihood purposes (Chandrasekhar and Ghosh, 2007).

The findings of the National Commission on Rural Labour (NCRL, 1991) indicated increasing trends of short-duration or seasonal or temporary migrants over the years. The Commission concluded that such exodus from rural India is mainly because of the lack of opportunities, absence of employment, inadequate resources and prolonging backwardness of the regions. Most of these migrants temporarily (short stay) make a trip into prosperous regions. The study further noted that the duration of migration primarily depends on the household characteristics, economic necessity, employment availability and individual preferences to stay at the working place. In this regard, there are quite a number of empirical studies based on field surveys that tried to define and explain the process of migration in various dimensions and its socio economic implications on the rural economy.

In this perspective, NSS defined short-term migrants as those who had stayed away from the village/town for a period of one month or more, but less than six months during the last 365

days for employment, or in search of employment, thus such persons can be/have been called (referred) as short-term migrants. It may be noted that these short-term migrants do not change their Usual Place of Residence but undertake short-term movements (NSS Report No. 533: Migration in India: July, 2007-June, 2008). With regard to seasonal migration, Konseiga (2002) in his study referred that in seasonal economic migration, the migrant member of the household stays less than a year in the destination place or region or country. Seasonal labour migration includes a wide variety of movements usually short-term, repetitive or cyclical in nature, but all having in common the lack of any declared intention of permanent or long-lasting change in residence (Hugo, 1982). A short-term or seasonal migrant is one who migrates in the lean season into urban areas to get employment, wherein the rural migrants do not settle permanently in the destinations but continue to maintain close links with their areas of origin, where they return regularly and remit a substantial part of income from their earnings (Rani and Shylendra, 2001).

Though there is lack of direct information on short duration or seasonal migrants in Census data, it is vital to capture short duration migrants from the existing surveys, i.e., the census. It is imperative to understand the broad characteristics of short duration/seasonal migrants at the macro level in the country. Against this background, the prime motivation of the paper is to measure the magnitude of short duration migration and distinguish short duration and permanent migration in the country on a macro level. It attempts to analyze the contrasting characteristics of short duration and permanent migration for attributing specificity of short-term migration. This study tries to capture the magnitude of short duration migration indirectly from Census migration 'duration' data. Thus it tries to establish and considers/treats those persons who stayed for 'Less than one year' at destinations as short duration/ seasonal labour migrants. It may be noted that, since Census lacks information on seasonal migration the present study considers short duration migration as seasonal migration alternatively. Though it may seem to be an inappropriate consideration but it remains the most fitting thought.

The increasing prevalence of migrant construction workers has formed a distinctive characteristic of the industry's labour market in recent years. Although Labour Force Survey statistics suggest migrant worker representation of 2.38 per cent (McKay et al, 2006), these official figures almost certainly underestimate the representation of such workers given the lack of regulation in the sector. For example, some commentators have highlighted the problems of



2.  $\frac{1}{2} \leq \alpha \leq 1$  and  $\frac{1}{2} \leq \beta \leq 1$  are the following:

1. *Journal of the American Medical Association*, 1997; 277: 1033-1038.

$\frac{1}{2} \left( \frac{1}{2} \right) = \frac{1}{4}$

$\frac{d}{dt} \left( \frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

$$f_{\alpha} = \frac{1}{2} \left( \frac{1}{\alpha} + \frac{1}{1-\alpha} \right) \left( \frac{1}{\alpha} + \frac{1}{1-\alpha} \right) = \frac{1}{2} \left( \frac{1}{\alpha} + \frac{1}{1-\alpha} \right)^2$$
$$C(\mathbf{r}) = \frac{1}{2} \left( \frac{1}{\sigma^2} - \frac{1}{\sigma^2 + \mathbf{r}^2} \right) \quad (1)$$

1. *Chlorophyll a* (Chl *a*)

[illegible]

<sup>a</sup> Values are means ± SD.

10. The following information is available for the year ended 31/12/2014:

identifying migrant workers who are self-employed (Balch et al. 2004) or undeclared (Cremers and Janssen 2006).

Based on interviews with unions and employer associations, Lillie and Greer (2007) estimate the share of migrants to be as high as 10 per cent. Although the economic downturn within the sector may have tempered growth in the numbers of migrant workers entering within the sector, free movement of labour from Eastern Europe is likely to maintain the numbers of workers with limited English language ability at higher levels than in the recent past.

Construction workers are already at a higher risk of accidents than in any other industry in the UK (Craw et al. 2007), and the large influx of workers from Eastern European countries is presenting considerable additional challenges to employers' efforts to manage health and safety.

The provision of information, training, induction, translation and supervision are all key requirements of the health and safety legislation. Yet, for new migrant workers, health and safety training is more likely to be limited to training at induction and often is not understood and communicated effectively (McKay et al., 2006). Furthermore, the somewhat conflicting induction roles of training and briefing are not well understood and often conflated and confused. Provisional findings from a study of recent deaths of migrant workers on construction sites (between April 2005 – March 2008) puts extra weight on the absolute necessity of communicating critical health and safety and site specific information. Of the sixteen 'vulnerable' workers killed during this period, in four cases the fatal accident occurred on the first day of work, and in a further three cases it happened on days two to five. Eight were killed in the first ten days of work with at least 55% having had no construction work experience (Construction Skills, 2008).

The head nodding is actually an important point. For example, this practice is described by migrant workers in McKay et al (2006) study, "with so poor English that they barely can understand what he's going on about, but they're smart enough to know when to nod, they see their friends signing, and they're signing, induction is done, he starts working"(McKay, Craw & Chopra, 2006).

Construction Skills offer a number of products to support staff in carrying out inductions with migrant workers, including courses through the National Construction College and the

1. The first part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the company.

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Kickstart site induction CD-ROM to help deliver multilingual information about construction site safety. While Dainty et al. (2007) in their report for the Institution of Migrant Worker Communication – Loughborough University

Health and safety inputs provided during the site induction process are crucial, and yet there is a high level of variability in terms of how this is delivered and its effectiveness as a route to ensuring safer working (Dainty et al., 2007).

Migration is a complex phenomenon and closely related to economic and social factors as well as economic development. The exodus from rural areas is one of the vital issues in India. Because of the ongoing structural changes and consequent alterations in the economy as a whole, the nature, magnitude and pattern of migration have been evolving over time (Reddy, 2003; Srivastava, 2005).

There has been growing interest in labour migration as a part of understanding its nature, extent, pattern and direction of transformation process in India. The studies on migration argue that migration is, by and large, closely linked with two basic arguments, that is, people are compelled to migrate due to development-driven factors and/or distress-driven factors. Otherwise, on the one hand, migration of people is mainly motivated by better employment opportunities, higher wages, good quality education and health conditions and better living conditions at destinations. On the other hand, it is impelled by push or distress factors at home such as lack of employment, low wage rates, agricultural failure, debt, drought and natural calamities (De Haan, 1999).

In fact, globalization and liberalization has led to the use of new technology in agriculture resulting in increased unemployment in the countryside. Consequently, this has forced large numbers of the poor in labour and farming communities to migrate from their home to far off places in search of employment (Reddy, 2003).

By and large, internal migrants are unskilled and semi-skilled workers from lower income groups who could be able to improve their economic position or income scale after migration. A recent report by UNDP exposed the same that without migration a majority of the poor would not be able to spend on health, consumption and other basic needs, and would face the risk of sliding deeper into poverty (UNDP, 1998, 2009).



On the contrary, in recent years, unemployment, frequent crop failure, indebtedness, inadequate credit facilities, lack of alternative opportunities, droughts and poverty level in rural areas has been increasing, thereby leading to despair or distress conditions in the rural sector. As a result, the rural poor, labour and marginal and small farming communities are on the move, temporarily leaving their homes in search of employment and livelihood in other prosperous rural and/or urban areas in the country (Smita, 2007). Her study broadly defined seasonal migration on the basis of three elements: (i) a lack of alternatives in origin areas which force entire families to migrate in search of work (ii) work which is based on indebtedness generates little or no surplus for the labourers at the end of the season, and is merely for survival (iii) work which involves large-scale violation of labour laws.

It appears that, the growing part of such migration is temporary, seasonal, circular and cyclical in nature, though destinations may differ. Seasonal migration is certainly not a new phenomenon in India. However, the magnitude of rural labour circulation is of recent origin, and is a direct consequence of structural changes of the economy. Circular migration, much of which is seasonal, is now an integral part of the livelihood strategies pursued by a large number of poor people living in agriculturally marginal areas (Deshingkar et al., 2009). Such migration results mainly from the distress conditions in agriculture which forces the rural poor to move out of their areas to other places without any guarantee and protection of wages, dignity of labour and life (Reddy, 2003). On the other hand, for many of the poor living in underdeveloped areas, seasonal migration and commuting are the only ways of accessing the benefits of growth in other locations. Migration has helped them in managing risk, smoothing consumption, and earning to invest in a better future (Deshingkar et al., 2009). Breman (1996) argued that seasonal migration within India has often been misunderstood or ignored in public policy in spite of research demonstrating that it is important to the livelihood of large numbers of poor people in various regions.

Deshingkar et al. (2009) defined seasonal migration as a temporary move from and followed by return to the normal place of residence, for purposes of employment. This study reveals that some households barely manage to raise themselves above existing survival levels, while others accumulate wealth over time. However, what is clear is that most would be worse off if they were depending solely on local employment. In this context, the present paper which

is based on a field experience, deals with some of the important migration issues as mentioned above. The main objective of the paper is to examine the nature and characteristics of seasonal migrant households. Secondly, it focuses on evaluating the forms of migration, and finally, it analyses the wage, work conditions and the expenditure pattern of earnings from migration. In order to achieve these objectives, the data for our study was collected from a primary level survey conducted in mid 2006 (May- June) from Akkaram village in Achampet Mandal of Mahabubnagar District of Andhra Pradesh state. The survey enumerated all the households in the village.

With regard to seasonal/circular labour migration a study by the National Commission on Rural Labour Report (NCRL) in 1991 revealed that there were about 6 million Indians who left their homes seeking employment in other than their native place in India. Most of them are seasonal migrants who belong to Scheduled Tribes (ST) and Scheduled Castes (SC), tend to be relatively young, and with low education levels. It has also been established that scarcity of land and regional disparities are the major factors in the rural labourer's decision to migrate to other areas.

Breman (1993) found that the last few decades have witnessed massive seasonal migration of labour force from rural to urban areas. For the poor, the labour class and the marginalised population, migration seems as the only survival option. Lower castes and tribes are disproportionately represented in circular migration streams.

Seasonal/circular migration has played a crucial role in allowing rural people to cope with the consequences of agrarian distress and devastated rural economies in many parts of India. It was suggested that migration helped to raise the migrant household's standard of living (Rao, 1986).

The study of Rani and Shylendra (2001) revealed that seasonal migration is mainly due to weak resources, as the cultivable land is small, less fertile and dependent largely on rain-fed cultivation. Moreover, due to inadequate farm and non-farm employment opportunities within the village, most of the households are compelled to migrate during the lean agricultural season to supplement their farm income.

In his study, de Haan (1999) observed that migration is not a choice for poor people, but is the only option for survival after alienation from the land and exploitation in origin places. Hence, in developing countries, the largest proportion of migrants moves between rural and urban areas.

Deshingkar et al. (2009) argue that a majority of the seasonal migrants, many of whom are SCs and STs, are poor, and for them migration is a household strategy for managing risk where one or more members of family go away from the village to find work, and that this is a central part of their livelihoods. Whether or not seasonal migration is a coping strategy or becomes more accumulative, depends on a number of factors including improved work availability, rising wages, cutting out intermediaries, and improving skills.

The study by Rafique et al. (2003) exposed that migrants from Murshidabad District of West Bengal are very vulnerable when they travel to other areas of the state. Seasonal migration has been a response to increasing vulnerability associated with lack of access to land, irrigation water, finance, supportive networks, contacts, and qualifications. There are slightly better-off households that are also migrating, but they are less vulnerable, and may undertake migration in order to save for or invest in a particular purpose.

Konsiega (2007) argued that seasonal migration can be an important strategy to cope with poverty for those who are not able or willing to depart permanently to large distances. Studies on Mahabubnagar, otherwise better known as Palamuru District, reveal that there are several systems of seasonal migration from the District (Krishnaiah 1997; Reddy, 2003), where people migrate to engage in activities like private/public project work, construction, migration for agricultural work in irrigated areas and traditional stone crushing work, and this has been transformed over the years. For many of the poor living in the underdeveloped areas of Andhra Pradesh, wage work is very often the key means of livelihood and migration and commuting are the only ways of accessing the benefits of growth in other locations (Deshingkar et al., (2009).

Deshinkar (2002) examines the factors related to migration. He states that rural urban migration is seen higher in India and that most of the migrations are result of search for employment. The study reveals the fact that construction sector has a major role to play and a



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major portion of the migrants are engaged in the construction based activities. The insecure and low earning local employment sectors are the important push factors that lead to migration.

According to a recent report by Irwin Mitchell and the Centre for Corporate Accountability (2009) in 2007/8 a disproportionate number of migrant workers were killed in work-related accidents. In construction the situation was found to be particularly acute; almost a fifth (17%) of all recorded construction deaths involved migrant workers in 2007/8, this despite estimates for the number of migrant construction workers equating to around 2.4% of construction workers. Migrant worker deaths in construction accounted for 66% of all migrant worker deaths according to the report.

### **2.3 Concluding remarks**

All these studies that relate to migration at the international, national and regional levels deal with various aspects of migration such as causes of migration, economic benefits of migration, remittances and their impact on domestic economies, problems faced by migrants, social and living conditions of migrants etc. It can be noted from the review of available literature that the human rights issues of migrant workers is seldom touched in these studies. Various issues relating to their human rights in work, living and other places are not properly studied in most of the studies. Similarly, the migrant construction workers were not subjected to serious studies. This category of workers mostly migrated to Kerala from other Indian states do work under risky and dangerous conditions. They face several issues including economic, social and human rights related. The first two aspects are sometimes touched in a few studies but the human rights issues of migrant construction workers in Kerala who work under severe risky conditions are yet to be addressed.

# 3

## *An Overview of Construction Sector and Migration in Kerala*

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- *Construction sector – an overview*
- *Migration - an overview*
- *Characteristics of the domestic migrant labour in Kerala*

## **An overview of construction sector and migration in Kerala**

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The construction sector plays very significant place in the economic development in terms of generation of employment and income. Construction all over the world has shown a rise in its rate of growth. The economic performance of Kerala is also not different from this trend. The growing tendency of development works leading to large volume of construction works necessitates innumerable workforce. The peculiar situation of Kerala which is totally different from the national level has resulted in demand for labour force from outside the state. Comparatively better education, search of white color jobs, large scale external migration etc. have resulted in the scarcity of labourers for emerging construction works in the state. This gap is filled by internal migration into the state from various parts of India. In this particular scenario, the present chapter makes an overview of construction sector and migration in Kerala.

### **3.1. Construction sector – an overview**

‘Construction Work’ means any construction work carried out by the State Government or quasi-governmental agency or by a public or private undertaking or by a Society or by a private individual and includes construction of any building, road, pathway, causeway, bridge, culvert, canal, tank, channel, pond, dam, tunnel, sea walls, walls for the prevention of soil erosion, embankments, bunds, drainage, kanas, culverts, jetties, compound walls, well, and the like, breaking of rocks and rubbles and the repair in whatsoever manner relating thereto and the demolition thereof but does not include the construction works relating to places of public worship or construction work for a residence by a person for his own residential purposes costing not more than Rs. One lakh, repair works other than extension and reconstruction of his residence, construction work undertaken by the Government of India or any of its establishments or institutions. ‘Construction Worker’ means any person who is employed for wages to do any work in connection with a construction work and who gets his wages directly or indirectly from an employer or from a contractor and includes a person engaged in any work connected with the supply of materials for construction works and a worker specified in any categories in Schedule I

The construction sector provides large scale employment opportunities. This sector comprises establishments primarily engaged in the construction of building or engineering projects. All those establishments engaged in the preparation of sites for new construction and establishments engaged in subdividing land for sale as building sites are also included in this sector (NAICS). The construction works include new work, alterations, maintenance and repairs. The production responsibilities of establishments in construction sector are usually specified in contracts with the owners of construction projects or contracts with other construction establishments.

Construction industry has been broadly classified into Building works, involving projects like houses, offices, schools, factories, shops, hospitals, power plants, stations etc., and Civil engineering works, involving projects like roads, tunnels, bridges, dams, canals, docks etc. It involves personnel of different cadre starting from unskilled, semi-skilled and skilled labourers to technical and management personnel including the contractors.

The contractors are the persons responsible for the day-to-day oversight at the construction site providing all of the material, labour, services and equipments (engineering vehicles and tools) as necessary for the project. The contractors are classified into:

1. *Building contractors* build residential, industrial, commercial and other buildings.
2. *Heavy / civil contractors* build sewers, roads, dams, bridges and tunnels etc.
3. *Special trade contractors* are engaged in specialized work like carpentry, painting, plumbing and electrical work etc.

The construction sector is defined using the NACE1.1 sector classification. Construction sector include the following sub sectors. (*The Statistical classification of economic activities in the European Community, abbreviated as NACE, is the nomenclature of economic activities in the European Union. Various NACE versions have been developed since 1970.*)

- Manufacturing of construction materials:

It includes suppliers of building products and components

- Onsite construction:

It includes site preparation, construction of complete buildings, building installation, completion and rental of construction machinery

- Professional construction services:

It includes architect, engineering services, cost controlling and building control bodies.

Generally, construction industry work covers work on new or existing commercial, industrial or domestic buildings or structures. In this sense, construction industry covers the following categories of works.

- the construction or erection of a building or structure
- any preliminary site preparation work for the construction of any such building
- the alteration, maintenance, repair or demolition of any building or structure
- the construction, erection, installation, extension, alteration or dismantling of a transmission
- electrical or metal work associated with other engineering projects

The construction sector plays significant role in the economic development of an economy. Construction contributes to economic development by satisfying some of the basic objectives of development such as output generation, employment creation, income generation and redistribution. This sector has key role to perform in the generation of basic social and physical needs of the human wellbeing including shelter, infrastructure etc. Goods and services, houses, factories, offices, roads etc are some of the products of the construction industry. The construction of building segment includes contractors, who build residential, industrial, commercial and other buildings.

### **3.1.1. Construction sector- global and Indian scenario**

Construction industry is one of the major industries in the whole world. The contribution of this industry towards the global GDP revolves around one-tenth of the total amount. It is also a potential employment generator and provides employment to almost seven percent of the total employed persons in the world. The resources that are utilized in the construction industry are also high and itself consumes around fifty percent of the total world

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the same as it was. The world  
is a different place, and the  
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resources. This sector is the base of the whole economy which is achieved through the construction of real estate properties, bridges, tunnels, roads, railways, airports etc. Today's global construction market is worth an estimated \$ 7.5 trillion in 2008 prices. The global construction market in 2020 will be worth an estimated \$ 12.7 trillion in 2008 prices. Developed countries are expected to lag emerging markets with zero growth in developed countries in 2010 but growth accelerating by 4.4 % in 2011. Growth in construction output in India will accelerate faster than in china up to 2020. Growth in construction output in emerging markets will be more than three times that of developed countries over the next decade.

India is considered to be the second fastest growing economy in the world. The construction sector in India is an integral part of its development and is poised for growth on account of industrialization, urbanization, economic development and improved quality of life. In India, construction is the largest economic activity after agriculture. Construction accounts for nearly 65 percent of the total investment in infrastructure and is expected to be the biggest beneficiary of the surge in infrastructure investment. This is because of the chain of backward and forward linkages that the sector has with other sectors of the economy. About 250 ancillary industries such as cement, steel, brick, timber and building material are dependent on the construction industry. A unit increase in expenditure in this sector has a multiplier effect and the capacity to generate income as high as five times.

The National Sample Survey of 1987-88 showed an estimated range of 8.5 million people indulged in building and construction work in India. During those days, building and construction workers were recognized as unorganized labour segment in India. A comprehensive need for central legislation for regulating the safety, health, welfare and other conditions of service of these workers was felt. The Bill stated as, Building and Other Construction Workers (Regulation of Employment and conditions of service) Bill, 1988, was introduced in Rajya Sabha, and the legislation namely Building and Other Construction Workers (Regulation of Employment and Condition of Service) Act, 1996 came into force from the 47th year of Republic India, on 1st March, 1996. As per the latest estimate of National Sample Survey Organization (2004-2005), there are more than 25.71 million Building and Other Construction Workers estimated in India.



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India is on the verge of witnessing a sustained growth in infrastructure build up. The construction industry has been witnessing strong growth wave powered by large spending on housing, road, ports, water supply, airport etc. The construction sector has registered double digit growth during the last few years and its share as a percentage of GDP has increased considerably as compared to the last decade. The Planning Commission has proposed an investment of around US \$ 1 trillion in the Twelfth Five Year Plan (2012-17), which is double that in the eleventh five year plan.

From the policy perspective, there has been a growing consensus that a private-public partnership is required to remove difficulties concerning the development of infrastructure in the country. During the first two years of the eleventh five year plan the share of private players in the total investment was 34 percent. This was higher than the target of 30 percent for the eleventh plan. During the twelfth plan the contribution of private sector in total infrastructure investment is expected to increase to 50 percent. The remaining 50 percent will be borne by the public sector.

Over the years the Indian construction industry has seen tremendous growth. This growth can be associated to various factors such as multinational entrepreneurialism, buoyant local stock markets, robust economy-changing demographics and the overall emergence of India on the global stage.

Consequently, with improved living standards, there came a growing need for sophisticated commercial spaces and increasing demand for improved housing. This in turn led to policies which encouraged steady supply of power and efficient transport infrastructure, which in turn provided a boost to investments in the construction industry, and made it an attractive sector to both domestic and foreign investors and developers. To maintain consistent growth, foreign investment is crucial for India. The Indian Government has clearly indicated its intention to create an environment, friendly to foreign investors by allowing foreign direct investment (FDI) up to 100 per cent in 2005 in townships, built-up housing and construction development projects with the liberalization of FDI regulations. Also, the recent decision of Indian Government of opening up retail in multi brand will not just benefit the retail industry but will also push up the demand for commercial real estate throughout the country.

According to statistics available with Department of Industrial Policy and Promotion, Construction development (including townships, housing, built-up infrastructure & construction-development projects) sector has attracted a cumulative foreign direct investment worth US\$ 22,007.67 million from April 2000 to February 2013. FDI flows into the construction sector for the period April 12 - February 13 stood at US\$ 1,260 million. Needless to say, the Indian construction industry is an integral part of the economy.

### 3.1.2. Construction sector in Kerala

Kerala has a peculiar model of economic development. Distributive issues have been central to the question of economic development in Kerala and its achievements in the spheres of land reforms, education, health care and public distribution of food grains set it apart from the rest of India by early seventies. While Kerala has held up as a model for Indian states as an example in social development, its slow growth in the economic sphere has been pointed out as a serious problem in its quest for overall development (Kannan K P 1991; Isaac and Kumar, 1991). The highly contested nature of distributive issues in a regime of low accumulation has given rise to several dilemmas in Kerala's development scenario. Without resolving these dilemmas, the problem of low per capita income and persistent high unemployment will continue to dominate discussions on Kerala's development (Kannan, 1998)

The studies conducted by Kerala Sastra Sahitya Parishat (KSSP) reveal that since 1987 over 50 percent of hill in panchayats and municipal towns surveyed in Kerala have been excavated by the construction industry, this has produced serious consequences for agricultural and drinking water supply. Small and medium sized hillocks are common in the midlands of Kerala. Ecologically they are critical to the region as they are important repositories of natural water keeping millions of wells alive and providing drinking water to countless people. According to a recent study conducted by Kerala Sastra Sahitya Parishat, over 50 percent of hillocks in panchayats and municipal towns included in the survey have been subjected to excavation and earth removal activities since 1987. Among them, 10 – 15 percent suffered extreme loss.

The destruction of hillocks and the filling up of low lying lands, paddy fields and water bodies is interconnected. Recognition of this led to the adoption of the Kerala Conservation of

Paddy Fields and Wetland Bill, 2007 passed by the state assembly in July 2008. One of the interesting facts borne by the survey is the greater level of destruction of natural resources in north Kerala. The reasons appear to be comparative lack of public resistance and environment activism in the north, and higher level of poverty in the villages as most landowners have no option but to lease out their land for construction purposes. The government's move to prevent the conversion of paddy fields by introducing a Bill that promises strict punitive action has been welcomed by a section of environmentalists. As the statistics on damage to hillocks seem suggest, the real issue behind this ecological disaster is not a lack of concern for the environment but the pressing problem of poverty and destitution.

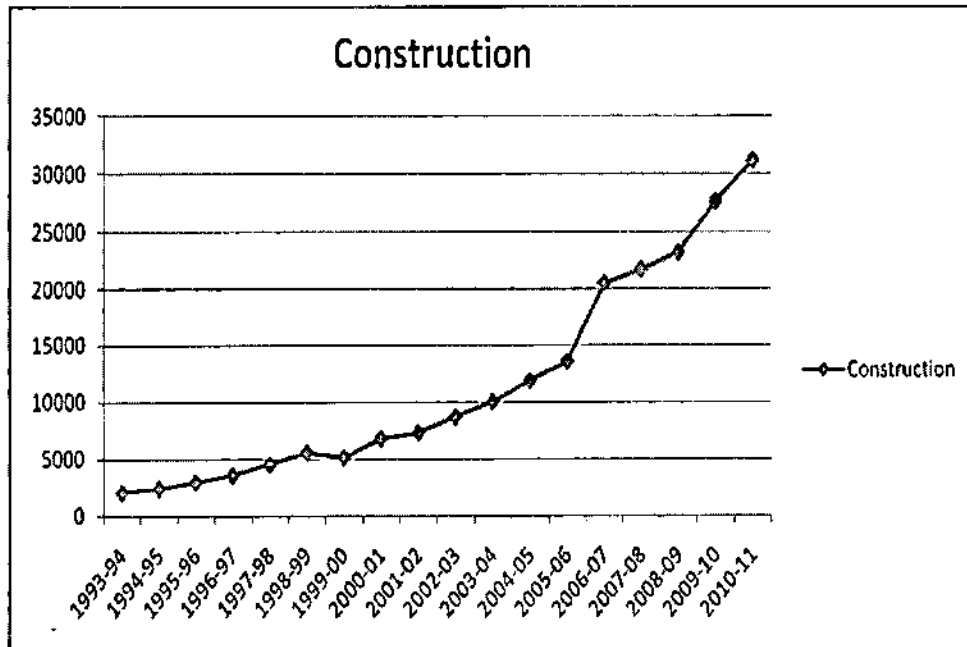
Kerala's growth experience present a paradox. There is high quality of life in the midst of economic backwardness. Growth has taken place but with serious structural changes along with it. The primary as well as secondary sectors in the state have stagnated or even registered negative growth rates. However, the tertiary sector has been leaping spontaneously.

The remittances boom which began in the mid 1970s has compensated for the deficiency in domestic production, but has done very little to revive and drive the good producing sectors. In the case of Kerala, the migration remittances boom has an adverse effect on sectors producing tradable commodities. Remittances pushed the prices of non-tradables to levels higher than those of tradables making production of the latter uneconomical. In this context, investment would be attractive to sectors of non tradables. Liberalization and globalization have not had expected advantage in Kerala due to high cost of non-tradable inputs.

After recording relatively high growth rates during 1990s, the Kerala economy has entered a period of stagnation or even decline in recent years. The relative share of primary and secondary sectors has drastically declined. An overall improvement has taken place only in the tertiary sector (Kerala Development Report, 2008). The annual growth rate of the construction sector in Kerala for the last 10 years has been more than 8%. In Kerala there is no proper regulation of construction activities which results in over exploitation of natural capital, indiscriminate sand mining etc.

Figure 3.1

Growth of construction sector (values in crores)



Kerala, the state largely depends on the remittances of around two million Malayalis working in the Gulf countries has now become a thriving job market for workers hailing from Assam, West Bengal, Bihar and Orissa. Their total number comes around 30 lakhs including skilled, semi-skilled and unskilled hands. Brought to the state by labour contractors, they come in search of better wages from Jharkhand, Chattisgarh, Andhra Pradesh and Tamil Nadu and are engaged in sectors such as construction, hotels, footwear etc.

Unlike the Indian conditions, Kerala has a different story of construction sector. Kerala is one of the prominent states which have made policies for the protection of construction workers. Kerala is not substantially richer than the other Indian states, but it is well ahead of them in providing for the basic rights and protection of construction workers. All construction workers in Kerala are free to join trade unions. The state has well established construction labour board, which is managed by tripartite bodies. All workers are covered by social security schemes. There are regulations governing minimum wages and working hours which are widely observed, and health and safety regulations that are observed at least on large projects. Kerala has also shown

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the way by ensuring that the children of construction workers have places in local schools, so that child labor is not a problem in the construction industry in the state.

Social security provision is an important part of the construction labour board which are supposed to be established by the individual states. A good example shown by the state of Kerala has been the setting up of a Construction Workers Welfare Boards (CWWB) for many years, which is funded by a cess on all building workers. The CWWB provides a range of benefits for its members, who include some casual as well as permanent workers. The Kerala state government is also committed to piloting a state-wide group insurance scheme to cover casual labours who are involved in contracting works at community levels but whose principal employment is not construction work.

In Kerala scenario, the study on construction labour has a great relevance, especially in the case of municipal corporations; these populated centers are experiencing a boom period in the construction of the high raised apartments. Housing in Kerala registered enormous growth both in terms of numbers and quality during the last decades. Demand for flats in the city and its suburbs are on the rise today. Thiruvananthapuram and Kochi are fast growing centers in the state because of arrival of various projects. Projects like technopark, smart city, metro rail, vallarpadam are some of the evidences of the process of development in these cities. The growth of IT industry has several dimensions so that many professionals seem to have settled down in Thiruvananthapuram and Kochi. This tendency also contributes to the increase in demand of flats.

Construction workers are those who work predominantly on construction sites and are typically engaged in the regular aspects of the industry other than design and financing. They are comprised of both local and migrant work force. The daily wage labour and members of specialist trade such as electricians, carpenters and plumbers are also included under the segment as workers. The work in construction sector is most vulnerable because of the poor employment conditions. The employment is permanently temporary and the relationship between the employer and the employee is very fragile and short lived. The work comprises exposure to risk. The lack of safety, health and welfare facilities coupled with uncertain working hours acts as bane to the workers (*India net zone construction, 2009*). The construction industry is more of male dominated skills. Hence, often we find the case of discrimination in terms of gender. There

1. The first part of the report is a general introduction to the project.

2. The second part of the report is a detailed description of the methodology used.

3. The third part of the report is a discussion of the results.

4. The fourth part of the report is a conclusion.

5. The fifth part of the report is a list of references.

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12. The eighth part of the report is a list of tables.

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has always been a strenuous relation between the local migrant workers for work opportunity. The trend of migration in search of employment has made the workers as vulnerable victims of exploitation under inhuman conditions.

### **3.1.3. Kerala Building and other Construction Workers Welfare Fund (KBCWWF)**

Kerala Building and other Construction Workers Welfare Fund (KBCWWF) was constituted as per Kerala Construction workers Welfare Fund Act of 1989. The preamble to the Act elucidates its objective,

*“To provide for the constitution of a fund to grant relief to promote the welfare of and to pay pension to the construction workers in the state”*

The act also defines the construction worker as,

*“Any person who is employed for wages to do any work in connection with a construction work, and who gets his wages directly or indirectly from an employer or from a contractor including supply of materials for construction works”*

The majority of workers in this group are masons, carpenters, painters, concrete workers, road workers and earth workers. Schedule I of the KBCWWF Act (1989) contains 26 categories of construction works.

The table lists the categories of workers who are eligible to receive KBCWWF benefits. The welfare schemes include pensions, death benefits, accident benefits, cash awards and scholarships to members' children, medical expenses, assistance for marriage and maternity benefits etc. members completing 60 years of age are eligible for pension.

The major features of the KBCWWF are the following

- Provision of a measure of social security and welfare assistance to workers
- Creation of a tripartite body consisting of the representatives of the workers, employers and the governments with veto powers for the government on policy issues.
- A bureaucratic organizational mode with the Chief Executive appointed by the government departments

**Table 3.1**

**Construction workers who are entitled to get the KBCWWF benefits**

Sl No	Construction workers
1.	Brick mason
2.	Rubble masons
3.	Laterite masons
4.	Laterite cutters
5.	Brick moulders
6.	Carpenters
7.	Blacksmiths
8.	Fitters
9.	Plumbers
10.	Painters
11.	Sawyers other than saw mill workers
12.	Workers engaged in laying iron rods for concreting
13.	Casual workers connected with construction works
14.	Workers engaged in collecting sand and gravel
15.	Mosaic workers
16.	Tunnel workers
17.	Rock breakers and quarry workers
18.	Electricians
19.	Concrete workers
20.	Workers engaged in thatching and spreading tiles
21.	Marble / kadappa stone workers
22.	Road workers
23.	Earth workers connected with construction work
24.	Workers engaged in processing lime
25.	Workers engaged in construction work
26.	Workers engaged in anti-sea erosion works

Source: KBCWWF Act, 1989

- Mandatory financial contribution from the workers and employers with the exception of a few voluntary funds
- Minimal financial contribution by the government except in cases in which the workers are directly under the government activities or the paying capacity of the workers is deemed very low (Kannan, 2001)

The style of functioning of the KBCWWF is just like a government department, the administration of the fund vests with the government. The considerable innovative skills evident in the designing and coverage of the fund are not deployed in the administrative set up (Kannan K P, 2002). Even though the Board of Directors is ultimate body for directing the policies and functioning of the fund, the government departments wield considerable control.

Every construction worker in the age group 18 - 60 years who is not a member of any other welfare fund and has been engaged in construction work for not less than 90 days during the year preceding the date of registration is eligible to become a member (Government of Kerala, 1989)

### **3.2. Migration - an overview**

Migration of people from one place to another is a complex process. It has multiple dimensions and differs according to class and social groups in developing countries. The process of migration is changing very fast, particularly in globalisation era which is characterised by structural changes and consequent alterations in the economy as a whole and in rural economy in particular. Hence, the nature, pattern and magnitude of migration have been evolving over time.

The major driving forces behind migration are better employment opportunities and a better living standard away from home. Bhagwati (1972) argue that the migration process carries human capital to regions of destination, involves investment in the employment of migrants, enables acquiring of new skills and emphasises the economic cycle. Short-term or seasonal migration has played a crucial role in allowing the rural populace to cope with the consequences of agrarian distress and devastated rural economies in many parts of India. Chandrasekhar (2007) argued that short-term migration is distress-led, driven by the complete collapse of rural employment generation, the economic difficulties of cultivation and also inadequate employment

opportunities in towns. Short-term migration for work has evidently increased rapidly in recent times in India.

Inter-state inequality in several dimensions of economic and social development has not declined and has, in fact, gone up in certain dimensions. The broad argument of these studies implies that the underreporting of internal migration data is mainly on account of seasonal and circulatory migrants who are concentrated at the lower ends of the labour market spectrum (Srivastava, 1998).

The state has a work force of around 83 lakhs of which 19 lakhs are women workers. The vast majority work in the unorganised, or informal sector. Sometimes people work in conditions of partial employment, often without adequate access to decent wages or Social Security protection. The attention of Government has been largely focused on protecting the working conditions and the rights of the relatively privileged minority of workers in the organised sector.

Unemployment is one of the basic problems confronting the State, and Government has to spur the creation of new employment opportunities. There are presently around 43 lakhs of young people registered on the unemployment rolls of the State. Productive employment is being created in the State's economy at very low rates. Despite the relatively high skill and adaptability levels of the State's workforce, labour market has not been perceived as a positive factor by prospective investors in Kerala. The competitive market reform policies have turned many industrial units unviable. The plantation sector is also facing a grave situation due to unremunerative prices for commodity products like Coffee, Tea and Rubber. All this has led to retrenchment and closure of many industrial units and estates in the plantation sector.

In many ways, migration has meant international migration. The intense research and policy debate in international migration has largely been owing to its importance to richer countries. Along with migration, remittance flow has also increased and for many countries it has overtaken external aid and foreign direct investment (Ratha and Shaw, 2007). Human rights issues and labour rights have also become important areas of policy. Despite the high visibility of international migration, recent years have seen the recognition that internal migration is much larger both in terms of numbers and remittances. Bell and Muhidin (2009) estimate that internal

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migration in the world at 740 million are about four times the number of people living outside their country of birth.

India is the largest recipient of international remittances in the world of which about 50% were classified as remittances towards family maintenance. Kerala accounts for about 40% of the Indian household remittances. Kerala along with Punjab and Goa also reports high international migration: whereas at the all India level only 38 per 1000 out-migrants leave the country, it is over ten times that number for these states (Czaika, 2011). The large international migration, precipitous fall in fertility, and rapid urbanization has seen Kerala attract domestic migrant labour in large numbers in recent years.

Urbanization is one of the key “pull” factors of migration: “Contrary to conventional wisdom on urbanization and migration, high rates of migration (permanent and temporary) into urbanized areas have continued despite rising levels of (formal) unemployment and persistent urban poverty. It shows that the expanding urban informal sector is representing a significant pull factor” (Deshingkar and Grimms, 2004). While persistent poverty may not be true of Kerala, urbanization and informalisation has been taking place rapidly. And it has attracted migrant labour in large numbers.

In many instances, large migrant population provokes substantial popular unease translated into xenophobia, racism, or lesser forms of hostility toward migrants. While the inflow of migrants has grown exponentially in recent years into the rapidly urbanizing and rapidly growing- South Western and Punjab Haryana- Delhi belt, policy makers have not woken up to this reality, except for knee-jerk reactions following Bangalore exodus, or Suzuki violence. It is politically imperative that policy makers pay attention to living conditions in the migrant centres.

NSS 64<sup>th</sup> round (2007-08) collected information on household characteristics, employment status and migration particulars of household members and information on out-migrants. In the survey, the out-migrants present place of residence in relation with the household being surveyed was classified as being any of the five categories: same district, same state but different district, another state, another country or ‘not known’. This is sufficient information to classify out-migrants as international or internal and remittance as international or



domestic. However, it does not enable analysis of specific State to state country-to-State or urban to rural migration or remittance

### **3.2.1. External migration**

Migration has been a significant factor in helping reduce poverty and unemployment in Kerala. For over three decades there has been steady migration from the state of Kerala to countries in the Gulf and different parts of India and the world. It is estimated that today over 10 percent of the population of Kerala lives outside the state, in various parts of India and abroad particularly in the Gulf region, the US and Europe.

According to the latest study 'Kerala Migration Survey 2011', 22.8 lakh Kerala emigrants are living abroad in 2011. The number of Kerala migrants living in other States of India in 2011 is estimated at 9.31 lakhs. There are two types of migration. They are external migration and internal migration. These are discussed below.

External migration refers to migration to outside Kerala. Major features of external migration from Kerala are pointed out below.

- It is estimated that the number of Kerala emigrants living abroad in 2011 was 2.28 million. This was 2.19 million in 2008 and only 1.36 million in 1998.
- The number of Kerala emigrants who returned and living in Kerala in 2011 is estimated to be 1.15 million. It was 1.16 million in 2008 and only 0.74 in 1998.
- Only about 18.2 per cent of the Kerala households had an emigrant in 2011
- The vast majority of the households – nearly 82 per cent – did not have an emigrant member. Nearly three-fourths had neither an emigrant nor a return emigrant.
- The vast majority of the emigrants from Kerala in 2011 were Muslims (about 45 per cent).
- The largest number of emigrants originated from Malappuram district.
- The principal countries of destination of Kerala emigrants have remained more or less unchanged over these years. 90 per cent of the Kerala emigrants are going to one or other of the Gulf countries.
- Within the Gulf region, the UAE retained its number one rank, with Saudi Arabia coming in the second position.



1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the transparency and accountability of the organization. This section also outlines the various methods used to collect and analyze data, ensuring that the information is reliable and up-to-date.

2. The second part of the document focuses on the financial aspects of the organization. It provides a detailed overview of the budget, including the projected income and expenses for the upcoming year. This section also discusses the various financial risks and how they are being managed to ensure the organization's financial stability.

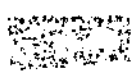
3. The third part of the document addresses the operational aspects of the organization. It describes the various processes and procedures that are in place to ensure the efficient and effective delivery of services. This section also discusses the various challenges that the organization is facing and how they are being addressed.

4. The fourth part of the document discusses the human resources of the organization. It provides a detailed overview of the current staff and the various roles and responsibilities of each employee. This section also discusses the various training and development programs that are in place to ensure that the staff is equipped with the necessary skills and knowledge to perform their duties effectively.

5. The fifth part of the document discusses the legal and regulatory aspects of the organization. It provides a detailed overview of the various laws and regulations that the organization is subject to and how they are being complied with. This section also discusses the various legal risks and how they are being managed to ensure the organization's legal compliance.

6. The sixth part of the document discusses the environmental and social aspects of the organization. It provides a detailed overview of the various environmental and social issues that the organization is facing and how they are being addressed. This section also discusses the various initiatives that are in place to promote sustainability and social responsibility.

7. The seventh part of the document discusses the future of the organization. It provides a detailed overview of the various strategic goals and objectives that the organization is pursuing and how they are being implemented. This section also discusses the various challenges that the organization is facing and how they are being addressed to ensure the organization's long-term success.



### 3.2.2. Internal Migration

A recent trend in the employment sector in the State is the inflow of interstate migrant labour from other States. Migrants are coming to Kerala from states like West Bengal, Bihar, Orissa, Chattisgarh, Jharkhand etc.,. There are various factors leading to this in migration. They are

- Higher wages for unskilled labour in the State,
- Large opportunities for employment and
- Shortage of local labour,

These workers are less advantaged group in the labour market working for a subsistence living. Even though a comprehensive data on migrant labour is not available, different studies show that the incidence of migrant labour is increasing in the State. Since they are not engaged through a contractor or an intermediary, the legal protections envisaged under the Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 are alien to them in their employment. According to Census, 2001, among the districts, Ernakulam district, recorded the highest inflow of migrants from other States.

The migrant labourers get much higher monetary wages than in their native places and they work for longer hours and their real wages may be lower. They live in shanty houses/rooms in slums like localities often on a sharing basis. They have limited access to sanitation facilities and safe water and the working and living conditions and habits make them suffer from a number of diseases. But their access to public services like health and education is limited and they enjoy very limited protection from labour laws. They also face problems of social integration in Kerala.

Though these workers are predominantly engaged in the construction, plywood and steel industries, their presence is noticeable in almost all employments including service sector in the State. Because of their lower levels of reservation wages; and they do not have organization and union and lack of 'voice', recently there is an increasing tendency to employ migrant labour; especially in the field of constructions. Since measures had not been developed to improve the weak conditions of these labour, Social Security, compensation in case of job loss, health problems etc, the State Government have envisaged a scheme called "Inter State Migrant Workers Welfare Scheme" through Kerala Building and Other Constructions Workers Welfare Fund Board.

Internal migration means the situation where people migrate to other states in India. The features of internal migration in Kerala can be pointed out as follows.

- The number of Kerala migrants living in other states in India in 2011 is estimated to be 9.31 lakh
- There was no substantial increase in out-migration from Kerala since 2008.
- More and more Keralites are opting for external migration in place of internal migration.
- The number of Kerala out-migrants who returned and are now living in Kerala in 2011 is estimated to be 5.11 lakh.
- There was a consistent decline in the number of return out-migrants.
- Interstate migrants numbered 1.44 million in 2011
- The vast majority of the out-migrants from Kerala (59.7 percent in 2011) were Hindus,
- Palakkad district accounted for the largest number of out-migrants from Kerala. Thus the Palakkad-Malappuram corridor is the most migration-prone area in the state, with Palakkad topping in the field of out-migration and Malappuram in the case of emigration.
- The principal states of destination of Kerala' out-migrants remained more or less unchanged over these years.
- Karnataka was number one in 2011 with 29 percent of Kerala's out-migrants. Tamil Nadu and Maharashtra are the other two major states where Kerala out-migrants have made a living.

### **3.2.3. Remittances**

The features of remittances are mentioned below

- The total remittances in Kerala in 2011 were estimated to be approximately Rs. 50,000 (Rs.49,695) crores. Remittances were Rs. 63,315 per household in 2011
- Among the 14 districts in the state, Malappuram received the largest amount of remittances, i.e., Rs 9,040 crores which works out to Rs. 114,313 per household.
- In general, the southern districts experienced a decline in their share of remittances and the northern districts experienced an increase.
- Muslim households received Rs. 23,089 crores or 46.5 per cent of the total remittances in 2011. Hindus received Rs 18,089 crores or 36.4 per cent of the total. The Christian community received Rs. 8,508 crores or 17.1 per cent.

### 3.3. Characteristics of the domestic migrant labour (DML) in Kerala

The characteristics of the domestic migrant labour in Kerala are examined in terms of states of origin, age distribution of migrants in Kerala, distribution by religion, duration of stay in Kerala, channels of migration, sectors of employment, wages earned, living conditions etc.

#### 3.3.1. States of origin and age distribution of DML in Kerala

DML in Kerala is that currently the state has migrant labour from almost all the states of India and Nepal. While the numbers are few from Punjab, Haryana, Gujarat, Maharashtra and so on, the largest proportion hail from West Bengal (20%), Bihar (18.10%), Assam (17.28%), and Uttar Pradesh (14.83%). The DML are almost entirely male and 75% of them are in the age group of 18- 29 years; there are few above the age of 36 years. A handful of the migrant labour report that they are below 18 years of age. There is not much difference in the age distribution of migrant labour across the states of origin.

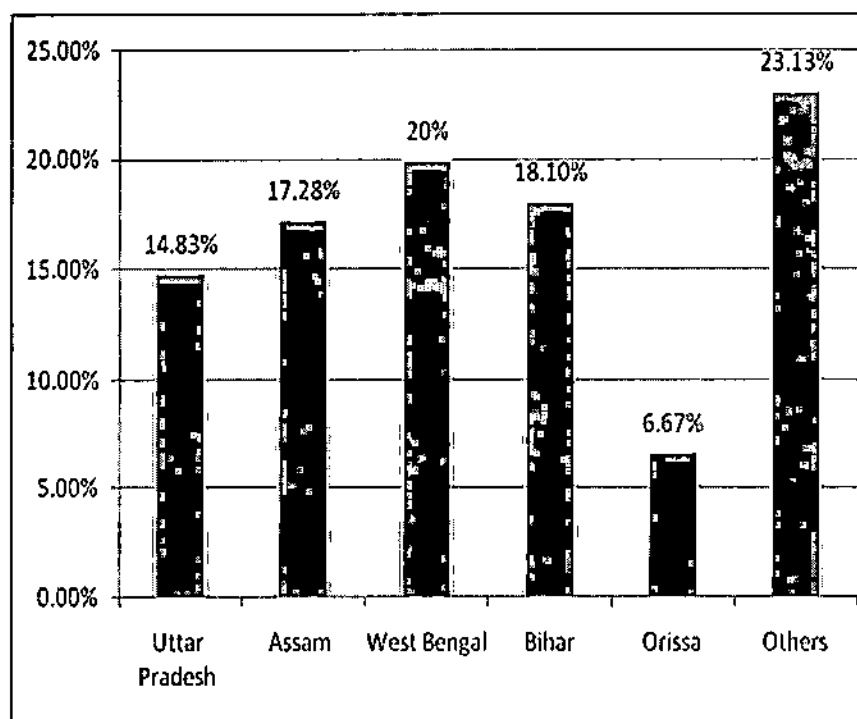
**Table 3.2**  
**Distribution (%) of DML by State of Origin and Age**

State	Percentage Share of migrants
Uttar Pradesh	14.83
Assam	17.28
West Bengal	20.0
Bihar	18.1
Orissa	6.67
Others	23.13
Total	100

Source: compiled from *Domestic Migrant Labour in Kerala*, 2013



**Figure 3.2**  
**Distribution (%) of DML by State of Origin and Age**



### 3.3.2. Distribution by Religion

About 70% of the DML are Hindus, 24% are Muslims and the rest are either Christians or have not reported their religion. An important fact is that the DML from Assam and West Bengal are about 50% Muslims. Interestingly, about 20% of the DML from Orissa are Christians. From Assam about 12% of the DML are Christians

### 3.3.3. Duration of Stay of DML in Kerala

The question regarding the duration of stay in the current place of residence went unanswered by about 38% of all the respondents. The rest reported almost equal percentages for duration below one year, 1- 2 years, 2-3 years and above 3 years. However, it needs to be noted that this is not the total duration of their stay in Kerala for the reasons discussed below. That could also be the reason for such a high proportion of DML not responding to this question.

An interesting aspect of the mobility of DML is that they move around quite a lot within Kerala. A worker picked at random in Aluva might have worked earlier at Kannur,

Kasaragod, Wayanad, Thalassery, or Kottayam. Similarly, a worker picked at random at Cheruthuruthy or Edapalli would have worked at Kadalundi, Kaladi, Kozhikod Thiruvananthapuram or Malappuram. That is probably the reason only about 15% of all DML report having stayed in the current place of residence for 3 or more years.

#### **3.3.4. Channels of Migration**

Historically contractors have played an important role in labour migration. Is it a significant channel through which the DML arrive in Kerala still? It is still an important channel as 28% had used such channels to migrate to Kerala (Table 3). It is slightly higher for labour from Bengal and Bihar at close to 33% and lower at 16% for labour from Orissa. The most important channel is a friend with over 50% reporting it. It is much higher in the case of labour from Uttar Pradesh at 65% and lower in the case of labour from Bengal. Relatives and others come way below at around 10% and 5% respectively. On the whole, it is friends and relatives who are instrumental in channeling a large number of labour from far distant parts of India.

Interestingly, a small proportion among the DML had left home in search of employment before coming to Kerala. Close to 20% of the DML from Uttar Pradesh and Bihar had worked elsewhere before coming to Kerala. The proportion was about 10% for DML from Assam and 8% for labour from Bengal and Orissa. Thus, a small group of about 13% of the labour had experience of working elsewhere in the country or Bhutan before they decided to move to Kerala. They must have had information from friends and relatives that the Kerala environment is more secure and offers more prospects which took them here

#### **3.3.5. Sectors of Employment**

The striking aspect of the DML in Kerala is that they have come to fill almost all occupations and sectors of the economy. A look at Table 5 and the observation that almost all cells have entries is enough to substantiate it.

*S. J. Zuercher et al.*

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains. The *Agrobacterium* strains were incubated in the presence of 100 mg/ml of gentamicin and 100 mg/ml of rifampicin. The concentration of the *Agrobacterium* suspension was 10<sup>6</sup> cells/ml. The transformation efficiency was determined by the number of transformants per 10<sup>6</sup> cells. The data are the mean  $\pm$  SD of three independent experiments.

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.



**Table 3.3**

**Distribution of DML by Occupation and Sector of Employment**

Occupation	Percentage Share of migrants
Carpenter	1.90
Electrician	0.68
Mason/Flooring	3.68
Sales person	0.68
Tailoring	0.41
Skilled work	18.50
Unskilled work	69.52
Others	2.45
Not reported	2.18
Total	100

Source: compiled from *Domestic Migrant Labour in Kerala*, 2013

The train survey over two weeks, a small window to the world of DML, was enough to testify it. Their largest concentration is in the booming construction sector with 60% reporting it. Manufacturing, Hotel and Restaurants and Trade too report substantive numbers. Interestingly, Kerala agriculture has also become dependent on migrant labour. The others group contains a multitude of sectors. Thus, Kerala economy is driven by the large DML.

While the largest concentration of DML is among the unskilled work, they are not just confined to it. The next largest category is that of skilled work whether it is construction, manufacturing or hotels and restaurants. Masonry, carpentry and electrical work too have seen their entry. On the whole, the DML have begun entering all skills and all sectors in Kerala.

### **3.3.6. Unemployment and Under Employment amongst DML**

Further, examining the number of days of employment, it is clear that there is no sign of unemployment or under employment amongst the DML in Kerala. Over 85% get employment

six or seven days a week. Another 11% reported working for five days a week. Only about two percent reported employment for less than four days a week

**Table 3.4**

**Distribution of DML by number of days of employment in a week**

Number of days of employment in a week	Percentage of labour
3	0.54
4	1.50
5	10.88
6	57.82
7	28.71
Not reporting	0.54
Total	100.00

Source: compiled from *Domestic Migrant Labour in Kerala*, 2013

### 3.3.7. Wages earned by DML

The daily wage rates are almost double the minimum wage rates in Kerala. About one-third the DML reported to be receiving wages of over Rs 400 a day. Another one-third report wages between Rs 300 and 400 and the rest below Rs 300. The wages earned by the DML does not seem to depend on whether a DML works under a contractor or as a casual labourer. Comparable distribution of DML by wage rates is seen in both the cases. For instance, the proportion of DML receiving a Daily Wage above Rs 400 per day is almost the same between the two classes. Similarly, the variation in wages across channels of migration is also insignificant.

The money received as wages finds its way as remittances to their homes. The periodicity of remittance varies from monthly (32%), to once in two months (18%) to occasionally (42%). The amount remitted varies from ' 1000-5000 at the lowest to over Rs 20,000 at the last remittance (Table 9). In the aggregate it turns out to be around Rs 70, 000 per person in a year. And most of it flows through the banking channels.

### 3.3.8. Living Conditions of the DML

The Domestic Migrant Labourers in Kerala are often living crowded in rooms with hardly space to move around. While about 8% of all those surveyed did not respond to the question, 'how many reside in your room', 42% reported seven or more in a room, 13% reported six in a room, 12% reported five, 13% four and 8% reported three in a room. Only about 5% of all DML reported one or two persons in the room. There is hardly any difference as regards crowding across the DML from different States. Further, almost 84% of them all congregate among their own language groups. Almost all the DML also reported access to toilets, but 95% of all are common toilets. Language groups stay together and work together. And about 94% of all do common cooking with their own language groups. Individual cooking is reported by only 3% of the DML

#### References

- Bell, M. and Muhidin, S. 2009. Cross-National Comparisons of Internal Migration. Human Development Research Paper, No. 30. New York: United Nations Development Programme, Human Development Report Office
- Berger, John and Mohr Jean, A Seventh Man, Granta Books, London, 1989
- Czaika, Mathias. 2011. Internal and International Migration as Response of Double Deprivation: Some Evidence from India. Proceedings of the German Development Economics Conference, Berlin 2011, No.21
- Deshingkar, P. and Sven Grimm. 2004. Voluntary Internal Migration: An Update. DFID
- Harris Nigel, The Freedom to Move, in The European Union and Migrant Labour, Edited by Gareth Dale and Mike Cole, Berg, Oxford, 1999
- Moses Jonathan, International Migration: Globalisation's Last Frontier, Zed Books, London, 2006
- Ratha, D. and Shaw, W. 2007. South Migration and Remittances. World Bank Working Paper No. 102. Washington DC: World Bank
- India net zone construction (2009), Nature of Construction Industry, Working Conditions, Available from World Wide Web: <http://construction.indianetzone.com>
- Chandrasekhar C.P. and Jayati Ghosh (2007), 'Dealing with Short-Term Migration', the Hindu, Business Line, September, 25.
- Bhagwati, J.N. (1972), *Economics and World Order*, London: MacMillan
- Kundu, Amitabh and Shalini Gupta (1996), 'Migration, Urbanisation and Regional Inequality', *Economic and Political Weekly*, December 28, pp. 3391-98.
- National Commission on Rural Labour (NCRL-1991), 'Reports of the Study Group on Migrant Labour', Vol.II, GOI, Ministry of Labour, New Delhi.
- Srivastava, Ravi. S. (1998), 'Migration and the Labour Market in India', *Indian Journal of Labour Economics*, Vol.41, No.4, pp. 583-616.

# 4

## *Socio-economic Status of Migrant Construction Workers in Kerala*

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- ✓ *Profile of migrants workers in Kerala*
- ✓ *Socio-economic status of migrant workers*
- ✓ *Push and pull factors of migration*

This chapter deals with the socio-economic status of migrant construction workers in Kerala. This aspect seems highly significant as it provides a basic understanding of the background of the migrant workers. Various parameters are identified and used in the questionnaire while interviewing the respondents in order to elicit their socio-economic status. The educational background of migrants, age wise classification, number of family members, marital status, asset ownership in their original place, reason for their migration to Kerala, the nature of works etc were considered to be the key factors while evaluating their socio-economic status.

The present chapter summarizes the analysis under three sub headings such as

- Profile of migrants workers in Kerala
- Socio-economic status of migrant workers
- Push and pull factors of migration

### **4.1 Profile of migrants workers in Kerala**

This part gives a general evaluation of the profile of migrants. A detailed profile of migrant construction workers is made taking into account of state wise origin of the workers, educational qualification of the workers, religion, marital status, number of children, number of family members, history of migration, nature of work etc. Such a profile is necessary to have a general understanding of the migrants and helpful to proceed further in the present study.

#### **4.1.1 Original state of the migrants**

Before analyzing the social and economic status of the migrant construction workers, it seems necessary to know about their original state. Such a classification provides a detailed list of migrants from where they migrated to Kerala. The enquiry about the original state of the migrant construction workers in Kerala gives interesting results. Out of the sample of 1000 migrants selected for study, one fourth, to be precise 26.5 percent, are from West Bengal.

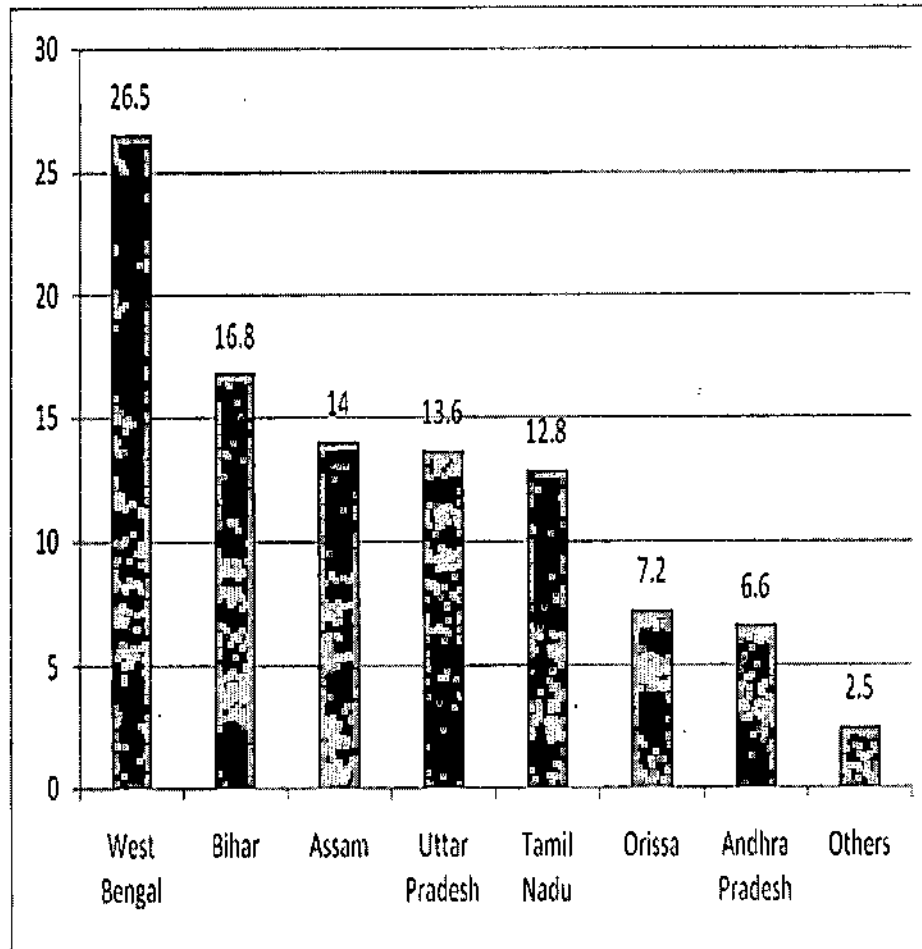
Migrants from Bihar and Assam stand at the second and third places showing strength of 16.8 and 14 percent respectively. The other important states sending maximum number of migrants to Kerala are Uttar Pradesh (13.6 percent), Tamil Nadu (12.8 percent), Orissa (7.2 percent) and Andhra Pradesh (6.6 percent). It can also be noted that the migrants from a particular state concentrate in a specific region thereby generating a group of their own people. For instance, in Kazhakuttom area of Thiruvananthapuram Corporation, majority of the work sites are occupied by migrants from West Bengal. Similarly migrants from Tamil Nadu are concentrated in Thrissur and Thiruvananthapuram corporations.

**Table 4.1**  
**Original state of the migrants**

State	Number of migrants	Percentage
West Bengal	265	26.5
Bihar	168	16.8
Assam	140	14.0
Uttar Pradesh	136	13.6
Tamil Nadu	128	12.8
Orissa	72	7.2
Andhra Pradesh	66	6.6
Others	25	2.5
Total	1000	100

Source: Field Survey, 2013

**Figure 4.1**  
**Original state of the migrants**



#### **4.1.2 Age composition of migrant workers**

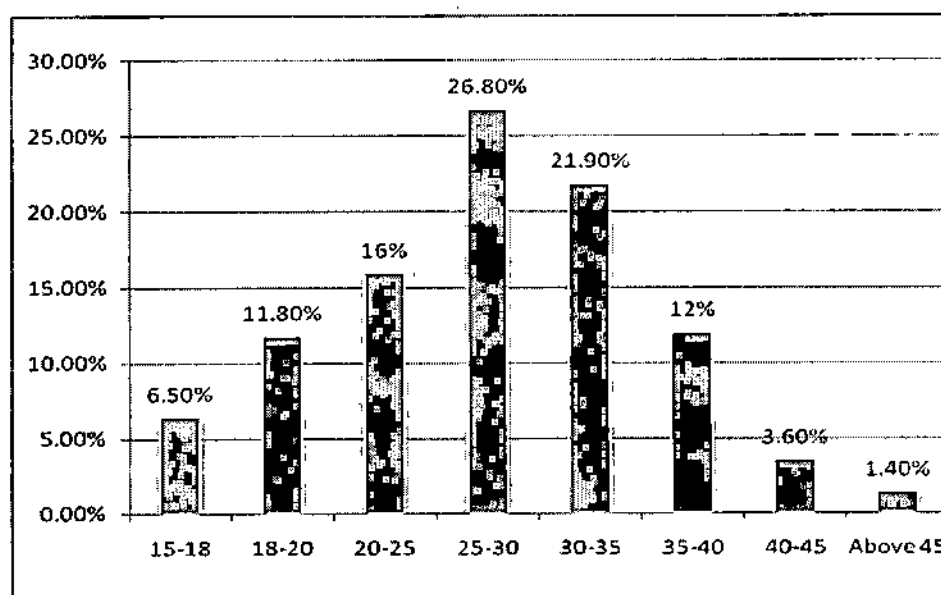
The age composition of migrant workers in the construction sector is presented in table 4.2. It has been found that 26.8 percent of workers belong to the age group of 25 and 30. It can be seen that 65 percent of workers belong to the age group between 20 and 35 years. 5 percent are above 40 years of age. Surprisingly 6.5 percent workers are below 18 years of age and another 11.8 percent between 18 and 20 years. Altogether, 18.3 percent workers are below 20 years of age.

**Table 4.2**  
**Age composition of migrant workers**

Age group	Number of migrants	Percentage
15-18	65	6.5
18-20	118	11.8
20-25	160	16
25-30	268	26.8
30-35	219	21.9
35-40	120	12
40-45	36	3.6
Above 45	14	1.4
Total	1000	100

Source: Field Survey, 2013

**Figure 4.2**  
**Age composition of migrant workers**





#### 4.1.3 Educational qualification

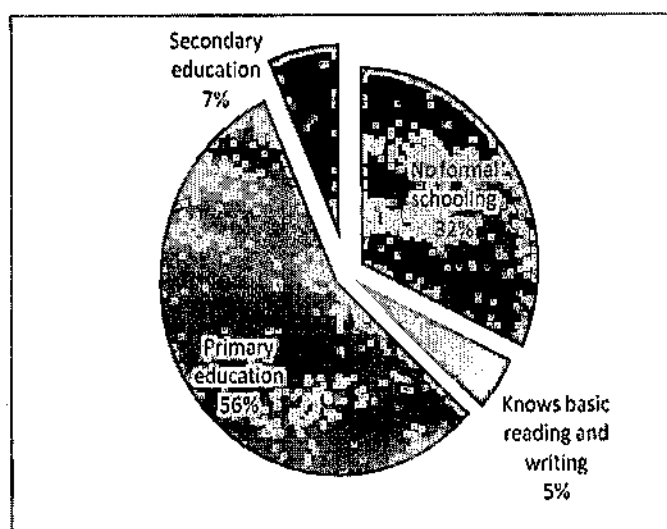
The present study tries to understand the educational background of the migrant workers. It can be learnt that nearly one third of the respondents do not have any schooling. However, 4.9 percent of the migrants have basic reading and writing skill. Interestingly, more than half of the migrants i.e., 56.5 percent have primary education and another 6.6 percent have secondary education.

**Table 4.3**  
**Education status of migrants**

Level of Schooling	Number of migrants	Percentage
No formal schooling	320	32.0
Knows basic reading and writing	49	4.9
Primary education	565	56.5
Secondary education	66	6.6
Higher secondary education and above	0	0
Total	1000	100

Source: Field Survey, 2013

**Figure 4.3**  
**Education status of migrants**

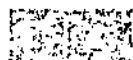


1. The first part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the Corporation.

2. The second part of the document is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the Corporation.

3.

4.



#### 4.1.4 Religion/caste in which they were born

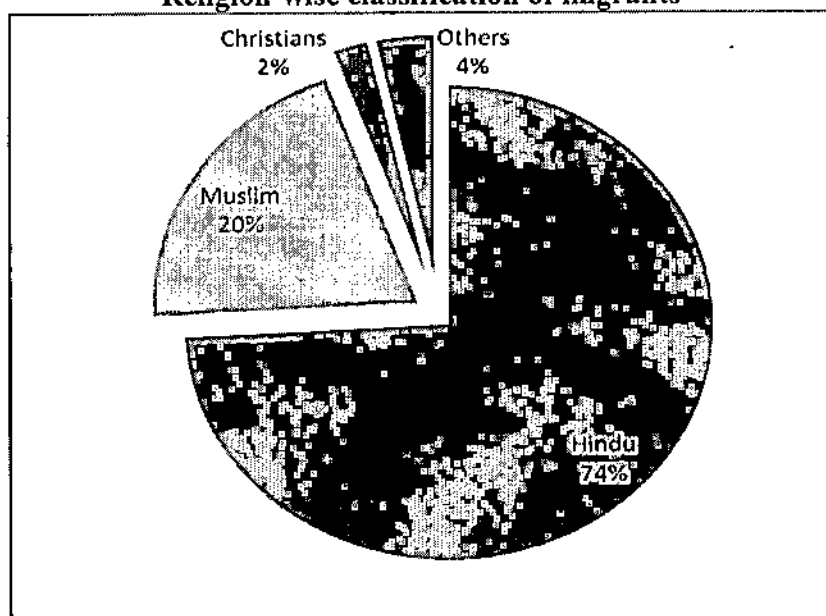
The present study makes an attempt to categorize the migrants in terms of their religion. The survey reveals that large majority of the sample workers are Hindus (74.2 per cent). Another 20.2 percent are Muslims. The Christian category is very less i.e., 2.1 percent of the total migrant construction workers.

**Table 4.4**  
**Religion-wise classification of migrants**

Religion	Number of migrants	Percentage
Hindu	742	74.2
Muslim	202	20.2
Christians	21	2.1
Others	35	3.5
Total	1000	100

Source: Field Survey, 2013

**Figure 4.4**  
**Religion-wise classification of migrants**



#### 4.1.5 Marital Status

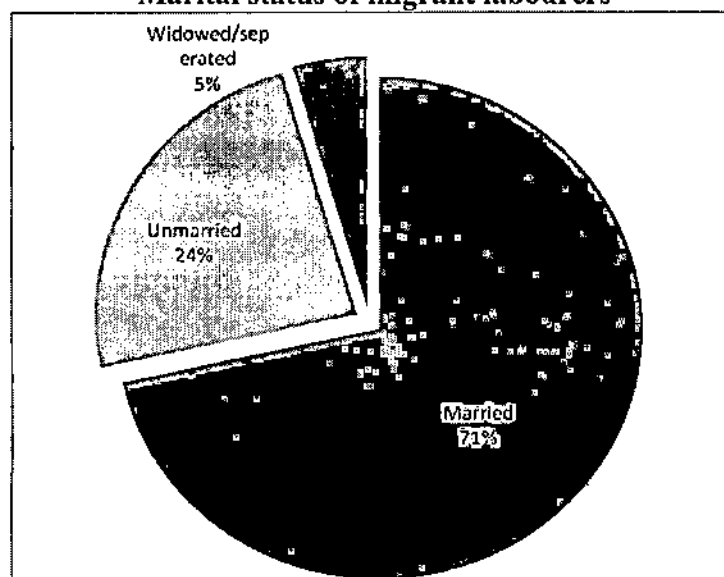
The marital status of the respondents is analysed and summarized in the study. The analysis shows that around three-fourth of the respondents are married. They comprise 71.6 percent of the total migrant workers in Kerala. Data shows that another 23.8 percent are unmarried. The study further reveals that 4.6 per cent of the respondents are either widowed or separated.

**Table 4.5**  
**Marital status of migrant labourers**

Marital status	Number of migrants	percentage
Married	716	71.6
Unmarried	238	23.8
Widowed/seperated	46	4.6
Total	1000	100

Source: Field Survey, 2013

**Figure 4.5**  
**Marital status of migrant labourers**



It can be noticed that only 4 percent of the married respondents reside with their spouses while the remaining left their spouse in the village (not shown in the Table).

#### 4.1.6 Number of children of married migrant workers

The table given below classifies the number of children of married migrant workers in Kerala. It can be learn from the data that nearly half of the migrants (45.2 per cent) are having 2 children followed by another 28.3 percent having 3 children. 15.8 per cent of the migrant workers have only one child. However, around 5 per cent are just married and have no children. It can also be noted that 4.4 per cent migrant have 4 children at home. 0.5 per cent of the married respondents do have a much bigger family with more than 4 children in the village.

**Table 4.6**  
**Number of children of married migrant workers**

Family members	Number of migrants	Percentage
No children	42	5.8
1child	114	15.8
2 children	326	45.2
3 children	204	28.3
4 children	32	4.4
Above 4 children	4	0.5
Total	722	100

Source: Field Survey, 2013

#### 4.1.7 Number of family members

The family background of the migrant workers is also examined in the study in terms of their size of the family. It symbolizes their economic background as well as reflects their responsibility in supporting the family members. The table shows that 41.6 per cent of the respondents have bigger families with 5 members in their family. 28.2 percent have 4 members

in their families. Another 17.4 per cent have 6 members in their families and 4.4 per cent have again bigger families with 7 or more members in their families. Such a bigger family size enhances the responsibilities and tension in earning income their livelihood.

**Table 4.7**  
**Number of family members**

Number of family members	Number of migrants	Percentage
2 members	16	1.6
3 members	68	6.8
4 members	282	28.2
5 members	416	41.6
6 members	174	17.4
7 and more members	44	4.4
Total	1000	100

Source: Field Survey, 2013

#### 4.1.8 Languages known

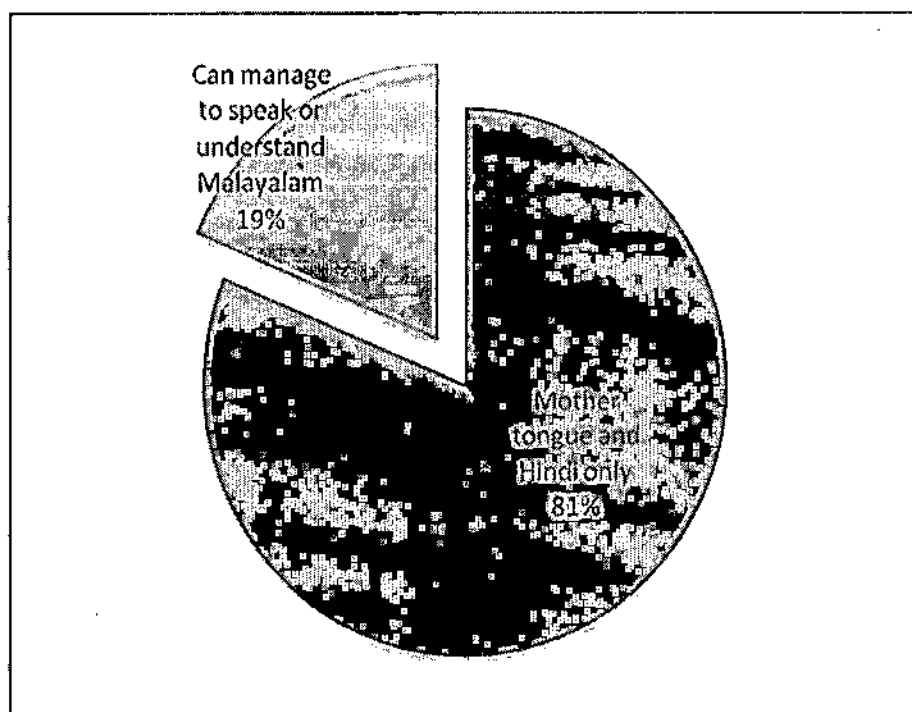
An important factor determining the efficiency and transparency of migrant's life and work in Kerala depends upon the language they handle. The medium of communication also reflects the intensity of their freedom of work and contacts in Kerala as well as the beginning of their human rights issues. The data reveals that 81.4 percent of the migrant construction workers in Kerala do not have knowledge in Malayalam. They know only their mother tongue and Hindi. Only 18.6 per cent can somehow speak and understand Malayalam. Majority belong to this group are migrants from Tamil Nadu. The migrants from other states of India are still unable to communicate in Malayalam except a few workers having more than 2-3 years of work experience here. This is typically a key issue faced by the migrant workers in the state.

**Table 4.8**  
**Languages known**

Language known	Number of migrants	Percentage
Mother tongue and Hindi only	814	81.4
Can manage to speak or understand Malayalam	186	18.6
Total	1000	100

Source: Field Survey, 2013

**Figure 4.6**  
**Languages known**



#### 4.1.9 History of migration

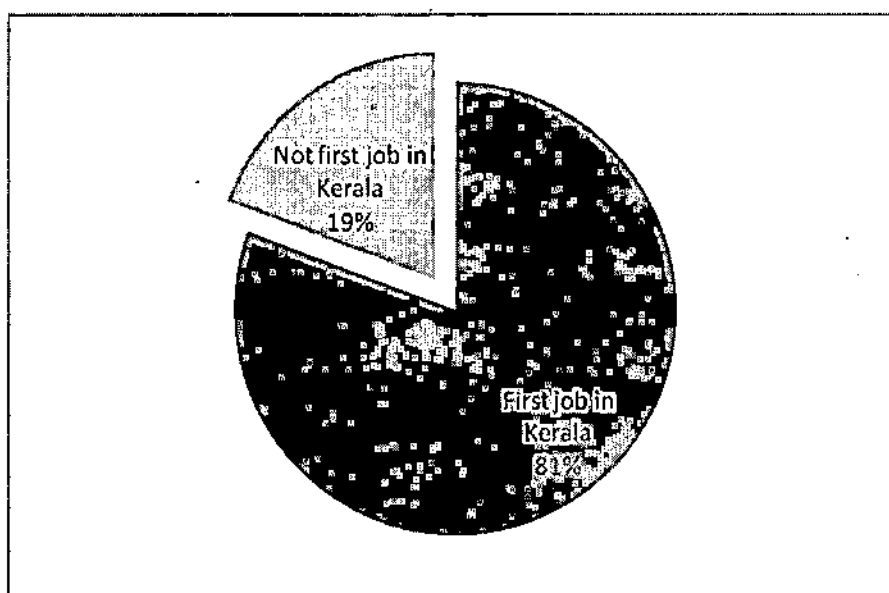
It is important to know the migration history of construction workers. In this analysis, care is taken to learn about their migration to Kerala is the first ever migration from their state or not. In this enquiry, it was interesting to note that 80.6 per cent of the construction workers migrated to Kerala for the first time. They had no such experience of migration any time before their arrival to Kerala. The table given below shows that one - fifth of the respondents had migration history even before their arrival to Kerala. Most of them had migrated to neighboring states that too for temporary jobs during a short period of time.

**Table 4.9**  
**History of migration**

History of migration	Number of migrants	Percentage
First job in Kerala	806	80.6
Not first job in Kerala	194	19.4
Total	1000	100

Source: Field Survey, 2013

**Figure 4.7**  
**History of migration**





#### 4.1.10 Period of stay in Kerala

Duration of stay in a particular place and job is significant especially for a migrant worker as it is a factor determining his willingness to accept the climate, working atmosphere and culture as well as the monetary requirements. Kerala state is very often considered as a gulf for the north Indian migrant construction workers in terms of better job opportunities and comparatively beneficial remuneration. The respondents were asked about their period of stay in Kerala. The response was different. However, majority are staying in Kerala for more than 2 years in the construction field. The group of workers who stay here for a period between 2 and 5 years consists of 43 per cent. Another 34.6 per cent have been staying in Kerala for more than one year but less than 2 years. It is interesting that 4.2 per cent of the workers have been staying in Kerala for more than 5 years in the same field of construction works. However, their nature of work had changed in course of time and majority of them switched from unskilled works to skilled works. Around 18.2 per cent are new in Kerala and have not completed one year of stay in Kerala. This analysis seems important because the construction workers prefer staying in Kerala for more duration irrespective of all sorts of difficulties. There is also a lesson to learn here that the workers having more years of experience not only prefer staying here but also switch to skilled works in appropriate work sites.

**Table 4.10**  
**Period of stay in Kerala**

Duration in years	Number of migrants	Percentage
Below 1 year	182	18.2
1-2 years	346	34.6
2-5 years	430	43.0
Above 5 years	42	4.2
Total	1000	100

Source: Field Survey, 2013

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#### 4.1.11 Nature of work

The nature of work done by the migrants in Kerala is important in deciding their economic status. As expected majority are engaged in unskilled works like doing construction requirements of various sites. This huge group covers 81.4 per cent of the total respondents in five corporations of the state. Only 18.6 per cent are engaged in skilled works in the construction sites. The skilled works are mostly done by those migrant workers having an experience of more than 3 years in the construction sector. The workers engaged in skilled works generally do carpentry, electrical works, welding, plumbing works etc. A new trend is seen among the newly arriving migrants that they are well trained in any of the above mentioned skills and seeks jobs accordingly to get maximum daily benefit. In this particular case, these skilled workers do face severe competition from domestic workers. They often change their workplace in search of better working atmosphere and higher daily remuneration. However, such a wider scope is lacking for those unskilled migrants. They are forced to do whatever job they are assigned irrespective of severity and existing remuneration.

**Table 4.11**  
**Nature of work**

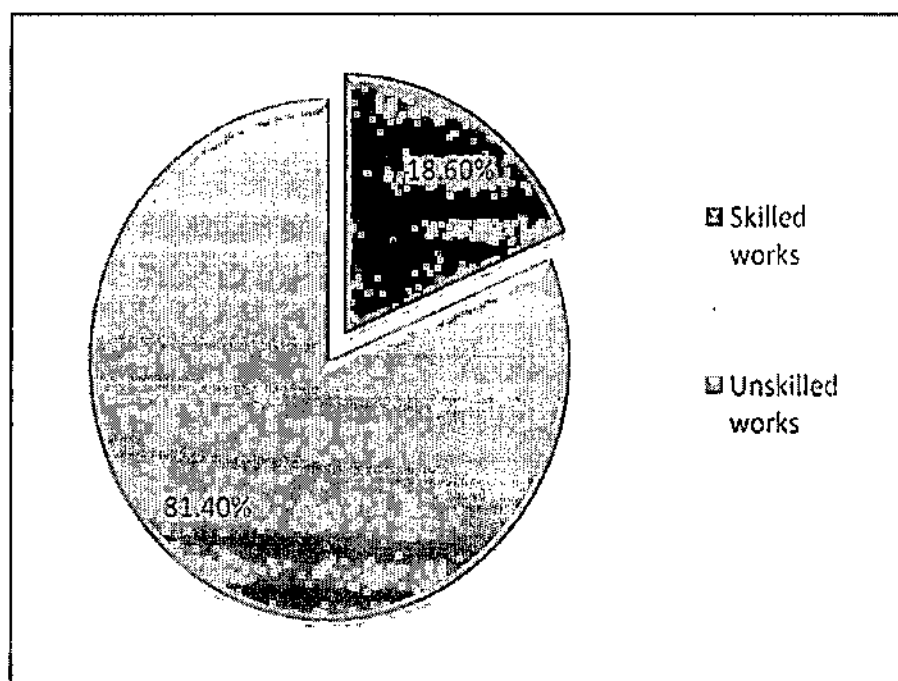
Nature of work	Number of migrants	Percentage
Skilled	186	18.6
Unskilled	814	81.4
Total	1000	100

Source: Field Survey, 2013

It is noticed that the migrant workers are ready to take up any job. For instance, even if some respondents mentioned their main occupation as 'construction work'. They further added that they are ready to do any job which the employers offered to them. In such a situation, the respondents who work in a construction site one day will go for cleaning canals or digging wells

the next day. But majority of the respondents reported that their primary employment is in the construction sector.

**Figure 4.8**  
**Nature of work**

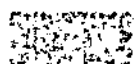


## 4.2 Socio- economic status of migrants

The socio economic status of migrant workers can be analyzed by considering their asset possession, ownership of house in original state, possession of durables and details of their social relations.

### 4.2.1 Asset position

The economic status of the migrant workers is well evaluated by observing their asset ownership in own villages. In this regard, two aspects are observed. One is their land ownership and the other is their house ownership. It can be found that only 71.8 percent of the migrant workers have their own land in their own state. The remaining 28.2 per cent do not possess land.



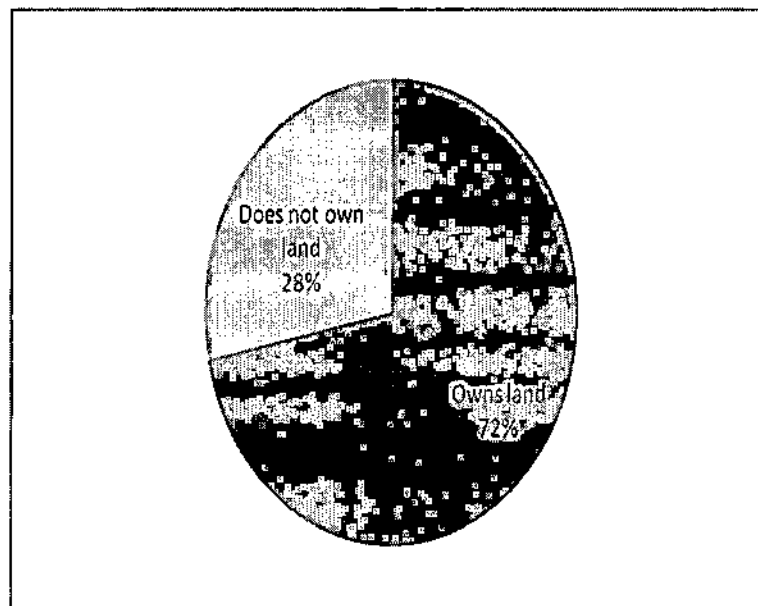
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**Table 4.12**  
**Ownership of land in original state**

Asset	Number of migrants	Percentage
Owns land	718	71.8
Does not own land	282	28.2
Total	1000	100

Source: Field Survey, 2013

**Figure 4.9**  
**Ownership of land in original state**



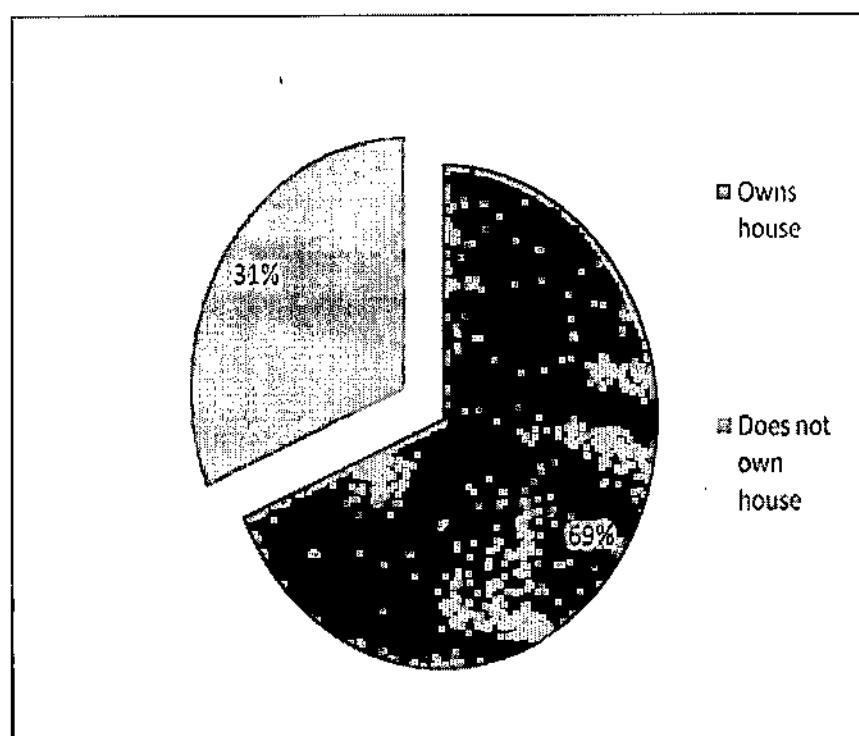
In case of ownership of houses, the situation is worse for the migrants. Majority of migrant workers do not own house in their village. To be precise, out of the 1000 migrants, 68.7 per cent do not have their own house. They live in either rental houses or with their relatives.

**Table 4.13**  
**Ownership of house in original state**

Ownership of house	Number of migrants	Percentage
Owens house	687	68.7
Does not own house	313	31.3
Total	1000	100

Source: Field Survey, 2013

**Figure 4.10**  
**Ownership of house in original state**



#### 4.2.2 Possession of durables

The economic status of migrant construction workers can be evaluated by assessing the possession of durables. In the present study the detailed list of assets owned by migrants in their own state as well as in Kerala is considered for evaluation. Regarding the possession of consumer durables, 71 per cent of the respondents have radio in the village whereas only 26.5 per cent own a radio in Kerala. About one-fourth of respondents have television in their home in the village whereas only 3.2 percent have television in Kerala. In case of mobile phones, 31.6 percent of the respondents have mobile phone in their village. However, 61 percent of them have mobile phone in Kerala. This shows that mobile phone is widely used by the migrants for their communication with their villages. The possession of refrigerator and mixer grinder shows, very few have possessed them in their villages and so in Kerala too. Around 41 percent of the migrants had a bicycle in their home village whereas, 12 percent have bicycle in their workplace in Kerala. Similar is the case with two wheelers.

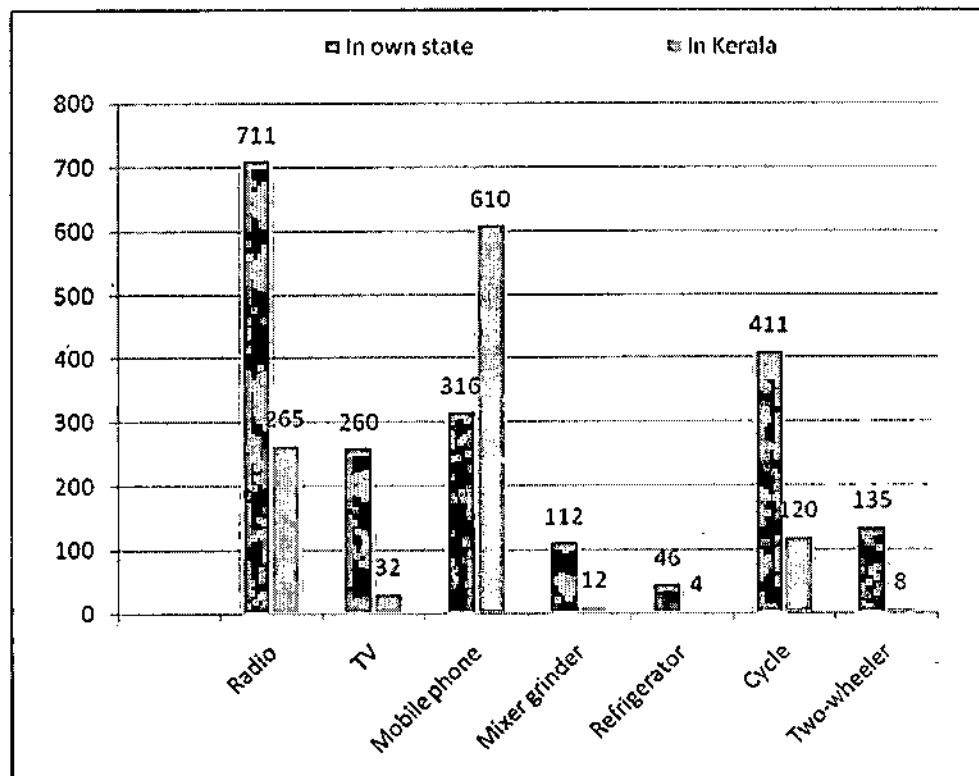
**Table: 4.14**  
**Respondents by possession of consumer durables**

Durable	In own state	In Kerala
Radio	711	265
TV	260	32
Mobile phone	316	610
Mixer grinder	112	12
Refrigerator	46	4
Cycle	411	120
Two-wheeler	135	8

Source: Field Survey, 2013



**Figure: 4.11**  
**Possession of Consumer Durables (%)**



#### 4.2.3 Actual wages received per day

The wage received by the migrant workers differs in accordance with the nature of work they do. The skilled and unskilled workers are paid differently. Among the unskilled category, there are wage differences in various work sites and different geographical areas. For instance the workers in the construction sites of Kazhakuttom technopark areas of Thiruvananthapuram Corporation and Kochi are paid more when compared with that of Kollam and Kozhikode Corporations.

In case of skilled workers the wages per day are above Rs 200 i.e., no skilled worker receives wages below Rs 200. 12.4 percent of skilled workers are getting wages between Rs 200 and 300 and 29 percent receives remuneration between Rs 300 and 400. However, the maximum number of skilled workers (52.2 percent) is well paid getting wages between Rs 400 and 500. It is also noticed that nearly 6.4 percent are getting wages above Rs 500. This is not the case with unskilled workers who constitute the vast majority of the migrant community in Kerala. No one

in this category receives more than Rs 500. Only less than 3 percent receives above Rs 400. Majority are getting remuneration between Rs 200 and 300. There is also a minority group of 19 percent getting even below Rs 200 per day as remuneration.

While there is substantial difference in the monetary wages for construction works in different types of work and areas in Kerala, it is important to note that the workers are getting well above the wages prevailing in their villages. Though some of the unskilled workers with less than one year experience receive comparatively less wage, they could adjust with the high cost of living in urban centers of Kerala because of the allowances and other benefits such as free food, accommodation, cost of hotel food etc.

**Table 4.15**  
**Per day wages earned by migrant workers**

Wage received per day	Skilled labour		Unskilled labour	
	Number of migrants	Percentage	Number of migrants	Percentage
Below Rs 200	0	0	154	18.9
Rs 200 – Rs 300	23	12.4	412	50.6
Rs 300-Rs 400	54	29.0	225	27.6
Rs 400 – Rs 500	97	52.2	23	2.8
Above Rs 500	12	6.4	0	0
Total	186	100	814	100

Source: Field Survey, 2013

#### **4.2.4 Loan/advance facility**

It is found that most of the migrant workers have not taken loan or advance from the employer. Only 18.6 percent are debted to the employers by taking loans or advances. It is also found that loan/advance facilities are enjoyed only by those migrant workers with more than 3

years of experience in the field in Kerala. This shows that even though many are willing to take loan but hesitate because employers do not offer such facilities.

**Table 4.16**  
**Loan/advance facility**

Category	Number of migrants	Percentage
Take loan/ get advance from the employer	186	18.6
Do not take loan/ get advance from the employer	814	81.4
Total	1000	100

Source: Field Survey, 2013

The purpose for which workers have taken loan /advance can be analyzed in the following table.

**Table 4.17**  
**Purpose of loan/advance**

Purpose of loan / advance	Number of migrants	Percentage
Children's education/marriage	40	21.5
Repayment of loans	68	36.5
Illness of relatives at home	36	19
Any other purpose	42	23
Total	186	100

Source: Field Survey, 2013

It can be seen that workers have different needs for taking loans. More than one third of them have taken loan/advance to repay already existing loans in the village and 21.5 percent have taken loan for meeting the expenses of children's education or marriage. 19 percent have taken advance to meet treatment expense of bellowed ones at home. Around 23 percent of them do not have a genuine reason for taking loans/advance. This shows overspending tendency of the workers. The analysis shows that loans are generally taken for incidental expenditure and not for any productive purpose.

#### 4.2.5 Remittance of money back home

The following table shows the pattern of workers' remittance of money to their home. It can be seen that 95 percent of the migrant workers remit money back to their home regularly. The remaining 5 percent used to take money to their homes when they return during festivals.

**Table 4.18**  
**Per day wages earned by migrant workers**

Category	Number of migrants	Percentage
Remit money back home	948	94.8
Do not remit money back home	52	5.2
Total	1000	100

Source: Field Survey, 2013

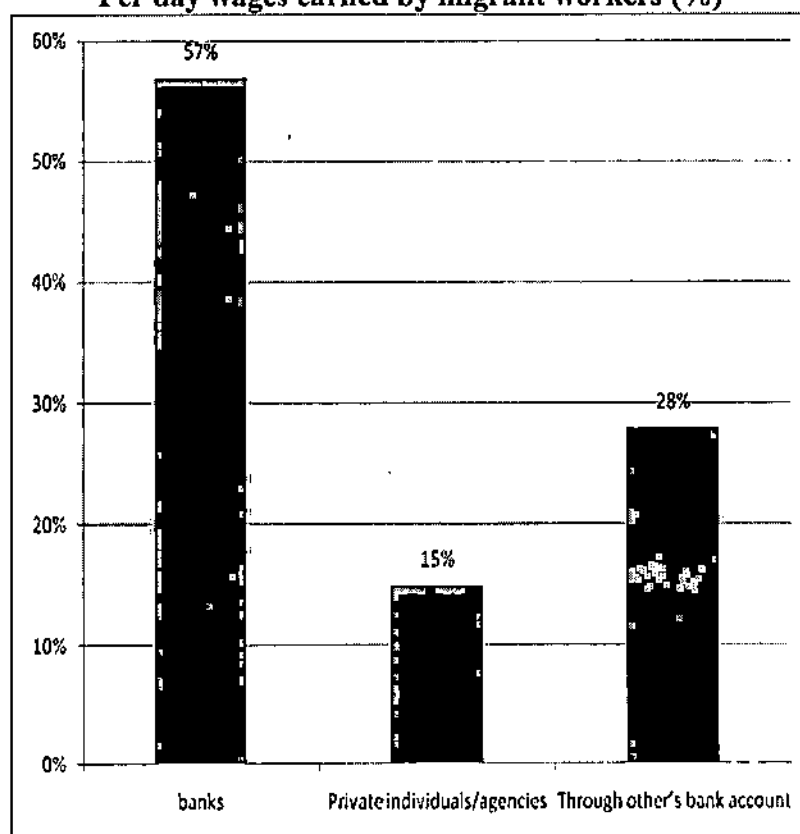
Among the various sources through which people remit their money to home shows that banks play major role in the transaction of money. More than half of the migrant workers depend on their bank accounts and 28 percent depend on other's bank account for remitting money. The remaining 15 percent depend on private individuals or agencies for this purpose.

**Table 4.19**  
**Method of remitting money**

Method of remitting money	Number of migrants	Percentage
Banks	542	57
Private individuals/agencies	140	15
Through other's bank account	266	28
Total	948	100

Source: Field Survey, 2013

**Figure 4.12**  
**Per day wages earned by migrant workers (%)**



#### 4.2.6 Social relation

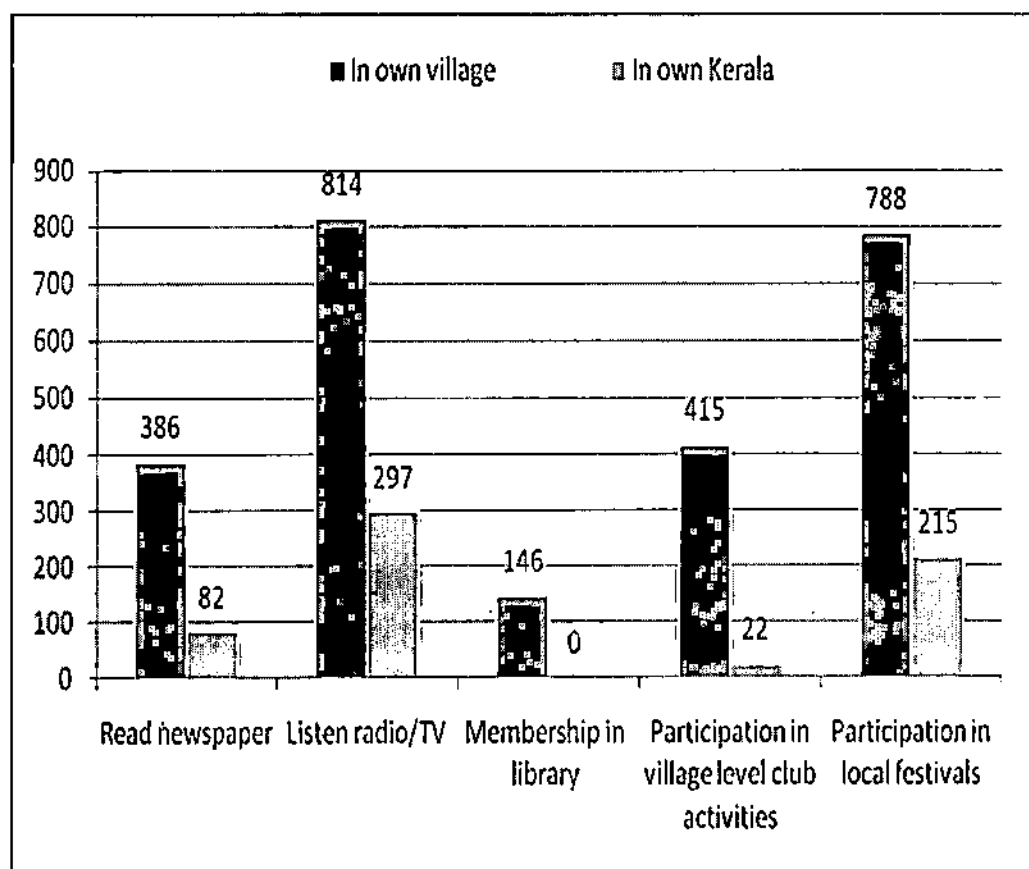
The migrants were asked to respond about their social relations in terms of reading newspapers, listening to radio/TV, membership in library, participation in village level arts and sports clubs and participation in local festivals both in their own village and in Kerala. It could be learnt that most of them used to listen radio/TV in village but comparatively lesser number used to do it in Kerala. 386 respondents had habit of reading newspapers in their own village but only 82 of them have maintained that habit in Kerala especially those from Tamil Nadu. It is interesting to note that most of them used to participate in local festivals and many of them try to participate in local festivals in Kerala also. As expected no migrant has got a membership in library in Kerala. This analysis shows that most of the migrants had very active social relations when they were in their own village. This social relation is lacking for them while they are in Kerala. The language barrier as well the reluctance of Keralites to mingle with the migrants is the major obstacle in maintaining good social relations.

**Table 4.20**  
**Indicators of social relation**

Nature of activities	In own village	In own Kerala
	Number of migrants	Number of migrants
Read newspaper	386	82
Listen radio/TV	814	297
Membership in library	146	0
Participation in village level club activities	415	22
Participation in local festivals	788	215

Source: Field Survey, 2013

**Figure 4.13**  
**Indicators of social relation**



### 4.3 Push and Pull Factors of Migration

According to 'push' and 'pull' theory, migration may occur as a search for an opportunity to improve one's lot in life. The destination exerts a 'pull' on the migrants. Migration can also occur as a flight from undesirable social or economic situations which constitute an expulsive push by the community (Bogue, 1969). As may be noted from the table given below, it was the low wages and the lack of opportunities in their native village which were the primary factors that have pushed them out of their villages.

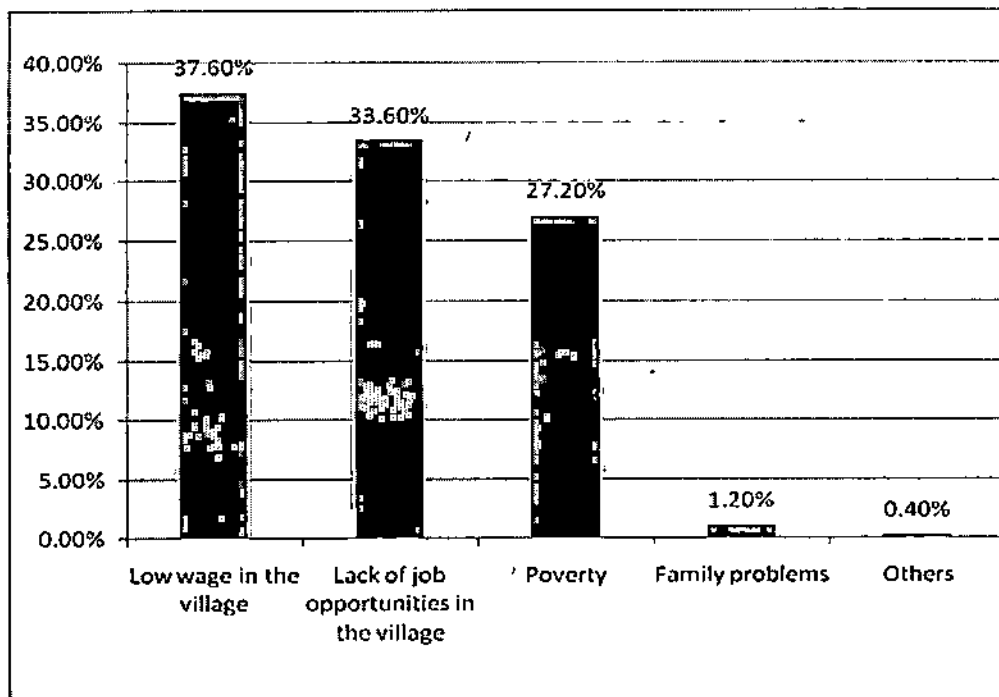
The consolidated data of the respondents reveal that 37.6 percent of the migrants came to Kerala due to the fact that the existing wages in their own villages were very low. Another 33.6 percent came here due to lack of job opportunities in their village. To 27.2 percent, poverty was the major push factor.

**Table 4.21**  
**Push factors of migration**

Factors	Number of migrants	Percentage
Low wage in the village	376	37.6
Lack of job opportunities in the village	336	33.6
Poverty	272	27.2
Family problems	12	1.2
Others	4	0.4
Total	1000	100

Source: Field Survey, 2013

**Figure 4.14**  
**Push factors of migration**





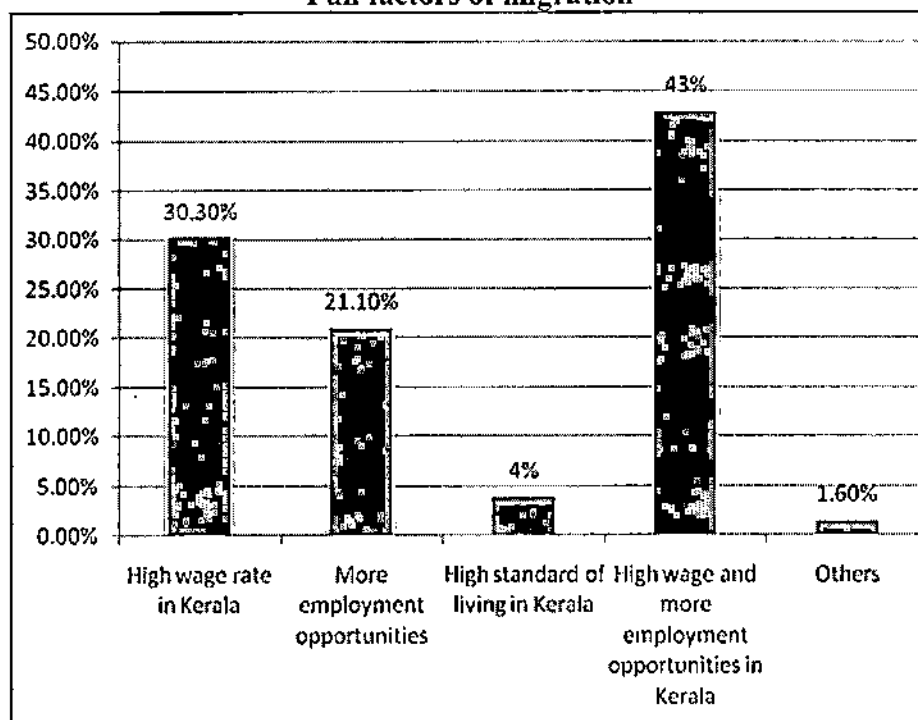
Kerala has been an attracting place for most of the migrants of India. The response of the migrant construction workers reveals the pull factors. Majority of them from various states consider Kerala, the best destination to work and live in. Once they get into the harsh realities of low wages, poverty and lack of employment opportunities in home village, and they consider Kerala as the best option to migrate. It can be noted that 30.3 percent of the migrants are attracted to Kerala due to high wage rate prevailing in Kerala. 21 percent came to Kerala due to availability of more employment opportunities. 43 percent of the respondents consider both higher wages and abundant employment opportunities as the key pull factors. Only about 4 percent migrants came to Kerala due to the better living standard in the state. Other reasons like drought and water scarcity in their villages also have forced some of the respondents to migrate temporarily. In short, the high wage rates and more employment opportunities were the key factors that pulled them to Kerala.

**Table 4.22**  
**Pull factors of migration**

Factors	Number of migrants	Percentage
High wage rate in Kerala	303	30.3
More employment opportunities	211	21.1
High standard of living in Kerala	40	4.0
High wage and more employment opportunities in Kerala	430	43.0
Others	16	1.6
Total	1000	100

Source: Field Survey,

**Figure 4.15**  
**Pull factors of migration**



#### 4.4 Concluding remarks

The specific objective of this chapter was to evaluate the socio-economic conditions of the migrant construction workers as well as to identify the push and pull factors of migration. The analysis based on the detailed survey conducted among the migrant workers specified in the study area. The analysis is done by classifying the chapter into three subparts such as

- Profile of migrants workers in Kerala
- Socio-economic status of migrant workers
- Push and pull factors of migration

Detailed profile of the migrant workers is constructed in terms of state wise origin of the workers, age wise categorization, educational qualification of the workers, religion, marital status, number of children, number of family members, history of migration etc. It is found that maximum number of migrants came from West Bengal followed by Bihar and Assam. More than

half of the migrant construction workers have only primary education where as one third of them has no formal schooling. Three forth of the migrants belonged to Hindu religion. Similarly three forth of them were married. Size of their family seemed to be large with majority having 5 members at home and almost one fifth are having more than five members at home. It is further noticed that more than 80 percent of the respondents are unable to handle Malayalam while only the remaining few can somehow understand the language used in Kerala. Regarding the history of migration, 80 percent are having their first migration experience in Kerala. Majority of them have been staying in Kerala for 2 to 5 years. Surprisingly 4 percent have been staying in the state for more than 5 years. As expected majority are engaged in unskilled works like doing construction requirements of various sites. This huge group covers 81.4 per cent of the total respondents in five corporations of the state. Only 18.6 per cent are engaged in skilled works in the construction sites.

The socio economic status of migrant workers was analyzed by considering their asset possession, ownership of house in original state, possession of durables, wage received, loan facilities, mode of remitting money to home and getting details of their social relations. It is noticed that more than one - fourth of the migrant construction workers do not possess land and house in own village. In case of durable items, most of them own radio at home while around one fourth owned TV and mobile phones at home. Around 41 percent have bicycle in village. At the same time the vast majority of migrants do not have such durables in Kerala. The only exception is the case of mobile phones where 61 percent hold a mobile phone for easy communication with their home village. Regarding the wages received per day, majority of skilled workers receive remuneration between Rs 400 and 500 while majority of unskilled workers receive wages between Rs 200 and 300. Though there is substantial difference between the monetary wages for construction works in different types of work and areas in Kerala, it is important to note that the workers are getting well above the wages prevailing in their villages. They are also seeking loan/advance facilities from employer but less number of migrants gets loans. For remitting money to home the most important method accepted is banking facilities. Though they had satisfactory social relation while they were in their own village, they lack such relations in Kerala.

The push and pull factors of migration to Kerala are also examined in this chapter. The consolidated data of the respondents reveal that 37.6 percent of the migrants came to Kerala due to the fact that the existing wages in their own villages were very low. Another 33.6 percent came here due to lack of job opportunities in their village. To 27.2 percent, poverty was the major push factor. The high wage rates and more employment opportunities seem to be the key factors that pulled them to Kerala.

# 5

## *Working and Living Conditions of Migrant Construction Workers in Kerala*

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- *Working condition of migrant construction workers in Kerala*
- *Living condition of migrant construction workers in Kerala*
- *Health issues of migrant construction workers in Kerala*

## **Working and living conditions of migrant construction workers in Kerala**

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Human rights issues are closely related to the working and living conditions as well as the health issues of construction workers in Kerala. The migrants who chose Kerala to be their destination arrive with a lot of liabilities as most of them are from poor economic background. The living standards as well as human development index of Kerala are high when compared with those of the migrants' own states. In this context it seems necessary to examine the working and living conditions of migrant workers in Kerala. It is interesting to note whether the state offers them the facilities in accordance with its human development achievements. Though Kerala has a unique housing style, it may not reflect when it relates to the migrant construction workers from various parts of the country especially when they are quite unorganized and voiceless. The health aspects are to be evaluated seriously because of the severity of construction works and the risky conditions they had to undergo all the days.

The present chapter, therefore, is an attempt to examine the working and living conditions as well as the health issues of migrant construction workers in Kerala. The analysis is summarized in three separate subheadings such as

- working condition of migrant construction workers in Kerala
- living condition of migrant construction workers in Kerala
- health issues of migrant construction workers in Kerala

The following sections deal with the analysis in detail.

### **5.1 Working condition of migrant construction workers in Kerala**

In order to analyze the working condition of migrant construction workers, several parameters are used in the study. They include number of working hours, mode of payment, wage rate, scope for payment for overtime work, festival allowances received, provision of leaves, harassment at the work site etc. Based on the responds of the workers these aspects are categorized and quantitatively analyzed.

### 5.1.1 Experience in the construction sector

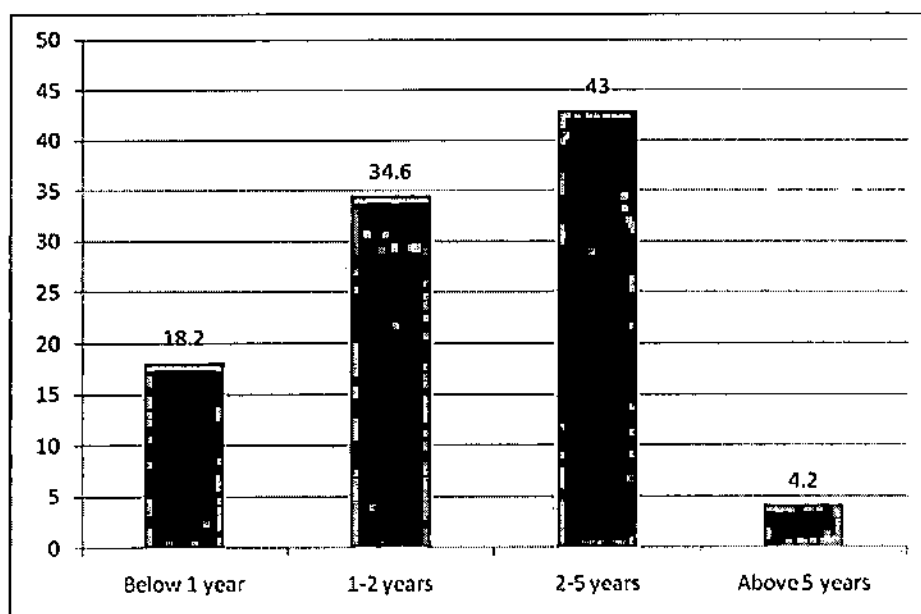
Duration of stay in a particular place and job is significant especially for a migrant worker as it is a factor determining his willingness to accept the climate, working atmosphere and culture as well as the monetary requirements. Kerala state is very often considered as a 'gulf' for the north Indian workers in terms of better job opportunities and comparatively beneficial remuneration. In the present study, the respondents are asked about their period of stay in Kerala. It is noticed that majority are staying in Kerala for more than 2 years in the construction field. This group of workers who stay here for a period between 2 and 5 years consists of 43 per cent. Another 34.6 per cent have been staying in Kerala for more than one year but less than 2 years. It is interesting that 4.2 per cent of the workers have been staying in Kerala for more than 5 years in the same field of construction works. However, their nature of work had changed in course of time and majority of them switched from unskilled works to skilled works. Around 18.2 per cent are new migrants and have not completed one year of stay in Kerala. This analysis seems important because the construction workers prefer staying in Kerala for more duration irrespective of all sorts of difficulties. It is further noticed that most of the construction workers are doing such work for the first time. Before coming to Kerala they did not have any such experience of doing construction works in their own village.

**Table 5.1**  
**Experience in the construction sector**

Duration in years	Number of migrants	Percentage
Below 1 year	182	18.2
1-2 years	346	34.6
2-5 years	430	43.0
Above 5 years	42	4.2
Total	1000	100

Source: Field Survey, 2013

**Figure 5.1**  
**Experience in the construction sector**



### 5.1.2 Number of hours of work

Table 5.2 indicates number of hours of work.

**Table 5.2**  
**Number of Hours of Work**

Hours of work per day	Number of migrants	Percentage
8 hours	182	18.2
9 hours	430	43.0
10 hours	346	34.6
More than 10 hours	42	4.2
Total	1000	100

Source: Field Survey, 2013



The number of working hours is an important factor determining the health conditions of the workers. The average number of hours of work per day is found to be nine hours per day. It is noticed that 43 percent of the workers are working 9 hours in a day, and another 34.6 percent, 10 hours. It is also noticed that a minority of 4.2 percent are engaged in work for more than 10 hours. In short, as high as 82 percent of the workers reported that they have to work for more than 8 hours on a working day. Working for more than 8 hours in heat and difficult sites really enhances the severity of their working atmosphere. The migrants however, manage to do the works in order that they get monetary benefits for overtime works and other perks.

### 5.1.3 Payment for overtime work

It can be noticed that 82 percent of the migrants in Kerala are doing overtime work. The inspiring factor of overtime work is nothing but the remuneration given for overtime work. As expected they are getting payment for overtime works in the construction sector in Kerala. Among the migrants who do overtime work, 81 percent are getting extra payments. The remaining 19 percent are not getting payments except food and snacks while doing that extra works. The details are presented in table 5.3.

**Table 5.3**  
**Payment for overtime work**

Payment details	Number of migrants	Percentage
Get overtime payment	810	81
Do not get overtime payment	190	19
Total	1000	100

Source: Field Survey, 2013

### 5.1.4 Actual wages received per day

The wage received by the migrant workers differs in accordance with the nature of work they do. The skilled and unskilled workers are paid differently. Among the unskilled category,

there are wage differences in various work sites and different geographical areas. For instance the workers in the construction sites of Kazhakootam technopark areas of Thiruvananthapuram Corporation and Kochi are paid more when compared with that of Kollam and Kozhikode Corporations.

In case of skilled workers the wages per day are above Rs 200 i.e., skilled worker receives wages below Rs 200. Around 12.4 percent of skilled workers are getting wages between Rs 200 and 300 and 29 percent receives remuneration between Rs 300 and 400. However, the maximum number of skilled workers (52.2 percent) is well paid getting wages between Rs 400 and 500. It is also noticed that nearly 6.4 percent are getting wages above Rs 500. This is not the case with unskilled workers who constitute the vast majority of the migrant community in Kerala. No one in this category receives more than Rs 500. Surprisingly only less than 3 percent receives above Rs 400. Majority are falling in the category of Rs 200 and 300. There are also a minority say 19 percent getting even below Rs 200 per day as remuneration.

**Table 5. 4**

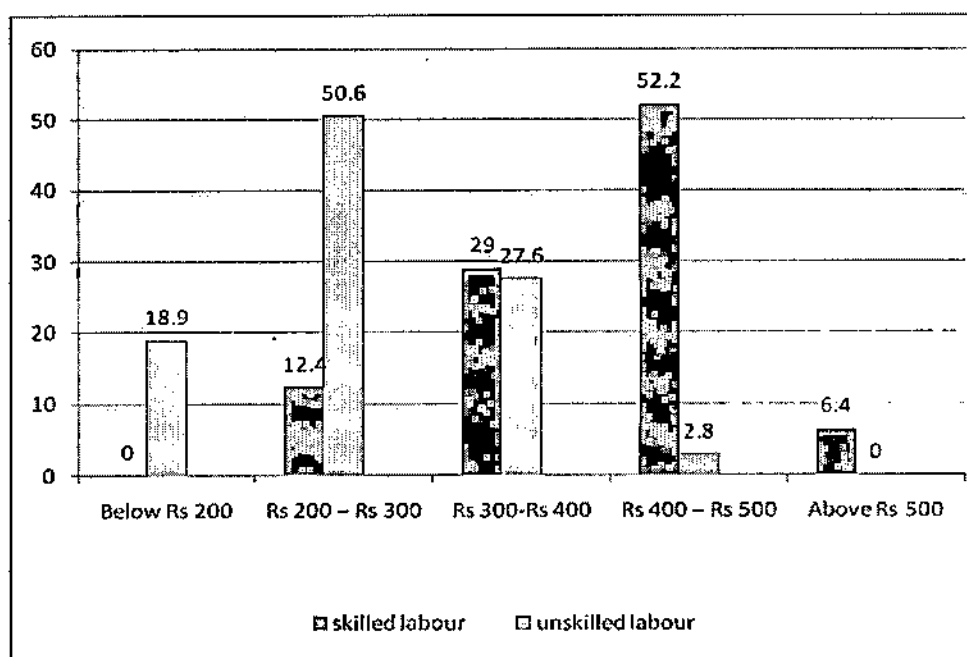
**Per day wages earned by migrant workers**

Wage per day	Skilled labour		Unskilled labour	
	Number of migrants	Percentage	Number of migrants	Percentage
Below Rs 200	0	0	154	18.9
Rs 200 – Rs 300	23	12.4	412	50.6
Rs 300-Rs 400	54	29.0	225	27.6
Rs 400 – Rs 500	97	52.2	23	2.8
Above Rs 500	12	6.4	0	0
Total	186	100	814	100

Source: Field Survey, 2013

While there is substantial difference between the monetary wages for construction works in different types of work and areas in Kerala, it is important to note that the workers are getting well above the wages prevailing in their villages. Though some of the unskilled workers with less than one year experience receive comparatively less wage, they could adjust with the high cost of living in urban centers of Kerala because of the allowances and other benefits such as free food, accommodation, cost of hotel food etc.

**Figure 5.2**  
**Per day wages earned by migrant workers**



#### 5.1.5 Mode of payment

The mode of payment varies among different employers. The most common mode of payment is found to be weekly payments of wages. Usually migrants work for 6 days and they receive payment on Saturday evening. Majority of migrants i.e., 65 percent fall under this category. However, 33 percent workers receive payment on daily basis. This category covers those newly arrived migrants and who regularly shift their work sites for better working atmosphere and benefits. There is again a small group of less than 2 percent workers having monthly payments. Well established and experienced skilled workers do fall under this category.

Though they are getting payments at the end of respective month, they very often borrow from employer and take necessary advances for meeting emergencies.

**Table 5.5**  
**Mode of payment**

Mode of payment	Number of migrants	Percentage
Daily	330	33.0
Weekly	652	65.2
Monthly	18	1.8
Total	1000	100

Source: Field Survey, 2013

#### **5.1.6 Getting promised pay**

Most of the migrant workers express satisfaction in getting promised pay in time. However there is an exception that a few of them are not given payments in time. This category constitutes only 12 percent of the migrant workers. It is criticized that they are paid but not always in time. They have to wait for weeks to get their payment.

#### **5.1.7 Festival/other allowances**

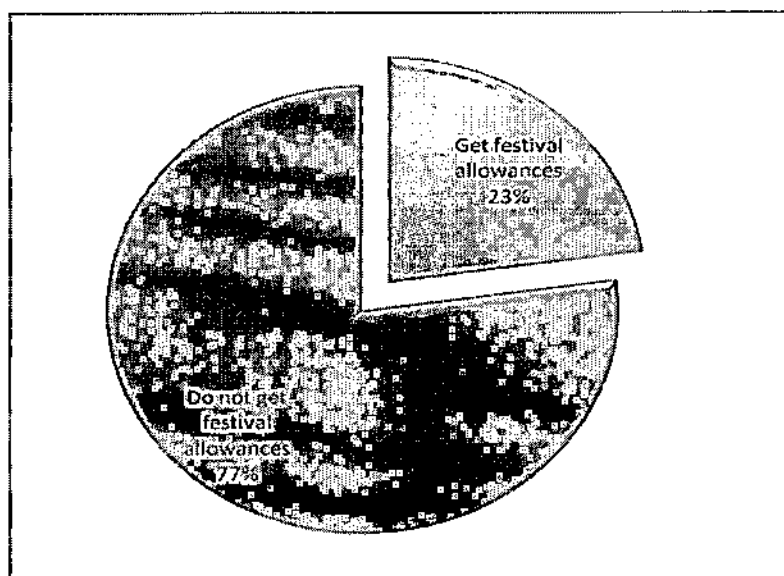
Table 5.6 indicates the number of migrant workers who get festival allowance. It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons. The remaining 77 percent do not get any allowance while they stay in Kerala.

**Table 5.6**  
**Festival/other allowances**

Mode of payment	Number of migrants	Percentage
Get festival allowances	228	22.8
Do not get festival allowances	772	77.2
Total	1000	100

Source: Field Survey, 2013

**Figure 5.3**  
**Provision of festival allowance**



#### **5.1.8 Training received for the job**

The training pattern of the workers provides an interesting result. In the construction sector, as most of the migrants are engaged in unskilled works, they do not get any kind of work related training. Though majority are doing the job for the first time and never had done similar jobs earlier in their village, they can somehow manage to do it without training. That is why 89 percent of them work without any training. Only 11 percent of the workers get training especially the group engaged in skilled works. The skilled workers who had done such works earlier used to undergo a small period of job training to get familiar with the job and circumstances.

**Table 5.7**  
**Training received for the job**

Category	Number of migrants	Percentage
On job training	110	11
No training	890	89
Total	1000	100

Source: Field Survey, 2013

It is interesting to note that lion's share of the migrants in Kerala are doing such work construction sector for the first time. Still then they manage to do it without proper training. This is because of the simple nature of the work and group behavior of the work. They are extremely united in small groups in the work sites to enact related works.

#### 5.1.9 Leave facilities

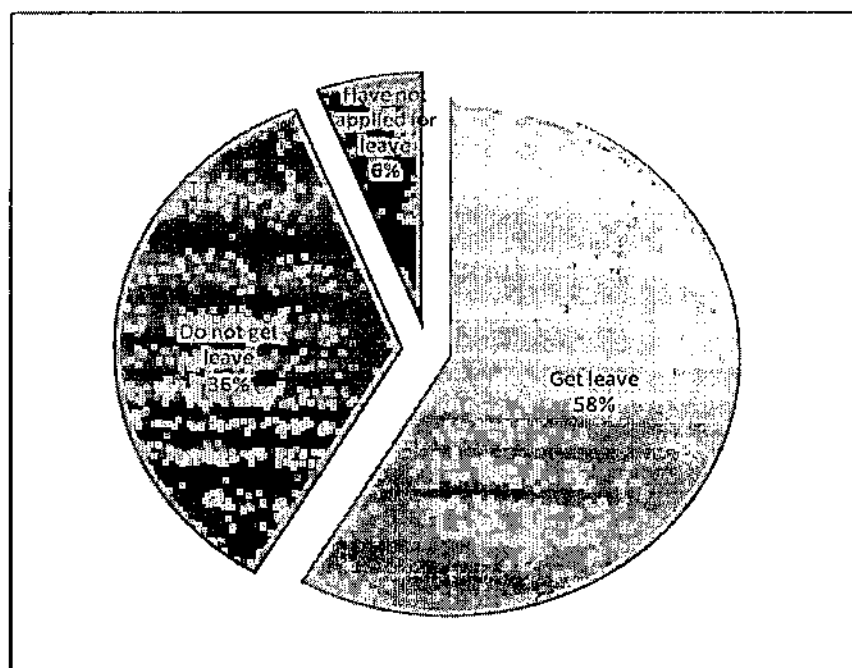
Construction work is quite risk prone work. Hence the possibility of accidents and major injuries are alive in this sector. That is the main reason why the Keralites hesitate to engage in this construction works. This gap is properly filled by the migrants for whom the risky job provides far better remuneration compared to their village wages. Many workers come across difficult and risky situations and often met with accidents. They are also attracted to Kerala mainly because they can avail sick leaves if required. Employers are not alike in providing sick leaves because once they get a chance to leave the work sites, it may be difficult to bring them back to the same job. The tendency of leaving for better chance is also common among migrant workers. Data reveals that 58.5 percent of the migrants get sick and other kinds of leaves both to take rest as well as going home for treatment. At the same time, 35.5 percent have bitter experience of denying their leave requests. Another 6 percent respondents have not applied for leave and hence they keep away from these two extremes.

**Table 5.8**  
**Leave facilities**

Category	Number of migrants	Percentage
Get leave	585	58.5
Do not get leave	355	35.5
Have not applied for leave	60	6.0
Total	1000	100

Source: Field Survey, 2013

**Figure 5.4**  
**Sick leave facilities**



#### 5.1.10 Harassment in the work site

A major issue faced by the migrant workers is related to harassment in the work sites. The chance of exploitation is more in the field of construction sector. As the migrants have no trade union membership, there is high possibility of exploitation and several types of job related harassments. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors.

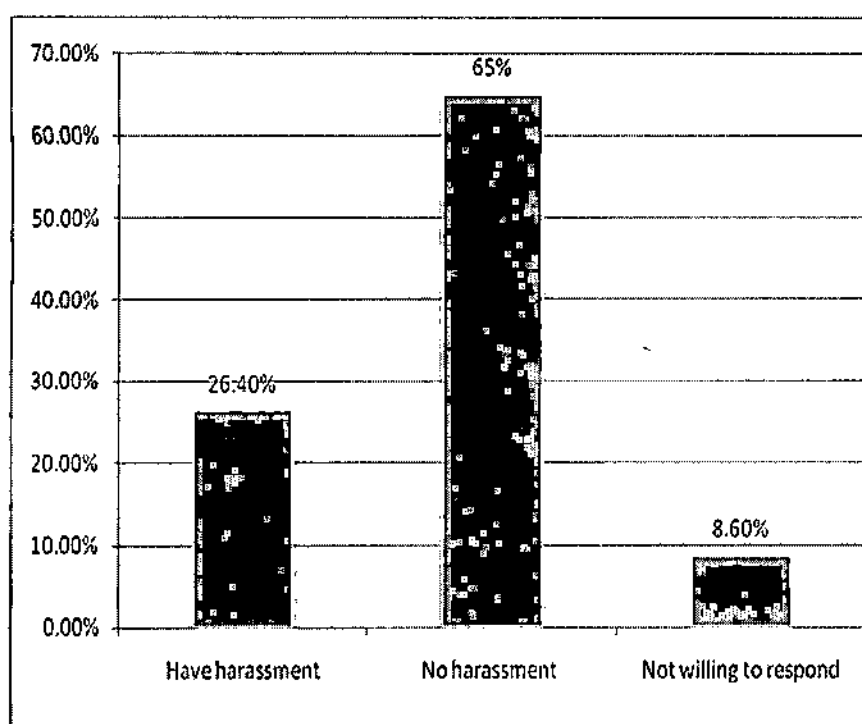
**Table 5.9**  
**Harassment in the work site**

Category	Number of migrants	Percentage
Have harassment	264	26.4
No harassment	650	65.0
Not willing to respond	86	8.6
Total	1000	100

Source: Field Survey, 2013

It is worth to note that around 9 percent were not willing to respond to this question showing their reluctance to reveal the situation on fear of losing job. However, majority are of the opinion that there is no harassment in the worksites. The experience with the migrant workers shows that the unorganized characteristic is the main factor that leads to the exploitation and harassment of the migrant workers.

**Figure 5.5**  
**Harassment in the work site**



#### 5.1.11 Opinion about working conditions

The following table shows the opinion of workers about their wage and working conditions. It seems that 67 percent of the migrant workers are satisfied with the wage and working conditions prevailing in Kerala. Out of the remaining 33 percent, 25.6 percent are not satisfied while 7.4 percent are not willing to respond to this question. Most of the migrant workers agree that the wage is far better than they got in their home state and in other migration destinations. However, they have expressed dissatisfaction over the wage differences prevailed in different the work sites and in different urban centers within Kerala itself. Lack of common wage rate prevailing in construction sector keep them confused.



**Table 5.10**

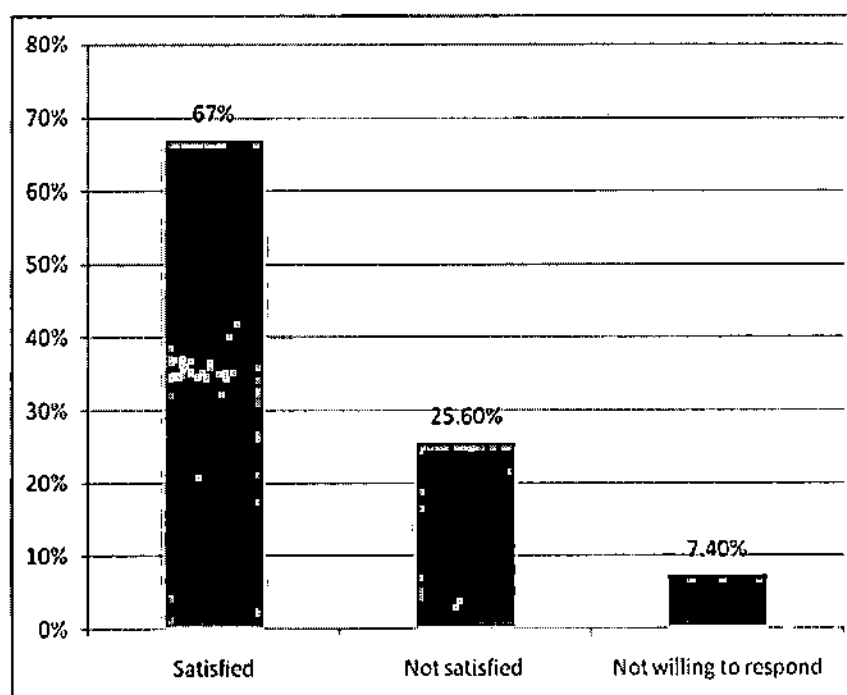
**Opinion about working conditions**

Opinion	Number of migrants	Percentage
Satisfied	670	67
Not satisfied	256	25.6
Not willing to respond	74	7.4
Total	1000	100

Source: Field Survey, 2013

**Figure 5.6**

**Opinion about working conditions**



### 5.1.12 Trade union membership

Migrant workers in Kerala are not having any trade union membership. Most of them were not even aware of the existence of trade unions in the construction sector too. It shows that the local trade unions work for the upliftment of the domestic labourers only. No trade union is

concerned about the problems of the migrant workers. There is also no agency including government agencies to assure the social security and welfare of the migrant workers in our state. The Construction Workers Welfare Fund Board, which provides social security and safety net provisions to the domestic construction workers, also not catering to the needs and requirements of the mass of migrant workers in the construction sector in Kerala.

## **5.2 Living conditions of migrant construction workers**

This section tries to examine the living conditions of migrant construction workers in Kerala. In order to understand their living conditions, important parameters like accommodation details, food consumption and related facts, purchase provision, travel expenses, benefits received from employer etc. are analyzed.

### **5.2.1 Accommodation**

The accommodation facilities given to the migrants indicate the way of their life in Kerala. It has been observed that three-fourth of the migrants are staying at the work site itself. This category of 74.8 percent depends on the accommodation provided by the employer. The remaining 25.2 percent stay outside the work site. The majority group staying at the work site is mainly living in the construction buildings and temporary tents constructed for the workers.

**Table 5.11**

**Accommodation details**

Accommodation	Number of migrants	Percentage
At the work site	748	74.8
Outside the work site	252	25.2
Total	1000	100

Source: Field Survey, 2013

The details regarding outside accommodation of the workers are presented in table 5.12. It can be seen that among the 252 migrants staying outside the work site, 146 are staying in rented houses. The rent is being paid by the workers themselves. No one is found staying in the

slums. A small group of 9 percent workers are staying in temporary tents without much facilities and living atmosphere. For 33 percent workers, the rented house has been provided by the employer. For this facility the employer does not make any deduction from their payment.

**Table 5.12**

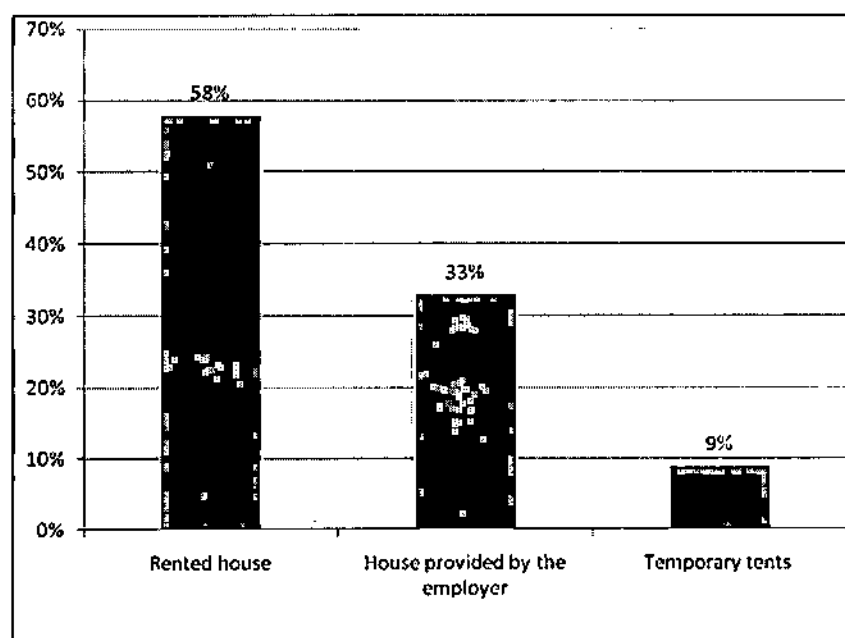
**Nature of accommodation**

Nature of accommodation	Number of migrants	Percentage
Rented house	146	58
Slum	0	0
Temporary tents	22	9
House provided by the employer	84	33
Total	252	100

Source: Field Survey, 2013

**Figure 5.7**

**Nature of accommodation**



### 5.2.2 Number of persons staying in room

This is considered to be a serious indicator because the migrant workers live in rooms overcrowded and have very little facilities. The workers from various parts of the country do not have any hesitation to stay in such circumstances and do not raise any complaint as they have migrated from such poor economic and living backgrounds. It can be found that 36 percent workers are staying in rooms with 5 persons with minimum facilities. Another 12.2 percent stay in rooms with 6 persons and 6.5 percent migrants stay with 7 persons. It is also noticed that nearly one percent workers live in rooms where more than 7 persons reside. Taking together these figures, it can be noted that three fourth of the migrant workers stay with more than 4 members in rooms. Such overcrowded rooms reflect their poor living atmosphere in the work sites.

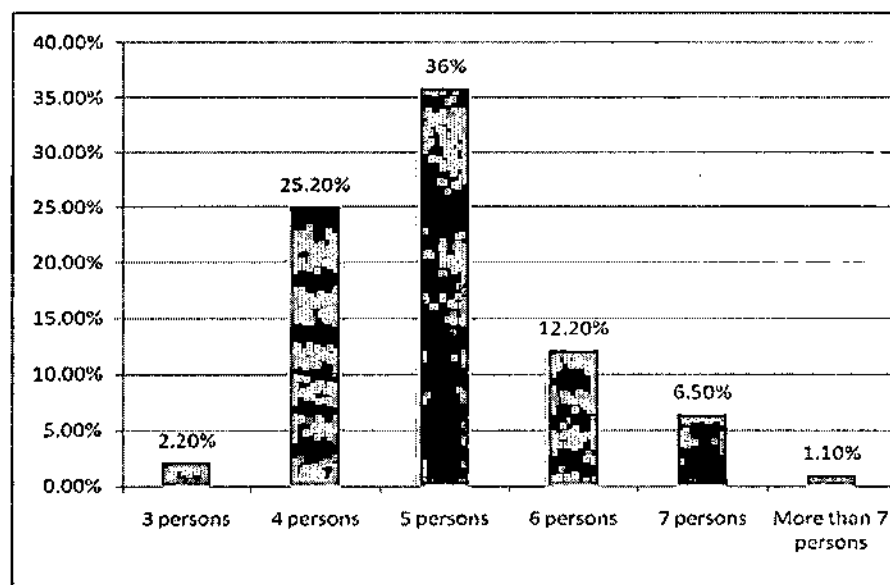
**Table 5.13**  
**Number of persons staying in room**

Number of persons	Number of migrants	Percentage
3 persons	220	2.2
4 persons	252	25.2
5 persons	360	36
6 persons	122	12.2
7 persons	65	6.5
More than 7 persons	11	1.1
Total	1000	100

Source: Field Survey, 2013

The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. The quality of such toilets is also seems miserable as they are constructed for temporary use without proper roofing facilities. This drawback of sanitation and toilet facilities very often creates several types of health issues.

**Figure 5.8**  
**Number of persons staying in room**



### 5.2.3 Food / meals per intervals

Food or food materials provision is important while considering the living condition of the workers. Generally food has been provided to the workers by the employers at the worksite to make sure that they do not go outside the site for taking food and thereby spending more time outside. Most of the employers provide food materials and the workers prepare food and take it common. Around 64 percent of the workers get food by the employers. The remaining 36 percent workers do not get food at the expense of the employers.

**Table 5.14**  
**Food provision**

Food provision	Number of migrants	Percentage
Provided by the employer	640	64
Not provided by the employer	360	36
Total	1000	100

Source: Field Survey, 2013

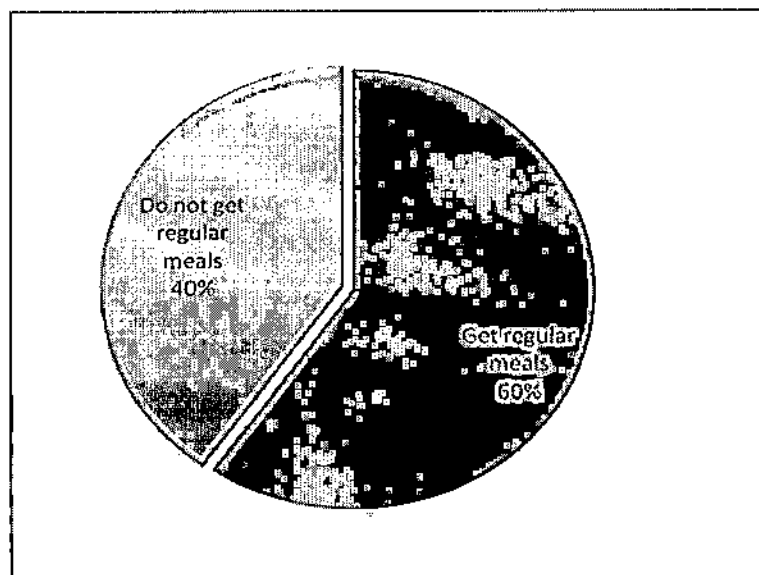
Food intake at regular intervals is important while considering the hardness and duration of the construction works. Most of the respondents pointed out that they get food three times a day. The remaining minority group takes four times a day. For all these groups regular intake is more serious. The migrants are also asked to respond about the regularity of food consumption. Considering this, 59.8 percent of the workers are taking regular meals per intervals but 40.2 percent state that they are not getting regular meals at intervals. From the 64 percent workers whose meals are provided by the employer, nearly half of them are complaining of not getting regular meals.

**Table 5.15**  
**Food consumption at intervals**

Food provision	Number of migrants	Percentage
Get regular meals	598	59.8
Do not get regular meals	402	40.2
Total	1000	100

Source: Field Survey, 2013

**Figure 5.9**  
**Food consumption at intervals**



#### 5.2.4 Purchase provisions

The following table shows the details of the purchase provisions by workers who do not get food from their employers and who prepare food by themselves. It is evident from the figures presented in the table that only a negligible portion of labourers are buying the provisions from subsidized PDS. Nobody is buying from the ration shops as they are not having ration cards in Kerala. This being the case they are generally not able to enjoy the government subsidies. It is found that around 87 percent workers are purchasing from private shops in nearby places. Again another 12 percent purchase things from local households and depend on the paying guest system of taking food. An important fact implied here is that the possibility of exploitation is higher in private shops as the sellers can cheat the labourers by alteration in weight and by charging a high rate for articles. The barrier of language is very crucial factor in this situation.

**Table 5.16**  
**Purchase provisions**

Purchase provisions	Number of migrants	percentage
Ration shops	0	0
Supply-co	8	0.8
Private shops	872	87.2
Others	120	12
Total	1000	100

Source: Field Survey, 2013

#### 5.2.5 Travel expense

Most of the workers were not getting the travelling allowance from the employers. Only about one fourth of the migrant workers were able to get travel expense from their employers. The following table indicates the details of travel expense provision.

**Table 5.17**  
**Travel expense**

Category	Number of migrants	Percentage
Travel expenses provided by the employer	240	24
Travel expenses not provided by the employer	760	76
Total	1000	100

Source: Field Survey, 2013

#### 5.2.6 Other benefits

Other benefits are mainly divided into two important categories such as free food and free medicine. It could be found that 36 percent of the migrant workers were not getting any benefit from the employer. Around 25 percent are getting both free food and free medicine from their employer. Taking the case of free food alone, 64 percent were getting free food. The provision of free medicine does not cover the hospital expenditure of the workers. It generally covers the first aid, work related immediate emergency treatment including that in the hospital, minor medicines for immediate use etc. Expenses of other diseases not relating to their regular work are not borne by the employers.

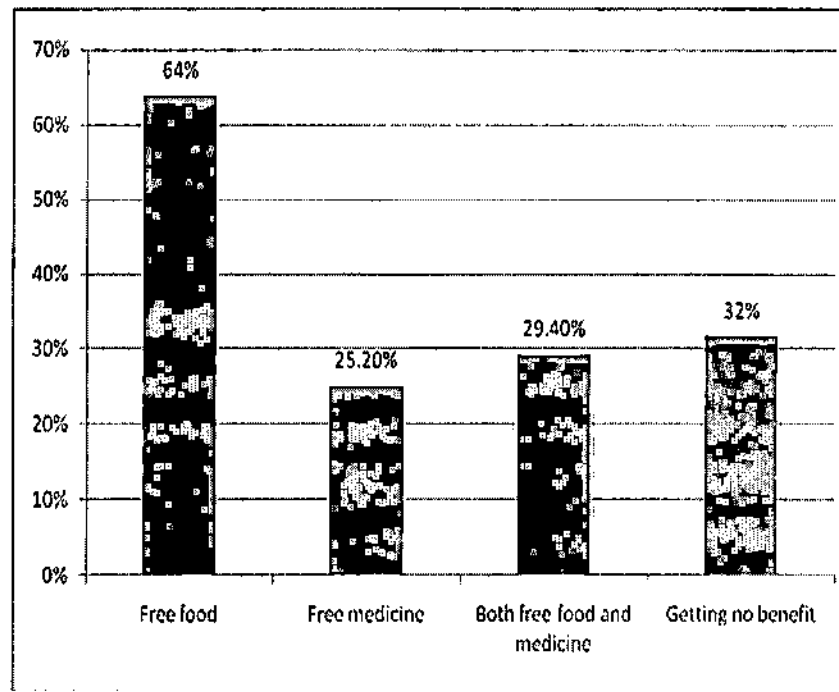
**Table 5.18**  
**Other benefits**

Other benefits	Number of migrants	Percentage
Free food	640	64
Free medicine	252	25.2
Both free food and medicine	252	25.2
Getting no benefit	360	36
Total	1000	100

Source: Field Survey, 2013



**Figure 5.10**  
**Other benefits**



### **5.3 Health issues of migrant construction workers**

The present study also aims to understand the health issues of migrant construction workers in Kerala. This aspect is very important because the workers are generally working in risky conditions, do overtime work, have minimum food and stay in large groups. Hence there exists every chance of unhealthy conditions for the workers in the construction sector. In the study respondents are asked to respond on many factors like their existing diseases, mode of treatment, health insurance, leave for treatment purposes etc. The following session gives a detailed analysis of these issues.

#### **5.3.1 Chronic disease**

Most of the migrant workers, to be precise, 88 percent are not having any chronic diseases. However, 1.2 percent of them have chronic disease but they were not ready to reveal the name of the disease. Another 10.8 percent workers have not given answer to this question.

**Table 5.19**  
**Details of chronic disease**

Category	Number of migrants	Percentage
Have chronic disease	12	1.2
No chronic disease	880	88
Not willing to respond	108	10.8
Total	1000	100

Source: Field Survey, 2013

### 5.3.2 Accidents and work related diseases

Though majority of workers do not have any chronic disease, there are chances of work related diseases and accidents while in the construction sector in Kerala. It is informed that 68 percent workers have come across some kind of accidents and work related illness. This includes accidents in connection with construction works, chronic allergic problems, severe and continuous headaches while in the sun light for long hours etc. An interesting result is that majority of workers having met some kind of accidents and work related diseases, belong to the unskilled jobs. Very few among the skilled workers have come across such issues while in Kerala.

### 5.3.3 Mode of treatment

The present study is particularly intended to know the mode of treatment of workers in Kerala. Out of 1000 respondents, 258 did not have any circumstance for treatment in Kerala. The remaining 742 workers who had to go for some kind of treatment at least once in their stay in the state/met with some kind of disease while in Kerala, are asked to mention their mode of treatment such as private hospitals, government hospitals, medical shops, etc. As expected 81.5 percent are depending on government hospitals because of the low cost or free treatment provided. Three percent workers are used to consult private hospitals. It is noted that 12 percent construction workers used to consume medicine directly from the medical shops without consulting doctors. It is also further revealed in the study that 3.5 percent workers are not at all

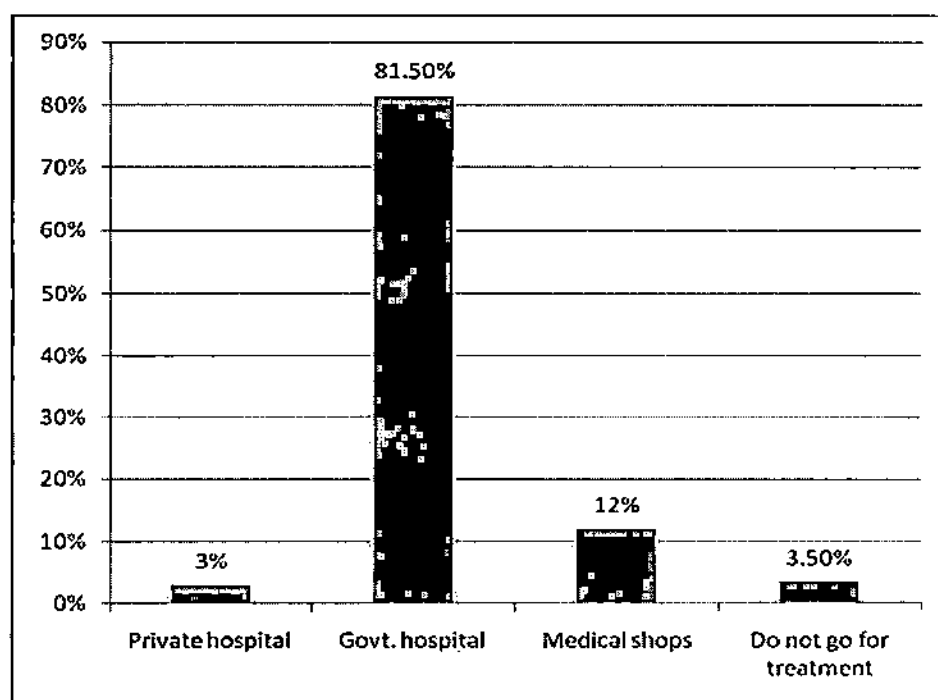
going for any treatment while having some disease. In short, the mode of treatment should be very significantly considered because there is a tendency for the workers to depend on medical shops and own treatment.

**Table 5.20**  
**Mode of treatment**

Mode of treatment	Number of migrants	Percentage
Private hospital	22	3.0
Govt. hospital	605	81.5
Medical shops	89	12.0
Do not go for treatment	26	3.5
Total	742	100

Source: Field Survey, 2013

**Figure 5.11**  
**Mode of treatment**



### 5.3.4 Health insurance

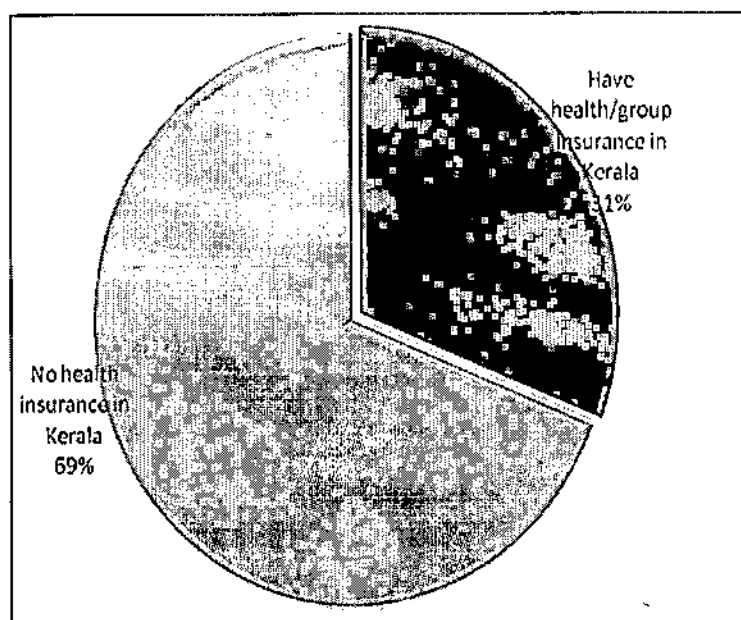
Construction sector is supposed to be a field where workers are doing risky work and prone to health problems. Though this is the situation, 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/ group insurance in Kerala. It is also asked about their health insurance in own village. The situation is worse in their state too. Only 4 percent workers are having health insurance in their village.

**Table 5.21**  
**Health insurance**

Health insurance	Number of migrants	Percentage
Have health/group insurance in Kerala	310	31
Have health insurance in own village	140	4
No health insurance in Kerala	690	69
Total	1000	100

Source: Field Survey, 2013

**Figure 5.12**  
**Health insurance**



### 5.3.5 Leave facility for treatment

Majority of workers in the construction sector are able to get leave for treatment purposes. Around three fourth of them are getting leave either for short period to take treatment in Kerala or long period to visit home village for treatment. As the leave period is not counted for paying benefits, the employers very often not found reluctant in giving leaves. However, it is noticed that 19.4 percent workers face difficulty to get leave from employers for treatment purposes. Another 6.4 percent workers have not applied for leave hitherto while their stay in Kerala.

**Table 5.22**  
**Leave facility for treatment**

Leave facility	Number of migrants	Percentage
Get leave for treatment	742	74.2
Do not get leave for treatment	194	19.4
Have not applied for leave	64	6.4
Total	1000	100

Source: Field Survey, 2013

### 5.4 Concluding remarks

The specific objective of this chapter is to evaluate the working and living conditions of the migrant construction workers as well as examining health status of migrants. The analysis based on the detailed survey conducted among the migrant workers specified in the study area.

The analysis is made in three separate subheadings such as

- working condition of migrant construction workers in Kerala
- living condition of migrant construction workers in Kerala
- health issues of migrant construction workers in Kerala

In order to analyze the working condition of migrant construction workers, several parameters are used in the study. They include number of working hours, mode of payment,

wage rate, scope for payment for overtime work, festival allowances received, provision of leaves, harassment at the work site etc. Based on the responds of the workers these aspects are categorized and quantitatively analyzed. It is found that maximum number of workers has been doing construction work in Kerala between 2 and 5 years. Very less number has completed more than 5 years in Kerala. The average number of hours of work per day is observed to be nine hours per day. As high as 82 percent of the workers report that they have to work for more than 8 hours on a working day. It could be noticed that 82 percent of the migrants in Kerala are doing overtime work. The inspiring factor of doing overtime work is nothing but the remuneration given for overtime work. The wage received by the migrant workers differs in accordance with the nature of work they do. The skilled and unskilled workers are paid differently. Among the unskilled category, there are wage differences in various work sites and different geographical areas.

The mode of payment varies among different employers. The most common mode of payment is found to be weekly payments of wages. Most of the migrant workers expressed satisfaction in getting promised pay in time. However there is an exception that a few of them are not given payments in time. It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons. Employers are not alike in providing sick leaves because once they get a chance to leave the work sites, it may be difficult to bring them back to the same job. The tendency of leaving for better chance is also common among migrant workers. Data reveals that 58.5 percent of the migrants get sick and other kinds of leaves both to take rest as well as going home for treatment. A major issue faced by the migrant workers is related to harassment in the work sites. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors. Migrant workers in Kerala are not having any trade union membership.

In order to understand their living conditions, important parameters like accommodation details, food consumption and related facts, purchase provision, travel expenses, benefits received from employer etc. are analyzed. The accommodation facilities given to the migrants indicate the way of their life in Kerala. It has been observed that three-fourth of the migrants are staying at the work site itself. It can be found that 36 percent workers are staying in rooms with 5 persons with minimum facilities. Another 12.2 percent stay in rooms with 6 persons and 6.5

percent migrants stay with 7 persons. It is also drastically noticed that nearly one percent workers live in rooms where more than 7 persons reside. The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. 64 percent of the workers get food by the employers. The remaining 36 percent workers do not get food at the expense of the employers. It is found that around 87 percent workers are purchasing from private shops in nearby places.

The present study also aims to understand the health issues of migrant construction workers in Kerala. This aspect is very important because the workers are generally working in risky conditions, do overtime work, have minimum food and stay in large groups. Hence there exists every chance of unhealthy conditions for the workers in the construction sector. In the study respondents are asked to respond on many factors like their existing diseases, mode of treatment, health insurance, leave for treatment purposes etc. Most of the migrant workers to be precise, 88 percent do not have any chronic diseases. It can be learnt that 68 percent workers had come across some kind of accidents and work related illness. This includes accidents in connection with construction works, chronic allergic problems, severe and continuous headaches while in the sun light for long hours etc. Around 81.5 percent depends on government hospitals because of the low cost or free treatment provided. Three percent workers are used to consult private hospitals. It is also noted that 12 percent construction workers are used to consume medicine directly from the medical shops without consultation of doctors. Only 31 percent are having health insurance/group insurance in Kerala.

# 6

## *Human Rights Issues of Migrant Construction Workers*

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- *Human rights issues at work place*
- *Accommodation and human rights issues*
- *Social relation and human rights issues*
- *International Covenant on Economic, Social and Cultural Rights*



## Human Rights Issues of Migrant Construction Workers

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The migrant construction workers in Kerala face several human rights issues. The analysis of their economic as well as living conditions reveals that the migrant construction workers are satisfied with the existing situations in Kerala. This is compared to the prevailing circumstances of their home village. However, when we analyze the working and living conditions of migrant workers in comparison with the similar conditions of workers in Kerala, there arises several questions relating to their human rights protection. The present study attempted to analyze these issues in close observation and interview with the respondents. The study summarizes the human rights issues of migrant construction workers in three sub areas such as those mentioned below.

- Human rights issues at work place
- Accommodation and Human rights issues and
- Social relation and Human rights issues

These issues can be explained in detail.

### **6.1 Human rights issues at work place**

At the work site, the migrant workers are facing several human rights violations. In order to examine them in detail, questions are asked during face to face interview relating to number of working hours, wage payment in time, possibilities of getting loans and leaves, job security, trade union membership etc. These indicators are considered for analysis, knowing the fact that the most important place where human rights violation is done at the work place. Usually at the work site, the workers do not have any freedom of taking own decisions. Instead they are taken to the work site and directed to do the job which is totally unfamiliar to them. It is a fact that majority of workers have not done similar job before migrating to Kerala.

#### **6.1.1 Number of working hours**

The following table indicates number of hours of work.

**Table 6.1**  
**Number of hours of work**

Hours of work per day	Number of migrants	Percentage
8 hours	182	18.2
9 hours	430	43.0
10 hours	346	34.6
More than 10 hours	42	4.2
Total	1000	100

Source: Field Survey, 2013

The number of working hours is an important factor determining the health condition of the workers. The average number of hours of work per day is found to be nine hours per day. It is noticed that 43 percent of the workers are working 9 hours in a day, and another 34.6 percent, 10 hours. It is also noticed that a minority of 4.2 percent are engaged in work for more than 10 hours. In short, as high as 82 percent of the workers reported that they have to work for more than 8 hours on a working day.

Working for more than 8 hours in heat and difficult sites really enhances the severity of their working atmosphere. There is every possibility of emerging health problems while working in such long hours. Still then migrants manage to do long hours of works in order that they get monetary benefits and other perks for overtime works. Therefore, prevalence of such an exploitation of workers really is a negligence of their human rights that need to be prevented at any cost.

#### **6.1.2 Wage payment in time**

Paying remuneration in time is very important especially when the workers are migrants depending only on the payment to support their families in villages. Though two third of the workers receive payment in time, 35.8 percent workers admit that they do not receive payment in time. Late payment very often creates a lot of financial burden for them.

**Table 6.2**  
**Wage payment in time**

Payment details	Number of migrants	Percentage
Get payment in time	642	64.2
Do not get payment in time	358	35.8
Total	1000	100

Source: Field Survey, 2013

### 6.1.3 Getting promised pay and festival allowances

Most of the migrant workers express satisfaction in getting promised pay in time. However there is an exception that a few of them are not given payments in time. This category constitutes only 12 percent of the migrant workers. It is criticized that they are paid but not in time. Very often they have to wait for weeks to get their payment.

Table 6.3 indicates the number of migrant workers who receive festival allowance. It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons. The remaining 77 percent do not get any allowance while they stay in Kerala.

**Table 6.3**  
**Festival allowance provision**

Category	Number of migrants	Percentage
Get festival allowances	228	22.8
Do not get festival allowances	772	77.2
Total	1000	100

Source: Field Survey, 2013

The above mentioned two aspects such as promised pay and festival allowance have to be analyzed in connection with the difficulties and family burden of the migrant workers who stay

far away from their home villages. Even if the percentage of those who do not get promised pay is less, it has to be treated very seriously. Similarly the festival allowance is not issued to three fourth of the workers. It exists in a society where workers of similar categories enjoy all such facilities. Therefore, it is a serious violation of human rights against the migrant worker in Kerala.

#### 6.1.4 Provision for getting leave

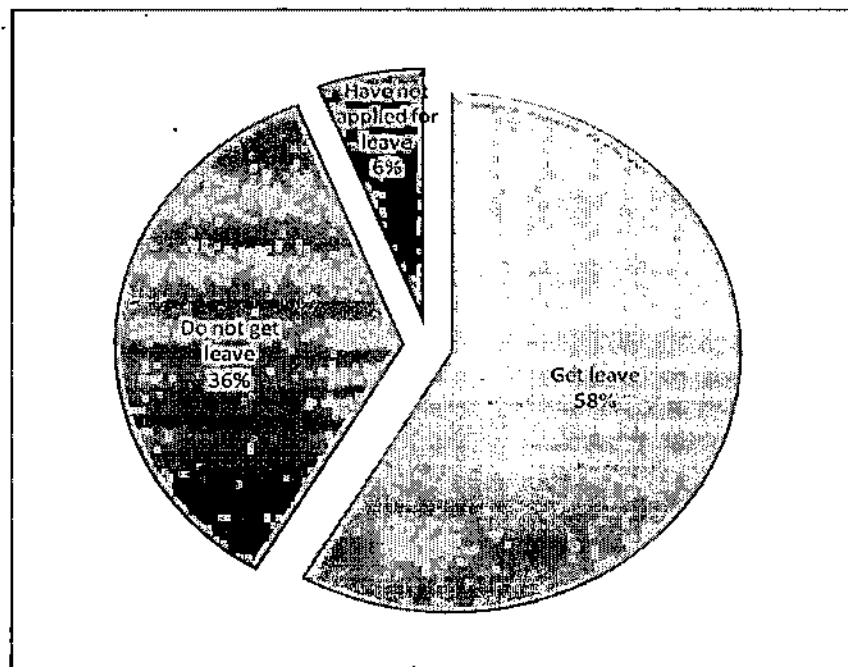
Construction work is quite risk prone work. Hence the possibility of accidents and major injuries are alive in this sector. That is the main reason why the Keralites hesitate to engage in this construction works. This gap is properly filled by the migrants for whom the risky job provides far better remuneration compared to their village wages. Many workers come across difficult risky situations and have met with accidents. They are attracted to Kerala mainly because they can avail sick leaves if required. Employers are not alike in providing sick leaves because once they get a chance to leave the work sites, it may be difficult to bring them back to the same job. The tendency of leaving for better chance is also common among migrant workers. Data reveals that 58.5 percent of the migrants get sick and other kinds of leaves both to take rest as well as going home for treatment. At the same time, 35.5 percent have bitter experience of denying their leave requests. Around 6 percent of the respondents have not applied for leave and hence they keep away from these two extremes.

**Table 6.4**  
**Leave facilities**

Category	Number of migrants	Percentage
Get leave	585	58.5
Do not get leave	355	35.5
Have not applied for leave	60	6.0
Total	1000	100

Source: Field Survey, 2013

**Figure 6.1**  
**Sick leave facilities (%)**



From the analysis of response of the workers it can be leant that 36 percent of the workers face difficulty to get leave. These workers are therefore forced to continue their work even when they are not well. In order to have long treatment and participate in festivals in own village, workers are not allowed to go home. They are very often asked to make alternative arrangement or substitute others in the same place in order to get leave. It creates a lot of tension in them. This is related to their job security too. There is also fear in the mind of workers that once they go home for emergency cases/ceremonies, they may lose their existing job. Such job insecurity really adds to human rights violations against the migrant workers.

#### **6.1.5 Loan/advance facilities**

It is found that most of the migrant workers have not taken loan or advance from the employer. Only 18.6 percent are debted to the employers by taking loans or advances. It is also found that those who have taken loan/advance are those migrant workers with more than 3 years of experience in the field in Kerala. This shows that even though many are willing to take loan but hesitate because employers do not offer such facilities.

**Table 6.5**  
**Loan/advance facility**

Loan facility	Number of migrants	Percentage
Take loan/ get advance from the employer	186	18.6
Do not take loan/ get advance from the employer	814	81.4
Total	1000	100

Source: Field Survey, 2013

It can be considered as a serious issue as far as migrant workers are concerned. For those workers staying in Kerala for more than 2 or 3 years find difficult to get other source of credit in meeting emergencies. The banks and financial institutions are reluctant in giving them credit. Therefore, the only source of getting credit seems to be their employers themselves. As employers hesitate to offer such advances, the workers are very often in dilemma when contingencies arise.

#### 6.1.6 Harassment in the work site

Table 6.6 presents the number of workers who are experienced harassment at the work site.

**Table 6.6**  
**Harassment in the work site**

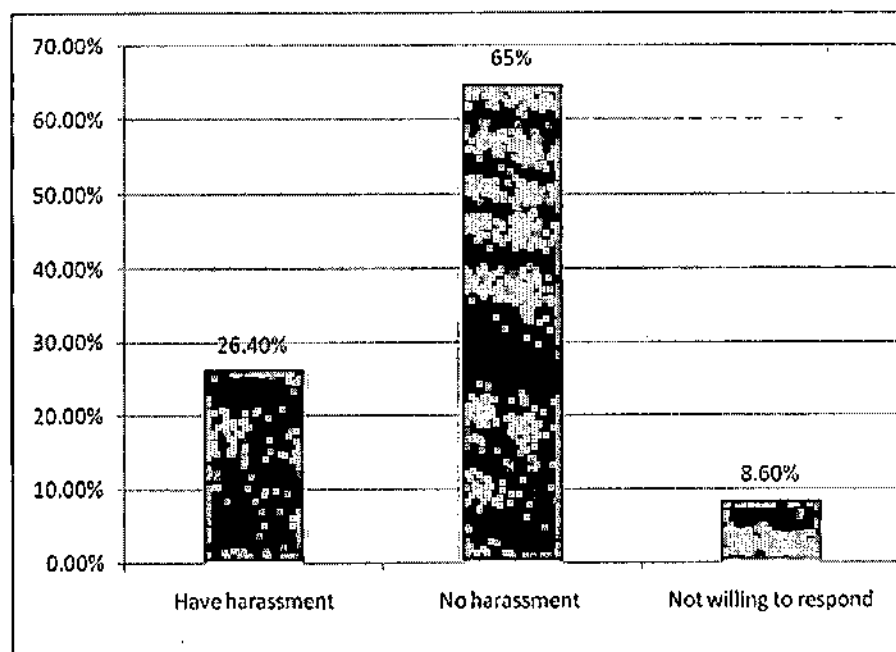
Category	Number of migrants	Percentage
Have harassment	264	26.4
No harassment	650	65.0
Not willing to respond	86	8.6
Total	1000	100

Source: Field Survey, 2013

An important human rights issue faced by the migrant workers is related to harassment in the work sites. The chance of exploitation is more in the field of construction sector. As the migrants have no trade union membership, there is high possibility of exploitation and several types of job related harassments. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors.

It is worth to note that around 9 percent workers are not willing to respond to this question showing their reluctance to reveal the situation on fear of losing job. However, majority are of the opinion that there are no harassments in the worksites. The experience with the migrant workers shows that the unorganized characteristic is the main factor that leads to the exploitation and harassment of the migrant workers.

**Figure 6.2**  
**Harassment in the work site**



#### **6.1.7 Trade union membership**

It is a notable fact that migrant workers in Kerala are not having any trade union membership. Most of them were not even aware of the existence of trade unions in the construction sector too. It shows that the local trade unions work for the upliftment of the

domestic labourers only. No trade union is concerned about the problems of the migrant workers. There is also no agency including government agencies to assure the social security and welfare of the migrant workers in our state. The Construction Workers Welfare Fund Board, which provides social security and safety net provisions to the domestic construction workers, also not catering to the needs and requirements of the mass of migrant workers in the construction sector in Kerala.

## **6.2 Accommodation and human rights issues**

The accommodation facilities given to the migrants indicate the way of their life in Kerala. The accommodation facilities given to them and their living style show the kind of human rights violations against them in the living places. In order to examine the human rights violations against the migrant construction workers in their living place, the study tried to evaluate several factors including the number of workers living in a single room, toilet and sanitation facilities, food intake etc.

It has been observed that three-fourth of the migrants are staying at the work site itself. This category of 74.8 percent depends on the accommodation provided by the employer. The remaining 25.2 percent stay outside the work site. The majority group staying at the work site is mainly living in the construction buildings and temporary tents constructed for the workers. It can be seen that among the 252 migrants staying outside the work site, 146 are staying in rented houses. The rent is being paid by the workers themselves. No one is found staying in the slums. A small group of 9 percent workers are staying in temporary tents without much facilities and living atmosphere. For 33 percent workers, the rented house has been provided by the employer. For this facility the employer does not make any deduction from their payment.

### **6.2.1 Number of persons staying in room**

This is considered to be a serious indicator because the migrant workers live in rooms overcrowded and have very little facilities. The workers from various parts of the country do not have any hesitation to stay in such circumstances and do not raise any complaint as they have migrated from such poor economic and living backgrounds. It can be found that 36 percent workers stay in rooms with 5 persons with minimum facilities. Another 12.2 percent stay in rooms with 6 persons and 6.5 percent migrants stay with 7 persons. It is also noticed that nearly



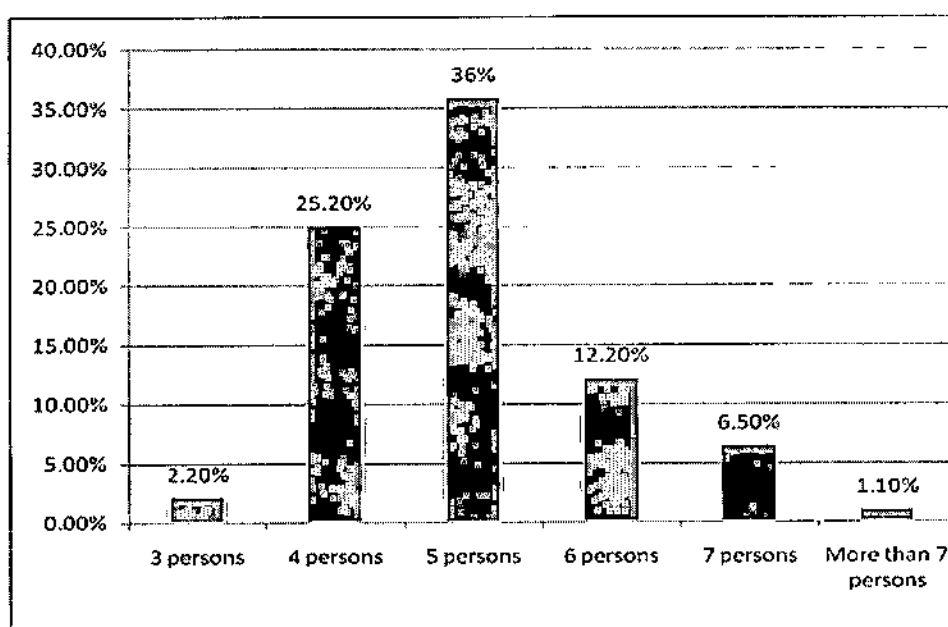
one percent workers live in rooms where more than 7 persons reside. Taking together these figures, it can be noted that three fourth of the migrant workers stay with more than 4 members in rooms. Such overcrowded rooms reflect their poor living atmosphere in the work sites. It seems that the workers from various states live in a room in an overcrowded manner. This neglects them privacy and it is totally against their individual rights.

**Table 6.7**  
**Number of persons staying in room**

Number of persons	Number of migrants	Percentage
3 persons	220	2.2
4 persons	252	25.2
5 persons	360	36
6 persons	122	12.2
7 persons	65	6.5
More than 7 persons	11	1.1
Total	1000	100

Source: Field Survey, 2013

**Figure 6.3**  
**Number of persons staying in room**



They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens. Cooking, bathing etc. takes place mostly in the open. The poor living conditions have raised fears of the spread of diseases among the local people.

#### **6.2.2 Water, toilet and sanitation facilities**

The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. There is an instance the investigator could come across a situation where more than 40 persons share a common toilet in the residential area in Ernakulam Municipal Corporation. The uncomfortable and unhealthy surroundings are seen prevailing in that area. The overcrowded stay and rush for using the toilet usually leads to quarrel among the migrant workers almost every day and creating difficulty for the surrounding locals. The quality of such toilets is also seemed miserable as they are constructed for temporary use without proper roofing facilities. Every day the workers have to wait in queue for hours to use the toilet facilities. The quality of water provided to them for drinking as well as cooking purposes is also very poor. Usually the pipe water used for construction works is being used for their daily requirements. Very often the living conditions of migrant workers are found to be those similar conditions of rehabilitation camps.

These poor quality water, inadequate toilet facilities, lack of sanitation etc. generates a lot of health issues. The workers hardly complaint against these poor facilities provided to them. There are two major reasons for it. One is the insecurity of job and the other is that they are accustomed to the familiar the similar low quality living in their own states. These factors need special attention because it is a serious offence against their human and personal rights of leading a better life especially in a state like Kerala where its population lead a high quality of living in every respect.

#### **6.2.3 Regularity of food consumption**

Food or food materials provision is important while considering the living condition of the workers. Generally food has been provided to the workers by the employers at the worksite to make sure that they do not go outside the site for taking food and thereby spending more time

outside. Most of the employers provide food materials and the workers prepare food and take it common. Around 64 percent of the workers get food provided by the employers. The remaining 36 percent workers do not get food at the expense of the employers.

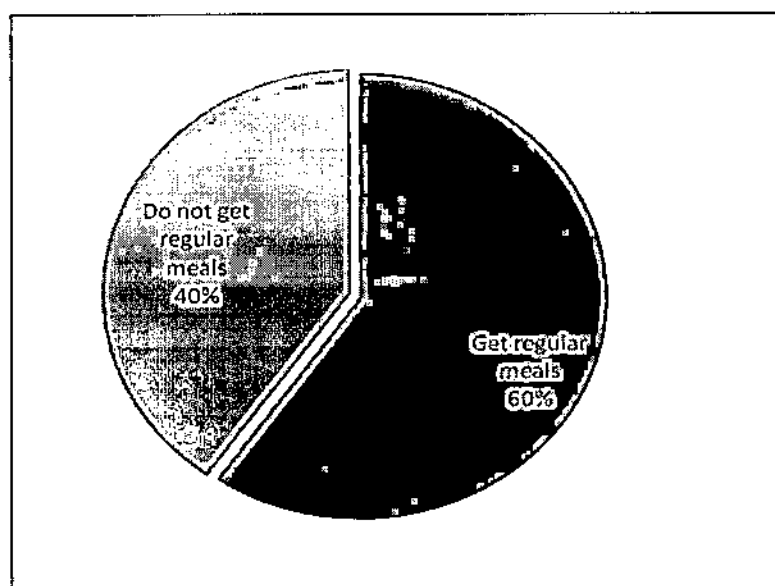
**Table 6.8**  
**Food consumption at intervals**

Food consumption details	Number of migrants	Percentage
Get regular meals	598	59.8
Do not get regular meals	402	40.2
Total	1000	100

Source: Field Survey, 2013

The migrants are asked to respond about the regularity of food consumption. Food intake at regular intervals is important while considering the hardness and duration of the construction works. Most of the respondents point out that they get food three times a day. Only a minority group takes food four times a day. For all these groups regular intake is more serious. Considering this, 59.8 percent of the workers are taking regular meals per intervals but 40.2 percent state that they are not getting regular meals at intervals.

**Figure 6.4**  
**Food consumption at intervals**



Irregular meals and skipping meals seem to be common among the migrant workers. As they are not staying with families, no one is there to take care of them. In order to do overtime work and earn more income, they are forced to cut short their regular food. This can be avoided if food is provided by the employers themselves.

There is also usual practice of alcohol consumption and consumption of tobacco products among majority of consumption workers. Though they do not respond directly to these issues, the observation of the investigator reveals this a major issue found in migrant camps. It creates a lot of health problems for them as well as social issues are generated out of it. Such practice of social noisiness after alcohol consumption keeps the entire migrant workers under doubtful observation by the police.

#### **6.2.4 Health issues and insurance coverage**

Construction sector is supposed to be field where workers do risky jobs and prone to health problems. Though this is the situation, 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/ group insurance in Kerala. It is also asked about their health insurance in own village. The situation is worse in their state too. Only 4 percent workers are having health insurance in their village. Though they are forced to do severe construction jobs, majority of them are neglected the insurance facilities.

The present study is particularly intended to know the mode of treatment of workers in Kerala. Out of 1000 respondents, 258 did not have any circumstance for treatment in Kerala. The remaining 742 workers who had to go for some kind of treatment at least once in their stay in the state met with some kind of disease while in Kerala, are asked to mention their mode of treatment such as private hospitals, government hospitals, medical shops, etc. As expected 81.5 percent are depending on government hospitals because of the low cost or free treatment provided. Three percent workers consult in private hospitals. It is noted that 12 percent construction workers used to consume medicine directly from the medical shops without consultation of doctors. Further, it is revealed in the study that 3.5 percent workers do not go for any treatment while having some disease. In short, the mode of treatment should be very significantly considered because there is a tendency for the workers to depend on medical shops

and own treatment. Thus there is every possibility that the 15 percent who either go directly to medical shops or do not go for any treatment may be misguided.

**Table 6.9**  
**Mode of treatment**

Mode of treatment	Number of migrants	Percentage
Private hospital	22	3.0
Govt. hospital	605	81.5
Medical shops	89	12.0
Do not go for treatment	26	3.5
Total	742	100

Source: Field Survey, 2013

Majority of workers in the construction sector are able to get leave for treatment purposes. Around three fourth of them are getting leave either for short period to take treatment in Kerala or long period to visit home village for treatment. As the leave period is not counted for paying benefits, the employers very often not found reluctant in giving leaves. However, it is noticed that 19.4 percent workers face difficulty in getting leave for treatment purposes. This simply is a violation against their rights to pursuit the mode of treatment they like.

**Table 6.10**  
**Leave facility for treatment**

Leave facility	Number of migrants	Percentage
Get leave for treatment	742	74.2
Do not get leave for treatment	194	19.4
Have not applied for leave	64	6.4
Total	1000	100

Source: Field Survey, 2013

### **6.3 Social relation and Human rights issues**

The social relation of migrant workers in Kerala is very important. Most of the migrant workers have been staying in Kerala for more than 3 years. Such a long period of stay far away from their home village necessitates communication with the local people. Building up of a social set up in a cultural exchange atmosphere is relevant in the present day global economic system. However, there is a gap in social behavior of migrants and the local people. The human rights issues concerning the social relation are found to be very serious. The extent of such issues is examined through indicators like communication with local people, attitude of the local people, contact of migrants with their home village etc.

#### **6.3.1 Communication with local people**

An important factor determining the efficiency and transparency of migrant worker's life and work in Kerala depend upon the language they handle. The medium of communication also reflects the intensity of their freedom of work and contacts in Kerala as well as the beginning of their human rights issues. The data reveals that 81.4 percent of the migrant construction workers in Kerala do not have knowledge in Malayalam. They know only their mother tongue and Hindi. Only 18.6 per cent can somehow speak and understand Malayalam particularly those from the Tamil Nadu. The migrants from other states of India are still unable to communicate in Malayalam except a few workers having more than 2-3 years of work experience here. This is typically a key issue faced by the migrant workers in the state.

**Table 6.11**

#### **Languages known**

Knowledge in language	Number of migrants	Percentage
Mother tongue and Hindi only	814	81.4
Can manage to speak or understand Malayalam	186	18.6
Total	1000	100

Source: Field Survey, 2013

The following table reveals the fact that 22.4 per cent of the migrant workers in Kerala do not have any communication with the local people. They simply do the work assigned by the employers and live as islands only with communication with other co-workers from their states. Surprisingly another 59 percent workers do have very less communication with the local people. It has seen that only 18.6 percent workers have acquired knowledge in Malayalam and communicate with the local Kerala people. It is noted that majority of this 18 percent include those workers from Tamil Nadu.

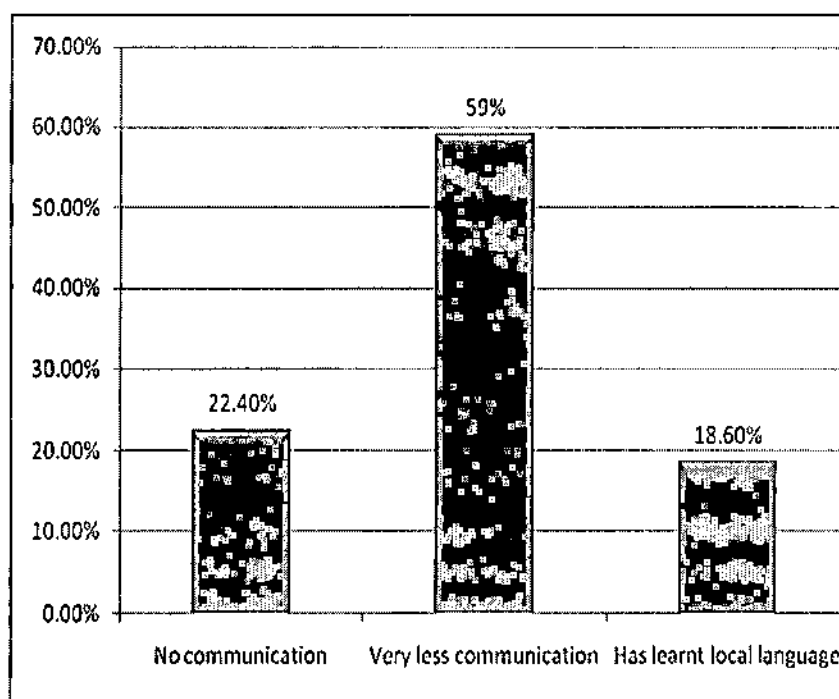
**Table 6.12**  
**Communication with local people**

Extent of communication	Number of migrants	Percentage
No communication	224	22.4
Very less communication	590	59
Has learnt local language	186	18.6
Total	1000	100

Source: Field Survey, 2013

The workers are of the opinion that the local people of Kerala very often hesitate to communicate with them even if they take initiative. Though language barrier seems very concrete in communication, the migrants are willing to mingle with the local people. However, the attitude of local people is indifferent as if the migrants have done something wrong. This attitude of Kerala people prevents migrants from mingling with them. Many migrants have the opinion that local people turn off their faces while seeing the migrants. Such a situation keeps migrants away from the social set up without any communication with the surroundings. It is a serious human rights issue faced by the migrant workers in Kerala. They feel worried because of the very attitude of the Kerala people even when the efforts of workers are for the beneficial future of their state.

**Figure 6.5**  
**Communication with local people**



### 6.3.2 Attitude of local people

More than half of the respondents said that they do not receive any kind of help from the local public. In case of any emergency the workers have to contact their employer or the co workers. The workers are afraid of approaching the local public in emergencies at nights because of indecent behavior of the local people. They behave in such a manner that the migrant workers are all social criminals and thieves. Such indecent and theft cases, occurred in some places have affected the lives of entire migrants in Kerala. Even the police department also behaves in the similar manner. Therefore, the migrants hesitate to approach the officials as well as the locals even if they have any urgent needs.

The behavior of local people towards migrant workers is not attractive. Deliberate criminalization of these poor category of migrants very often force them keep a wide distance from the local people. This is also a major reason why they are not mingling with the Kerala society. Personal talk with the workers has revealed the bitter experience of some innocent migrants getting beaten at nights even without any reason by the drunken local youths. They are not having gone for any agency or police for complaining these bitter experiences due to fear of



further harassments from the part of police officials and loss of job in Kerala. Therefore, they manage to suffer all these humiliating experiences and neglecting attitudes of the Kerala people for gaining a livelihood. It is a kind of serious human rights issue towards this large group settled here for a livelihood.

### 6.3.3 Ignorant of home village

The migrant workers once reached in Kerala stay here for a long time without proper communication with their home village. What is happening in their village is very often not known to them. Vast majority of the migrants do not read news papers except those migrants from Tamil Nadu. The most important reason for this is non availability of news papers in their language such as Hindi or Bengali. The only access to their locality is telephone conversation. The workers are asked about the interval of phone calls to home. More than half of them used to make a call every day. Nearly 10 percent of the workers practice calling once in a week. It is also noticed that the workers having low wages are falling in this category of rare communicators.

**Table 6.13**  
**Interval of home visit**

Interval of home visit	Number of migrants	Percentage
Once in a year	642	64.2
During festivals / functions	237	23.7
Twice in a year	121	12.1
Total	1000	100

Source: Field Survey, 2013

Home visit of the workers happens only once in a year. Around 64 percent of them visit home only once in a year and another 23.7 percent visit home during festivals or family functions. Only 12 percent workers manage to visit home twice in a year. It clearly indicates that their contact with home village is very less and they are not able to participate in social and

cultural occasions of their locality. In order to protect the existing job majority of workers postpone their home visit and stay back at the work site itself. This in a way prevents them opportunity to communicate and visit home village and participate important occasions. The exploitation of this kind is considered to be a serious violation of their rights to visit home for important occasions.

The respondents are asked to point out the major problems faced in Kerala. Large numbers of workers are of the opinion that they do not get correct information about accessing services. Another category raises complaint that they are forced to shift house frequently. In accordance with changes of work sites, the workers also need to shift their locations and houses. This prevents them opportunity to settle down in a particular place. Other major difficulties include higher food and lodging expenses and lack of opportunities of work.

#### **6.4 International Covenant on Economic, Social and Cultural Rights (ICESR) and violations of migrant rights**

The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols. The International Bill of Human Rights ensures several rights to the workers all around the world. Important rights ensured in the articles of the International Covenant on Economic, Social and Cultural Rights (ICESR) ensures the following rights.

*Everyone has the right to just conditions of work; fair wages ensuring a decent living for himself and his family; equal pay for equal work; safe and healthy working conditions; equal opportunity for everyone to be promoted; rest and leisure.(Article 7)*

*Everyone has the right to form and join trade unions, the right to strike (Article 8)*

*Everyone has the right to social security, including social insurance (Article 9)*

*Protection and assistance should be accorded to the family. Marriage must be entered into with the free consent of both spouses. Special protection should be provided to mothers. Special*

*measures should be taken on behalf of children, without discrimination. Children and youth should be protected from economic exploitation. Their employment in dangerous or harmful work should be prohibited. There should be age limits below which child labor should be prohibited (Article 10)*

*Everyone has the right to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Everyone has the right to be free from hunger (Article 11)*

*Everyone has the right to take part in cultural life; enjoy the benefits of scientific progress (Article 15)*

In the light of these articles, we can notice that the human rights of migrant construction workers in Kerala are severely violated and therefore, this category of workers demand immediate attention from the part of the governments and human rights agencies like State Human Rights Commission as well as National Human Rights Commission.

## **6.5 Concluding remarks**

The present chapter attempts to examine the human rights issues of migrant construction workers in Kerala. These issues are examined in close observation and interview with the respondents. The study summarizes the human rights issues of migrant construction workers in three sub areas such as those mentioned below.

- Human rights issues at work place
- Accommodation and human rights issues and
- Social relation and human rights issues

It is observed that the workers usually work long hours, often 9 to 10 hours per day. Nearly 4 percent of the respondents used to work more than 10 hours daily. They are generally very dedicated and sincere to their work; there are hardly any complaints from their employers. It is reported that 35.8 percent workers do not receive payment in time. It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons. The construction sector is risk

prone sector where there are every chance to get accidents and illness. In provision of sick leaves, the workers are not getting equal opportunities in Kerala. 35.5 percent have bitter experience of denying their leave requests. Another human rights issue faced by the migrant workers is related to harassment in the work sites. The chance of exploitation is more in the field of construction sector.

As the migrants have no trade union membership, there is every possibility of exploitation and several types of job related harassments. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors. They do not get the benefits of social security schemes. Many of them have worked outside their states of origin before coming to Kerala. What has attracted them to Kerala is the relatively high wage level here and prompt payment at the end of the week. They are unaware of their labour rights and obligations as they are not unionized.

The housing and living conditions of the DML are abysmally poor. They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens, cooking, bathing etc. takes place mostly in the open. The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. The poor living conditions have raised fears of the spread of diseases among the local people. The mode of treatment should be very significantly considered because there is a tendency for the workers to depend on medical shops and own treatment. Thus there is every possibility that the 15 percent, who either go directly to medical shops or do not go for any treatment, may be misguided.

The human rights issues concerning the social relation are found to be very serious. The extent of such issues is examined through indicators like communication with local people, attitude of the local people, contact of migrants with their home village etc. The survey data reveals that 81.4 percent of the migrant construction workers in Kerala do not have knowledge in Malayalam. As a result 22.4 per cent of the migrant workers in Kerala do not have any communication with the local people and another 59 percent workers do have very less communication with the local people. More than half of the respondents said that they do not receive any kind of help from the local public. In case of any emergency the workers have to

contact their employer or the co workers. The workers are afraid of approaching the local public in emergencies at nights because of indecent behavior of the local people. They behave in such a manner that the migrant workers are all social criminals and thieves. Most of the migrants visit home once in a year or during festivals. They do not read news paper to know about the happenings in their home village. The only contact with their state is through telephones.

In short, the life of migrant workers in Kerala is not satisfactory. They have extreme hardness in work site, poor quality of living conditions and social loneliness. These aspects are not in a way the naked violation of their human rights which is not expected to occur in a state like Kerala.

# 7

## *Effectiveness of Labour Laws to Protect the Human Rights of Migrant Workers*

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- *ILO on migrant workers*
- *Laws applicable to migrant workers*
- *Highlights of Kerala State Labour Policy, 2011*
- *Positions of migrant workers*
- *Effectiveness of labour laws and migrant conditions*

## Effectiveness of labour laws to protect the human rights of migrant workers

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Kerala has become a paradise offering greener pastures to migrant labourers. Studies reveal that at present around 30 lakh migrant workers from the length and breadth of India like West Bengal, U.P, Assam, Mizoram, Rajasthan, Jharkhand, Odisha, and Tamil Nadu constitute the labour force in our State. From the study conducted by Gulati Institute of Taxation, it can be seen that an approximate amount of 17,500 crores of rupees is being transferred to their home states every year from our exchequer. The majority of the migrant labourers are concentrated in south-central Kerala on account of the high infrastructural development in that area. The main reason for the escalating number of migrant workers is the reluctance Keralites to do such manual construction works. Similarly the migrant workers are willing to work here because the wages they obtain here is much higher than the wage they get in their home states. These essential workforce from various parts of the country, however, face severe human rights issues and poor level of living. Even though various labour laws are prevalent in the country, they seldom protect the migrant rights in wide sense. This chapter attempts to analyze the various labour laws and their effectiveness in protecting human rights of migrant workers in the construction sector.

### 7.1 ILO on migrant workers

The Preamble to the 1919 Constitution of the International Labour Organization sets among its objectives the “protection of the interests of workers when employed in countries other than their own” (International Labour Organization, [www.ilo.org](http://www.ilo.org)). This has been reinforced by the 1944 Philadelphia Declaration and the 1998 Declaration on Fundamental Principles and Rights at Work. Furthermore, the Resolution on a fair deal for migrant workers adopted by the 92<sup>nd</sup> Session of the International labour Conference in 2004 stated that “a fair deal for all migrant workers requires a rights-based approach, in accordance with existing international labour standards”

The Multilateral Framework on Labour Migration endorsed by the ILO Governing Body in March 2006 spells out in detail the principles and guidelines for a rights-based approach to

labour migration to be used by constituents in formulating policies and measures to protect migrant workers. At the same time, all migrant workers are covered by ILO core Conventions relating to freedom of association, forced labour, child labour, and discrimination as enshrined in the 1998 ILO Declaration.

## 7.2 Laws applicable to migrant workers

Almost all laws applicable to local workers also cover the inter-state migrant workers. Such laws include:

- Inter-State Migrant Workmen (Regulation and Conditions of Service) Act 1979 - The Act only covers interstate migrants recruited through contractors or middlemen and those establishments that employ five or more such workers on any given day.
- Minimum Wages Act of 1948- Meant to determine the minimum wages in industry and trade where labour organisations are non-existent or ineffective.
- Contract Labour (Regulation and Abolition) Act of 1970- The Act applies to every establishment in which 20 or more workmen are employed. The Act has laid down certain amenities to be provided by the contractor and to make arrangements for sufficient supply of wholesome drinking water, latrines and urinals, washing facilities and first aid facilities.
- Equal Remuneration Act of 1976 - which stipulates payment of equal remuneration to men and women workers for same or similar nature of work
- Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act of 1996-The Act is meant for regulation of employment and conditions of service of the building and other construction workers as also their safety, health and welfare measures in establishments employing ten or more building workers. Under the Act, the employers have to provide, free of charges temporary living accommodation to all building workers.
- Workmen's Compensation Act of 1923- To provide compensation for workers in cases of industrial accidents/occupational diseases in the course of employment resulting in disablement or death
- Payment of Wages Act 1936 - Meant to ensure regular and prompt payment of wages and to prevent the exploitation of a wage earner



- Factories Act- Meant to ensure adequate safety measures and to promote the health and welfare of the workers employed in factories using power and employing 10 or more workers.
- Child Labour (Prohibition & Regulation) Act of 1986 and Bonded Labour Act of 1976 etc.

### **7.3 Highlights of Kerala State Labour Policy, 2011**

The draft statement of a comprehensive State Labour Policy was released by the Labour Minister on August 18, 2011 ([www.minister-labour.kerala.gov.in](http://www.minister-labour.kerala.gov.in)). The highlights of the state labour policy are pointed out below.

- The draft policy proposes to ensure minimum wages to workers in the unorganised sector
- Wherever welfare fund scheme is available provision will be made for online payment of charges and gradual unification of rates across the State.
- Disciplinary action will be taken against workers who collect excess charges and those who threaten house owners regarding loading and unloading of house-hold goods.
- Renewal of registration of workers with the Welfare Fund Board will be made compulsory.
- Transfer of registration cards and use of substitutes will be ended.
- It will be made mandatory for employers to pay wages through banks and the Labour Department will take action on the basis of bank statements if minimum wages are not paid.
- The employment and training wing of the Labour Department will lay stress on skill development in various new sectors. An institute will be set up for skill development for construction jobs, on the international level.
- The draft policy envisages low cost housing for workers and compulsory registration of migrant workers.
- Health insurance cover is proposed to be extended to all workers; safety audit will be made compulsory for multi storeyed buildings.
- Only registered workers will be allowed to work at building sites.

#### 7.4 Present status of migrant workers in Kerala

The previous three chapters analysed the present status of migrant workers in the state. It can be summarized that migrant labourers face considerable problems in the social, economic and cultural scenario. They are ill paid, compelled to work in poor conditions, live in deplorable makeshift shacks, and endure the callous treatment of their malayalee counterparts as well being exploited by intermediaries. These people do not stay anywhere permanently. They work in one place and seek fresh avenues once the assignment is over. They stay in shabby and unhygienic environment and are in grave danger of contracting various diseases. They do not in the least bother about their health, life or environment in their untiring efforts to make out a living.

It is observed that the workers usually work long hours, often 9 to 10 hours per day. Nearly 4 percent of the respondents used to work more than 10 hours daily. It is reported that 35.8 percent workers do not receive payment in time. It can be noticed that lion's share of migrants do not receive festival allowance. The construction sector is risk prone sector where there are every chance to get accidents and illness. In provision of sick leaves, the workers are not getting equal opportunities in Kerala. Another human rights issue faced by the migrant workers is related to harassment in the work sites. The chance of exploitation is more in the field of construction sector.

As the migrants have no trade union membership, there is high possibility of exploitation and several types of job related harassments. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors. They do not get the benefits of social security schemes. Many of them have worked outside their states of origin before coming to Kerala. What has attracted them to Kerala is the relatively high wage level here and prompt payment at the end of the week. They are unaware of their labour rights and obligations.

The housing and living conditions of the migrant workers are abysmally poor. They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens. Cooking, bathing etc. takes place mostly in the open. The most pathetic situation related to overcrowded stay is the toilet facilities. Most

probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. The poor living conditions have raised fears of the spread of diseases among the local people. The mode of treatment should be very significantly considered because there is a tendency for the workers to depend on medical shops and own treatment.

The human rights issues concerning the social relation are found to be very serious. The extent of such issues is examined through indicators like communication with local people, attitude of the local people, contact of migrants with their home village etc. The survey data reveals that 81.4 percent of the migrant construction workers in Kerala do not have knowledge in Malayalam. As a result 22.4 per cent of the migrant workers in Kerala do not have any communication with the local people and another 59 percent workers do have very less communication with the local people. More than half of the respondents said that they do not receive any kind of help from the local public. In case of any emergency the workers have to contact their employer or the co-workers. The workers are afraid of approaching the local public in emergencies especially during nights because of indecent behavior of the local people.

#### **7.5. Effectiveness of labour laws and migrant conditions**

This section evaluates the effectiveness of various laws prevailing in the state applicable to migrant workers. The examination of different aspects such as child labour, registration of migrant workers, labour cards and health insurance to migrant workers, issues related to wage payment, trade union membership etc. are made in connection with the existing laws.

##### **7.5.1 Existence of child labour**

In Kerala there are laws applicable to age of migrant construction workers such as 'The Child Labour (Prohibition and Regulation) Act 1986'. In various sectors child labour has been strictly prevented in the state. However, in the construction sector, large numbers of child labours are working. The age composition of migrant workers reveals that 6.5 percent workers are below 18 years of age and another 11.8 percent between 18 and 20 years. Arrival of child labour happens smoothly to the state due to lack of educational opportunities in their own states and availability of easy and high paid job opportunities in Kerala. But they are not issued labour cards and their

age is not inspected while providing jobs in the state. Thus the law remains almost idle in case of migrant workers in the construction sector of Kerala.

**Table 7.1**  
**Age composition of migrant workers**

Age	Number of migrants	Percentage
15-18	65	6.5
18-20	118	11.8
20-25	160	16
25-30	268	26.8
30-35	219	21.9
35-40	120	12
40-45	36	3.6
Above 45	14	1.4
Total	1000	100

Source: Field Survey, 2013

### 7.5.2 Registration of Migrant workers

The Interstate Migrant Workers (Registration of Employment and Conditions of Service) Act 1979 demands registration of workers. Similarly the draft statement of a comprehensive State Labour Policy released by the Labour Ministry of Kerala in 2011 proposes to ensure renewal of registration of workers with the Welfare Fund Board will be made compulsory. It also requires transfer of registration cards and use of substitutes will be ended.

Though there are laws demanding registration of migrant workers, very few are registered workers in the construction sector. Survey data reveals that only 12.6 percent migrant workers have got registered. The remaining 87.4 are not yet registered with the labour department of the state.

**Table 7.2**  
**Registration of Migrant workers**

Registration details	Number of migrants	Percentage
Registered worker	126	12.6
Not a registered worker	874	87.4
Total	1000	100

Source: Field Survey, 2013

The registration of migrant workers in Kerala is absolutely necessary to regulate the inflow of migrant workers to Kerala. It is also helpful in providing them with social and medical support. It will be a boon in sorting out the chaos prevalent in the sector and the exploitation faced by the migrant workers in our state. The efforts taken by the government in the last few months to persuade the migrant workers to register themselves with the Labour Department have not borne fruit. So far, only 28,000 of the 14 lakh migrant workers in Kerala have taken registration. Though there are practical difficulties, registration should be done immediately considering its future benefits.

### **7.5.3 Labour cards and health insurance to Migrant workers**

It is illegal to engage migrants without labour cards in jobs in a particular state as per the provisions of the Central Inter-State Migrant Workers Act but a vast majority of migrants workers in Kerala have not registered with the Labour Department. The issue of labour cards with details of their areas of interest, work experience and their previous employers recorded in them will be helpful in sorting out labours in accordance with the needs of the labour force in Kerala. The Government of Kerala has taken many steps to protect the rights of migrant labours in the state. A draft of the legislation, which intends to make labour cards issued by the Department of Labour mandatory for migrant workers, has already been prepared. Efforts are started to issue to a migrant worker on submission of an application along with a clear photo-bearing identity proof, two photographs and Rs 20 as fees. The application should carry the name of the employer.

The draft statement of a comprehensive State Labour Policy proposed health insurance cover is proposed to be extended to all workers; safety audit will be made compulsory for multi storeyed buildings. Only registered workers will be allowed to work at building sites. Construction sector is supposed to be field where workers were doing risky work and prone to health problems. Though this is the situation, 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/ group insurance in Kerala. The frequent visits of the migrant workers to their native states are likely to spread many contagious diseases. So the acquisition of health cards from authorised medical practitioners should be made mandatory in Kerala.

#### 7.5.4 Issues related to wage payment

Various laws prevail in the state related to the wage payments. Some of them are Equal Remuneration Act 1976, The Minimum Wages Act 1948, The Payment of Bonus Act 1965 and The Payment of Gratuity Act 1972. Similarly the draft statement of a comprehensive State Labour Policy was released by the Labour Minister on August 18, 2011 proposes to make it mandatory for employers to pay wages through banks and the Labour Department will take action on the basis of bank statements if minimum wages are not paid.

**Table 7.3**  
**Wage payment in time**

Category	Number of migrants	Percentage
Get payment in time	642	64.2
Do not get payment in time	358	35.8
Total	1000	100

Source: Field Survey, 2013

However, things are totally different in the construction sector of Kerala. Though two third of the workers receive payment in time, 35.8 percent workers admit that they do not receive payment in time. Late payment very often creates a lot of financial burden for them.

It could be noticed that 82 percent of the sample migrants in Kerala were doing overtime work. What inspired them for overtime work was nothing other than the remuneration given for overtime work. As expected they were getting payment for overtime works in the construction sector in Kerala. Among the migrants who do overtime work, 81 percent are getting extra payments. The remaining 19 percent do not get payments except food and snacks while doing that extra works. Most of the migrant workers express satisfaction in getting promised pay in time. However there is an exception that a few of them are not given payments in time. This category constitutes only 12 percent of the migrant workers. It is criticized that they are paid but not in time. They have to wait for weeks to get their payment.

The average number of hours of work per day was found to be nine hours per day. It can be noticed that 43 percent of the workers are working 9 hours in a day, and another 34.6 percent, 10 hours. It is also noticed that a minority of 4.2 percent are engaged in work for more than 10 hours. In short, as high as 82 percent of the workers reported that they have to work for more than 8 hours on a working day. The wage received by the migrant workers differs in accordance with the nature of work they do. The skilled and unskilled workers are paid differently. There is also common complaint that the migrant workers are paid less compared to those local workers doing similar works in the construction sector.

#### **7.5.5 Festival allowances / bonus**

In spite of prevailing 'Payment of Bonus Act 1965' lion's share of migrants does not receive festival allowance or bonus. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons. The remaining 77 percent do not get any allowance while they stay in Kerala.

Majority of workers are paid weekly. Their payment is not made through banks. Thus it has to be ensured that they are getting promised pay in tune with the existing wage rate in the state in time. The entire payment to the migrant workers may be made either through nationalized banks or banks in which they have valid account in order to ensure the prompt payment of wage and to keep off intermediate persons.

**Table 7.4**  
**Mode of payment**

Mode of payment	Number of migrants	Percentage
Get festival allowances	228	22.8
Do not get festival allowances	772	77.2
Total	1000	100

Source: Field Survey, 2013

#### 7.5.6 Trade union membership

Indian Trade Union Act 1926 is one of the milestones in the uplift of labour force in India. The Act defines “Trade Union” as

*‘any combination, whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and employers or between workmen and workmen, or between employers and employers, or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more Trade Unions...’*

There are a few other laws that regulate employment of contractor labourers such as the Inter-State Migrant Workmen Act, Contract Labour System (Regulation and Abolition) Act, Equal Remuneration Act, Factories Act and the Trade Union Act.

Objectives of migrant trade union include the following

- Legal help and advice to migrant workers
- Providing basic education in regional language
- Support in the event of sickness or accident
- Ensuring proper payment and bargaining to improve pay and conditions of migrant workers



- Providing better accommodation and living conditions
- Lobbying in favour of migrant workers
- Support to form trade union documentation of workers.
- Voting powers for permanent members
- Offices in the migrated state and home town.

Despite these laws with wide range of objectives, they are not made applicable to the migrant workers in Kerala. The current law supports only workers of the organized sector. As a result, migrant workers in Kerala are not having any trade union membership. Most of them do not even aware of the existence of trade unions in the construction sector too. It shows that the local trade unions work for the upliftment of the domestic labourers only. No trade union is concerned about the problems of the migrant workers. There is also no agency including government agencies to assure the social security and welfare of the migrant workers in our state. The Construction Workers Welfare Fund Board, which provides social security and safety net provisions to the domestic construction workers, also not catering to the needs and requirements of the mass of migrant workers in the construction sector in Kerala

One of the main reasons for the exploitation of migrant workers is due to incapacity of migrant workers to form trade unions. Migrant workers are unorganized, coming from different parts of India, speaking different languages and hold different social and cultural beliefs. Moreover, there are many other constraints like lack of education, leadership quality, poor financial support that stand in the way of the forming of the association of migrant labourers. They are also afraid of the natives of state to which they have migrated. People of many states treat the migrated workers as foreigners and never allow them to form association or to become part of their society. More over migrant workers are not at all interested in working in a particular place for a long period.

#### **7.5.7 Accommodation and living standard of migrants**

The draft State Labour Policy envisages low cost housing for workers. However, the laws are not being practiced in case of accommodation of migrant construction workers. The level of housing and living atmosphere cannot be compared with the living standards and human

development indicators of the state. The housing and living conditions of the migrant workers are abysmally poor. They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens. Cooking, bathing etc. takes place mostly in the open.

The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons. The poor living conditions have raised fears of the spread of diseases among the local people. The laws are therefore found inapplicable and ineffective in providing the workers a better level of living.

#### **7.5.8 Support given from government officials**

It is found that the migrant workers are seldom receiving support from the government officials or from the legal set up in the state. Most of them do not approach the officials even when there are instances of exploitation or harassment. Even the harassment from the part of police is common against them. It is reported that 82 percent of the sample group have not received any kind of support from the government officials.

**Table 7.6**  
**Support given from government officials**

Details of support given	Number of migrants	Percentage
Support given from government officials	180	18
No Support given from government officials	820	82
Total	1000	100

Source: Field Survey, 2013

## 7.6 Concluding remarks

The present status of the migrant workers in our state is not satisfactory. It is clear that the migrant workers in Kerala face social, economic and regional inequality. One of the main reasons for the pathetic situation is the involvement of intermediate persons. Now the supply of goods and the collection of wages are not carried out by the actual worker. Legislative protection and trade union movements will help to a great extent to eradicate the inequality among workers. Constitutional protection of equality among all workers is fundamental and workers all over India are eligible for it. The right of minimum wage, good standard of living, freedom from exploitation etc. is the basic rights of an individual.

Providing state assistance through legislation is the only panacea for mitigating the misery of the migrant workers. In the past few years some measures have been taken to improve the condition of such workers. There are also several laws in the legal framework. But they are found ineffective and not applicable in case of miserable migrant construction workers in various Municipal Corporation centers of the state.

# 8

## *Summary, Findings and Recommendations*

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- *Focus of the study*
- *Major findings of the study*
- *Recommendations*
- *Conclusion*

## Summary, findings and Recommendations

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The development experience of Kerala is characterized by high social development disproportionate to the level of economic growth. The development experience often termed as Kerala Model of development has received worldwide attention from both scholars and development agencies. The achievements of Kerala in terms of indicators of social development have exceeded those of other Indian states and even some of the developed countries of the world. The state made remarkable achievements in HDI to become top among the Indian states. The state has become successful in eradicating poverty to great extent. The state's development pattern also indicated relatively low inequalities in education, health and other relevant fields.

Migration highly contributes to urbanization. Urbanization is closely associated with rising human development. Kerala has been significantly turning to be an urban village today. This fast urbanization of the state demand large number of construction workers for creation infrastructure like roads, railways, airports etc. urbanization has also led to increased demand for migrant workers for domestic works, construction works and hotel works.

Within the state, the cities like Thiruvananthapuram, Kochi, Kozhikode, Thrissur and Kollam have seen unprecedented growth in urban characteristics in the past few decades. These are the five corporations of the state where large number of construction works are being carried out during the past few years. Among these five centers, Thiruvananthapuram and Kochi are most urbanized cities in the state. The rate of population growth is very high in these cities. In addition to these, these corporations have majour trading, business and industrial locations. Airports, IT centers, tourist places, railways etc are in existence in these urban centers. Rapidly growing urban centers therefore, requires huge construction works every day. Provision of essential services and facilities enhanced the demand for resources like water and electricity, housing, health, sanitation, education, transportation, civic amenities etc.

In the background of the above facts, the corporation centers of the state require large number of construction workers. As large number of Keralites has gone out to other countries for better jobs and majority of Kerala's educated youth go for preferring white color jobs, there is a huge gap in the demand and supply of labourers in the job market in these urban cities. This

widening gap is very often filled by the migrant workers from other Indian states. While a relatively small section of migrants from other states are professionals and skilled workers, large majority are unskilled workers engaged in construction works. The construction industry is the first point of entry for the migrants to the towns. Thus the shortage of local labour, higher wages for unskilled labour in the state and better opportunities for employment led to the massive influx of migrant labourers.

### 8.1 Focus of the study

In India, social security is listed in the Directive Principles of State Policy and is one of the subjects in the Concurrent List in the Constitution of India, which is federal in nature. Kerala state has been a front runner among the states in India in initiating social security schemes for different vulnerable sections of the society. Extending the coverage of social security net to workers in the unorganized sector is identified as one of the major priorities of the state government (Government of Kerala, 2009). The state government introduced a welfare scheme for the migrant workers on the May Day of 2010. Under the scheme titled 'Inter State Migrant Workers Welfare Scheme', a membership card is issued to each migrant worker who gets enrolled. However, the migrant workers are not aware of the features and possibilities of this scheme and therefore, stay away from the reach of its benefits.

Migrant construction workers face diverse forms of harassment in the workplace and in the host society, ranging from non-payment of wages to insufficient medical facilities and death while on duty. Other issues include bad working and living conditions, miserable job conditions, discrimination among domestic workers and migrant workers, forced and enhanced working hours etc. Migrants are vulnerable because of crowded and unhygienic living conditions and inadequate provisions for their safety at the worksite. The limitations to access health care due to language barriers, lack of time, lack of knowledge about the public provisioning of health care etc. exacerbates their vulnerability.

Migrant workers often fall outside of state sponsored health programs, and frequently are unable to afford private insurance. Consequently, migrant workers, even in very rich countries, generally live in poor health conditions and are largely uninsured and frequently uninformed about the programs that do cover them. In addition to unsafe working and living conditions, migrants frequently resist seeking medical treatment because of associated costs, inability to

miss work, inability to find childcare and problems of transportation. Many are unfamiliar with the local health care systems, and may have linguistic or cultural difficulties communicating their problems.

There are huge numbers of construction workers in Kerala from other Indian states in recent years. The globalization process has speeded up this in migration of unskilled workers in the construction sector due to the growing need for meeting labour shortage in the relevant sectors. The growth of IT sector and tourism development in Kerala necessitated several construction activities where the labour shortage is met with the migrant workers who are paid comparatively less and forced to work more. There is a growing concern regarding the inaccessibility of laws concerning the migrant construction workers and violation of their human rights in several fields particularly in the work place. The mode of payment, working atmosphere, conditions of living and hygiene cause several health related issues and the welfare schemes of the state still away from the reach of such construction workers. Human rights violations against migrant construction workers are severe therefore require urgent need for a thorough understanding of the situations for better policy suggestions. Hence the present study focuses on the human rights issues of migrant construction workers in Kerala.

In order to get deep understanding and in-depth investigation about human rights issues of the migrant construction in Kerala, the present study focuses on the following specific objectives:

5. *To understand the socio-economic status of migrant construction workers in Kerala and the push and the pull factors taking them to Kerala*
6. *To evaluate the working and living conditions of migrant construction workers in Kerala and their health issues*
7. *To study and assess effectiveness of various laws and welfare schemes that aimed to protect the human rights of migrant construction workers*
8. *To identify the human rights violations and issues of migrant construction workers at work place and suggest policy solutions*

In order to analyse these objectives, the following methodology was adopted. The area of study is confined to Kerala. The study is based primarily on a sample survey conducted among

migrant construction workers in Kerala. Only those who do not possess a Ration Card in Kerala were included in our survey. The survey was conducted in all 5 municipal corporations in the state such as Thiruvananthapuram, Kollam, Kochi, Thrissur, and Kozhikode. Such a selection is made due to fact that large numbers of migrant construction workers are concentrated in these corporation centers for construction activities compared to other parts of the state.

The study is of a pilot nature on internal migration in Kerala with a very limited sample size of 1000 migrants i.e., 200 sample from each of the 5 municipal corporations of Kerala. The respondents are selected randomly. Pre-tested schedule is employed for collecting information from the respondents. The sample survey is supplemented by in-depth interviews with a few migrant workers, employers and local labour. The study also utilized all the available secondary data published by various agencies, state and central governments, magazines and books.

## **8.2 Major findings of the study**

Major findings of the study can be summarized under four sub headings such as those mentioned below.

### **8.2.1 Socio-economic status of migrant construction workers in Kerala**

Various parameters are identified and used in the questionnaire while interviewing the respondents in order to elicit their socio-economic status. The educational background of migrants, number of family members, marital status, asset ownership in their original place, reason for their migration to Kerala, the nature of works etc are considered key factors while evaluating their socio-economic status. The analysis was on the basis of three subparts such as

- ✓ Profile of migrants workers in Kerala
- ✓ Socio-economic status of migrant workers
- ✓ Push and pull factors of migration

Important findings are mentioned below.

- It is found that maximum number of migrants (26.5 percent) came from West Bengal followed by Bihar and Assam (16.8 and 14 percent respectively).
- More than half of the migrant construction workers have only primary school education where as one third of them had no formal schooling.
- Three forth of the migrants belonged to Hindu religion.



- It has been found that 26.8 percent of workers belong to the age group of 25 and 30. It can be seen that 65 percent of workers belong to the age group of 20 and 35. Around 5 percent are above 40 years of age. Surprisingly 6.5 percent workers are below 18 years of age and another 11.8 percent between 18 and 20 years. Thus around 18 percent workers come under 20 years of age.
- Family size migrant workers seem to be large with majority having 5 members at home and almost one fifth are having more than five members at home.
- It is noticed that more than 80 percent of the respondents are unable to handle Malayalam while only the remaining few can somehow able to understand the language used in Kerala.
- Regarding the history of migration, 80 percent are having their first migration experience in Kerala. Majority of them have been staying in Kerala for 2 – 5 years. Surprisingly 4 percent have been staying in the state for more than 5 years.
- Majority of migrant workers are engaged in unskilled works like doing construction requirements of various sites. This huge group covers 81.4 per cent of the total respondents in five corporations of the state. Only 18.6 per cent are engaged in skilled works in the construction sites.
- It is noticed that the more than one - fourth of the migrant construction workers do not possess land and house in own village.
- In case of durable items, most of them owned radio at home while around one fourth owned TV and mobile phones at home. Around 41 percent had bicycle in village. At the same time the vast majority of migrants do not have such durables in Kerala. The only exception is the case of mobile phones where 61 percent hold a mobile phone for easy communication with their home village.
- Regarding the wages received per day, majority of skilled workers receive remuneration between Rs 400 and 500 while majority of unskilled workers receive wages between Rs 200 and 300.
- They are also seeking loan/advance facilities from employer but less number of migrants gets loans and advances from their employers
- For remitting money to home the most important method accepted is banking facilities.

- The push and pull factors of migration to Kerala are examined. The consolidated data of the respondents reveal that 37.6 percent of the migrants came to Kerala due to the fact that the existing wages in their own villages were very low. Another 33.6 percent came here due to lack of job opportunities in their village. To 27.2 percent, poverty was the major push factor. The high wage rates and more employment opportunities were the key factors that pulled them to Kerala.

### 8.2.2 Working and living conditions

The present study has a specific objective of evaluating the working and living conditions of the migrant construction workers as well as to health status of migration. The analysis is made in three separate subheadings such as

- ✓ working condition of migrant construction workers in Kerala
- ✓ living condition of migrant construction workers in Kerala
- ✓ health issues of migrant construction workers in Kerala

Important findings of the analysis are mentioned below

- Maximum number of workers has been doing construction work in Kerala between 2 and 5 years. Very less number has completed more than 5 years in Kerala.
- The average number of hours of work per day is found to be nine hours per day. As high as 82 percent of the workers reported that they have to work for more than 8 hours on a working day. It could be noticed that 82 percent of the migrants in Kerala are doing overtime work.
- ✓ The wage received by the migrant workers differs in accordance with the nature of work they do. The skilled and unskilled workers are paid differently. Among the unskilled category, there are wage differences in various work sites and different geographical areas
- The mode of payment varies among different employers. The most common mode of payment is found to be weekly payments of wages.
- Most of the migrant workers expressed satisfaction in getting promised pay in time. However there is an exception that a few of them are not given payments in time.

- It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons.
- 89 percent of migrants are engaged in construction works without any training. Only 11 percent of the workers get training especially the group engaged in skilled works.
- Employers are not alike in providing sick leaves because once they get a chance to leave the work sites, it may be difficult to bring them back to the same job. The tendency of leaving for better chance is also common among migrant workers. Data reveals that 58.5 percent of the migrants get sick and other kinds of leaves both to take rest as well as going home for treatment.
- A major issue faced by the migrant workers is related to harassment in the work sites. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors.
- Migrant workers in Kerala are not having any trade union membership. ✓
- It has been observed that three-fourth of the migrants are staying at the work site itself. It can be found that 36 percent workers stay in rooms with 5 persons. Another 12.2 percent stay in rooms with 6 persons and 6.5 percent migrants stay with 7 persons. It is also noticed that nearly one percent workers live in rooms where more than 7 persons reside.
- The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons.
- 64 percent of the workers get food by the employers. It is found that around 87 percent workers go for purchasing from private shops in nearby places.
- Most of the migrant workers to be precise, 88 percent are not having any chronic diseases. It is revealed that 68 percent workers had come across some kind of accidents and work related illness. This includes accidents in connection with construction works, chronic allergic problems, severe and continuous headaches while in the sun light for long hours etc.
- Around 81.5 percent workers depend on government hospitals because of the low cost or free treatment provided. Three percent workers have used to consult private hospitals. It

is noticed that 12 percent construction workers used to consume medicine directly from the medical shops without consultation of doctors.

- 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/ group insurance in Kerala

### **8.2.3 Human rights issues of migrant construction workers**

The most important objective of the study was to examine the human rights issues of migrant construction workers in Kerala. These issues are examined in close observation and interview with the respondents. The study summarizes the human rights issues of migrant construction workers in three sub areas such as those mentioned below.

- ✓ Human rights issues at work place
- ✓ Accommodation and Human rights issues and
- ✓ Social relation and Human rights issues

Important findings of the analysis may be pointed out as follows

- It is observed that the workers usually work long hours, often 9 to 10 hours per day. Nearly 4 percent of the respondents used to work more than 10 hours daily
- It is reported that 35.8 percent workers do not receive payment in time.
- It can be noticed that lion's share of migrants do not receive festival allowance. Only around 23 percent workers get allowances while they stay in Kerala during festival seasons.
- The construction sector is risk prone sector where there are every chance to get accidents and illness. In provision of sick leaves, the workers are not getting equal opportunities in Kerala. 35.5 percent have bitter experience of denying their leave requests.
- Another human rights issue faced by the migrant workers is related to harassment in the work sites. It has been seen that one fourth of the migrant workers have experienced regular harassment in the work sites by the supervisors.
- As the migrants have no trade union membership, there is high possibility of exploitation and several types of job related harassments.

- They do not get the benefits of social security schemes. Many of them have worked outside their states of origin before coming to Kerala. They are unaware of their labour rights and obligations as they are not unionized.
- The housing and living conditions of the migrant workers are abysmally poor. They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens. Cooking, bathing etc. takes place mostly in the open.
- The most pathetic situation related to overcrowded stay is the toilet facilities. Most probably the toilet facilities are lacking in connection with their rooms. Instead they depend on common bathroom/toilets shared by 10-15 persons.
- The poor living conditions have raised fears of the spread of diseases among the local people.
- There is a tendency among the workers to depend on medical shops and own treatment. It is found that the 15 percent who either go directly to medical shops or do not go for any treatment.
- The human rights issues concerning the social relation are found to be very serious. The survey data reveals that 81.4 percent of the migrant construction workers in Kerala do not have knowledge in Malayalam. As a result 22.4 per cent of the migrant workers in Kerala do not have any communication with the local people and another 59 percent workers do have very less communication with the local people.
- More than half of the respondents have the opinion that they do not receive any kind of help from the local public. In case of any emergency the workers have to contact their employer or the co workers. The workers are afraid of approaching the local public in emergencies at nights because of indecent behavior of the local people. They behave in such a manner that the migrant workers are all social criminals and thieves.
- Most of the migrants visit home once in a year or during festivals. They do not read news paper to know about the happenings in their home village. The only contact with their state is through telephones.
- They have extreme hardness in work site, poor quality of living conditions and social loneliness. These aspects are not in a way the naked violation of their human rights which is not expected to occur in a state like Kerala.

#### 8.2.4 Effectiveness of labour laws to protect the human rights of migrant workers

There exists plenty of laws meant to support the working class such as Minimum Wages Act of 1948, Contract Labour (Regulation and Abolition) Act of 1970, Equal Remuneration Act of 1976, Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act of 1996, Workmen's Compensation Act of 1923, Payment of Wages Act of 1936, Child Labour (Prohibition & Regulation) Act of 1986, Bonded Labour Act of 1976 etc. Among these laws, the Kerala government passed The Building and other Construction Workers' Welfare Cess (Kerala Amendment) Bill, 2012 and the draft statement of a comprehensive State Labour Policy was released by the Labour Minister on August 18, 2011. Though there exist such laws the migrant construction workers in Kerala are not supported by any of these laws.

- In spite of prevailing 'The Child Labour (Prohibition and Regulation) Act 1986', in the construction sector, large numbers of child labours are working. The age composition of migrant workers reveals that 6.5 percent workers are below 18 years of age and another 11.8 percent between 18 and 20 years.
- The Interstate Migrant Workers (Registration of Employment and Conditions of Service) Act 1979 demands registration of workers. Similarly the draft statement of a comprehensive State Labour Policy was released by the Labour Minister on August 18, 2011 proposes to ensure renewal of registration of workers with the Welfare Fund Board will be made compulsory. However, the survey data reveals that only 12.6 percent migrant workers have got registered. The remaining 87.4 have not yet registered with the labour department of the state.
- Construction sector is supposed to be field where workers were doing risky work and prone to health problems. Though this is the situation, 69 percent of the construction workers do not have any health insurance. Only 31 percent are having health insurance/group insurance in Kerala.
- Though there are Equal Remuneration Act 1976, The Minimum Wages Act 1948, The Payment of Bonus Act 1965, The Payment of Gratuity Act 1972 etc, 35.8 percent migrant workers admit that they do not receive payment in time. Around 77 percent do not get any allowance while they stay in Kerala.

- It was noticed that 43 percent of the workers are working 9 hours in a day, and another 34.6 percent, 10 hours. It is also noticed that a minority of 4.2 percent are engaged in work for more than 10 hours. In short, as high as 82 percent of the workers report that they have to work for more than 8 hours on a working day
- The draft State Labour Policy envisages low cost housing for workers. However, the laws are not being practiced in case of accommodation of migrant construction workers. The housing and living conditions of the migrant workers are abysmally poor. They often live in the worksites and factories itself, in crowded rooms with poor water supply and sanitation facilities. Only few of the rooms have proper kitchens. Cooking, bathing etc. takes place mostly in the open. The most pathetic situation related to overcrowded stay is the toilet facilities.
- It is reported that 82 percent of the sample group have not received any kind of support from the government officials

### 8.3 Recommendations

From the results emerging from the Study, there is clearly a need to address the following issues urgently. The recommendations under the areas such as migrant registration, improvement of housing and living conditions, social security and health issues, employment issues, support through help-line etc are pointed out below.

- There should be proper registration system for the migrants. Registration card with unique number should be issued to migrant workers and it should be computerized systematically to make future references.
- Health cards should be provided to migrant workers and they should be included in the health insurance cover
- There should be provision for the migrant workers to join in the trade unions. They can thereby realize their rights and needs and can get away from the harassments and exploitation of their employers.
- The migrant workers should also be brought under the ambit of the Construction Workers Welfare Fund Board and enable them to avail of the social security provisions. The benefits of all Government schemes will be conditional on registration.
- The number of working hours should be strictly restricted to 8 hours per day

- Child labour in the construction sector should be strictly prevented
- There should be government mechanism to monitor assurance of minimum wages, festival allowances etc
- Facilities for job training should be arranged for migrant workers
- It is important that the State Government initiate steps to provide affordable group housing to the migrants in the state.
- Along with housing facilities, associated services such as water, electricity, sanitation, washrooms, ensuring a green environment etc. should be provided to the migrant workers
- It should be compulsorily made sure that the migrants have adequate toilet facilities in crowded centers. Private enterprises with public support may be encouraged to build and provide hygienic accommodation with electricity, running water, sanitation facilities, sufficient toilets, washrooms etc. on reasonable rent to migrants especially in the major cities and towns or nearby areas of major concentration of migrant workers
- The State Government should have a Social Security schemes for the migrant workers in the construction sector in the State. The Social Security Schemes should include provision for payment of lump sum to take care of in cases of accidents and serious illness, death, loss of limbs etc.
- A help-line staffed by people speaking different languages and with separate numbers for different languages should be a top priority
- Support mechanism for hearing migrant complaints should be set up at local government level
- Awareness programmes regarding the rights and obligations of migrant workers should be organized in their languages such as Bengali, Hindi etc. and telecasted through radio, TV and displayed in public places including railway stations.
- Coordination between host state, states of origin and the central government may be necessary in other aspects such as extending the benefits of the public distribution system, sharing of information on migrant workers who are sent back to home state when infected with contagious diseases like Malaria, incidence of such diseases in the states of origin etc.



- There is also a need for considering migration as one of the criteria in central allocation to states. Some of the programmes for creating awareness about the rights in destination state can be organized in the states of origin.
- It is also possible that the states of origin can contribute to the welfare funds for migrant workers implemented in the destination state to make it more attractive.
- There is also a need to strengthen the public facilities taking into account the increasing need of the migrant population.

#### 8.4 Conclusion

The present study examined the human rights issues and dimensions of vulnerability of migrant construction workers in Kerala, a state in India known for its social development and implementation of social protection mechanisms for labourers. Majority of migrant workers reported to be satisfied in terms of wages and availability of jobs in Kerala. Even though the migrant construction workers are receiving high wages, they are facing several problems. The working conditions as well as their living atmosphere are not satisfactory while comparing the overall human development achievements of the state. Poor quality of living conditions of the migrant workers very often challenges the healthy atmosphere in the populated cities. Effective implementation of the existing laws and creation of new laws with the help of registration system and trade union activities would help solve their problems. Language barriers and inadequate communication with the local people should be seriously addressed in order to ensure a better social life for the migrant workers in Kerala. Human rights issues of migrant workers can be effectively solved if existing laws are properly implemented.

# *Bibliography*

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## Bibliography

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- Ahn Pong- Sul (2004), 'An Overview of Outmigration from South Asia', (Ed) pp 1-14 in *Migrant Workers and Human Rights – Outmigration from South Asia*. International Labor Organisation, New Delhi, Published in 2004
- Ajithkumar N (2011), *Vulnerability of Migrants and responsibilities of the State: The Case of Unskilled Workers in Kerala, India*', Working Paper No. 26, CSES
- Berger, John and Mohr Jean, *A Seventh Man*, Granta Books, London, 1989
- Breman, Jan (1985), *'Of Peasants, Migrants and Paupers: Rural Labor Circulation and Capitalistic Production in Western India'*, Oxford University Press, Delhi.
- Chandrasekhar C.P, and Jayati Ghosh (2007), 'Dealing with Short-Term Migration', the Hindu, Business Line, September, 25.
- Craw M, Clarke L, Jeffreys S, Beutel M, Roy K and Gribling M (2007) *The Construction*
- Cremers, J and J. Janssen. 2006. *Shifting employment: Undeclared labour in construction*. Rotterdam: Antenna
- Dainty, ARJ, Gibb, AGF, Bust, PB and Goodier, CI (2007), *Health and Safety of Migrant*
- de Haan, A (1999), 'Livelihoods and Poverty: Role of Migration – A Critical Review of the Migration Literature', *Journal of Development Studies*, 36(2), pp.1-47
- Deshingkar, Priya, S. Laxman Rao, Saheen Akter and John Farrington (2009), 'The Evolving Pattern of Circular Migration and Commuting: Household Surveys in Andhra Pradesh', (ed) in Deshingkar and Farrington's *Circulation Migration and Multilocal Livelihood Strategies in Rural India*, pp, 58-87, Oxford University Press.
- Dias Malsiri and Jayasundere Ramani (2004), *Sri Lanka the Anxieties and Opportunities of Out migration*' pp 153-190, ILO, New Delhi
- Fei, John, C.H and Gustav, Ranis (1964), *'Development of the Labour Surplus Economy'*, Ruchard D. Irwin, Homewood, Illinois
- Foucault, M. (1980). *Power/knowledge: Selected interviews and other writings, 1972–1977* (C. Gordon, Ed.). New York: Pantheon Books

- Foucault, M. (1982). The subject and power (Afterword). In H.L. Dreyfus & P. Rabinow (Eds.), *Michel Foucault: Beyond structuralism and hermeneutics*. Brighton: Harvester Press.
- Gurung Ganesh and Adhikari Laganath (2004), Nepal- The Prospects and Problems of Foreign Migration ', pp 100-123, ILO, New Delhi
- Habermas, J. (1984). *The theory of communicative action: Vol. 1. Reason and the rationalization of society*. Boston: Beacon Press
- Habermas, J. (1987). *The theory of communicative action: Vol. 2. Lifeworld and systems: A critique of functionalist reason*. Boston: Beacon Press.
- Harilal K N (2005), Migration and Development', Editors-D Rajasenan, Gerard de Groot, pp120-145
- Harris, J.R and M.P. Todaro (1970), 'Migration, Unemployment and Development: A Two-Sector Analysis: *American Economic Review*, Vol. 60, no.1. pp. 126-42
- Holstein, J., A. & Gubrium, J.F. (1995). *The active interview: Qualitative research methods* (Vol. 37), Thousand Oaks, CA: Sage. *Industry in London and Diversity Performance* London: Greater London Authority.
- Irudaya Rajan S and K C Zacharia (1997), 'Long Term Implications of Low Fertility in Kerala', Working Paper No. 282, CDS Thiruvananthapuram
- Irwin Mitchell and Centre for Corporate Accountability (2009) Migrants' Workplace Deaths in Britain. Available at [www.irwinmitchell.com/Personal/PersonalInjury/AccidentsAtWork/Documents/Migrants](http://www.irwinmitchell.com/Personal/PersonalInjury/AccidentsAtWork/Documents/Migrants)
- John C P (2004), Social Security and Labor Welfare with Special Reference to Construction Workers in Kerala, discussion paper No: 65, Centre for Development Studies, Thiruvananthapuram
- Joseph K V (2006), *Keralites on the Move*' Shipra Publications, 115-A Vikas MArg, Shakarpur, New Delhi, June 2008.

- Kannan K P (1999), 'Political Economy of Labour and Development in Kerala – Some Reflections of the Dilemmas of a Socially Transforming Labour Force in a Slow Growing Economy', CDS Trivandrum
- Konseiga, Adama (2002), *Seasonal Migration: As Survival Strategy*, Centre for Development Research, University of Bonn, Germany.
- Kundu, Amitabh (2007), 'Migration and Exclusionary Urban Growth in India', IIPS News Letter 46 (3 & 4): July, pp, 5-23.
- Kundu, Amitabh and Shalini Gupta (1996), 'Migration, Urbanisation and Regional Inequality', *Economic and Political Weekly*, December 28, pp. 3391-98.
- Lewis, W. Arthur (1954), 'Economy Development with Unlimited Supplies of Labour' *The Manchester School*, Vol. 22, pp.139-91
- Lillie, N. and I. Greer. 2007. "Industrial Relations, Migration, and Neoliberal Politics: The Case of the European Construction Sector." *Politics and Society* 35(4): 551-581.
- McKay Andy and CAstaldo Adriana (2011), DFID seminar, London, 20 July 2011 reviewing internal migration data for India and Ghana: the missing link in the migration development story
- McKay, S., Craw, M. and Chopra, D. (2006), *Migrant workers in England and Wales: An*
- Moll, L.C. (1988). Some key issues in teaching Latino students. *Language Arts*, 65(5), 465–472.
- Moll, L.C. (1992). Bilingual classroom studies and community analysis: Some recent trends. *Educational Researcher*, 21(2), 20–24.
- Moll, L.C., & Gonzalez, N. (1994). Lessons from research with language-minority children. *Journal of Reading Behavior*, 26(4), 439–452.
- Moses Jonathan, *International Migration: Globalisation's Last Frontier*, Zed Books, London, 2006
- National Commission on Rural Labour (NCRL-1991), 'Reports of the Study Group on Migrant Labour', Vol.II, GOI, Ministry of Labour, New Delhi.
- National Sample Survey Organisation of India (July, 2007-June, 2008), Report No. 533: Migration in India, 2010.

- Oberai and Singh H K M (1980), 'Migration Flows in Punjab's Green Revolution Belt', EPW, March 2011
- Patrick Martin (1998), Discrimination, Time Allocation and Migration: A Study of Unorganised Women, The Indian Journal of Labor Economics, Vol. 41, No. 3, 1998, pp.187-217.
- Rafique, Abdur and Ben Rogaly (2003), 'Internal Seasonal Migration, Livelihoods and Vulnerability in India: A Case Study', Paper for Regional Conference on Migration Development and Pro-poor Policy Choices in Asia
- Rani, Uma and H.S. Shylendra (2001), 'Seasonal Migration and Rural- Urban Interface in Semi-Arid Tropics of Gujarat: A Study of Tribal Village', *Journal of Rural Development*, Vol.20 (2), pp- 187-217.
- Rao, V.D., (2004), 'Study of Migration Trend among Palamur Labour in Mahabubnagar District of Andhra Pradesh: A Revisit after a Decade', Hyderabad: Council for Social Development
- Reddy, D. Narasimha (2003), 'Economic Reforms and Travails of Circulating Labor of Dry Regions: A Case Study of Palamur Labor in Andhra Pradesh', *Labour & Development*, Vol. No.2, December
- Sahai Singh Paramjith and Chand Krishnan (2004), 'India, Migrant Workers Awaiting Recognition and Protection;', in *Migrant Workers and Human Rights – Out migration from South Asia*, pp-58-93, International Labor Organisation, New Delhi
- Saikia Dilip (2008), Economic Conditions of the In-migrant Workers in Kerala – A Case Study in the Trivandrum District, CDS, Trivandrum,. MPRA Paper No. 28579, posted 21 March 2011
- Sarde Sudhershnan Rao (2008), Migration in India Trade Union Perspective in the Context of Neo Liberala Globalisation, IMF SARO, New Delhi
- Siddiqui Tasneem (2004), Bangladesh the Complexities and Management of Out-migration' in *Migrant Workers and Human Rights – Out migration from South Asia*, pp

19-55, International Labour Organisation, Neww Delhi, Published in 2004, ISBN: 92-2-115697-4

- Singh Manjith (2012), "Preference for Migrant Agricultural Labour in Punjab", EPW July 21, 2012, Vol. XLVII No.29
- Smita (2007), '*Locked Homes Empty Schools: The Impact of Distress Seasonal Migration on the Rural Poor*', Zubaan Publication, New Delhi, India.
- Srivastava, Ravi (2005), 'Bonded Labour in India: Its incidents and Pattern', Special Action Programme to Combat Forced Labour, Declaration, Working Paper No. 43, 2005, International Labour Office.
- Srivastava, Ravi. S and Sangeetha Bhattacharyya (2003), 'Globalization, Reforms and Internal Labour Mobility: Analysis of Recent Indian Trends', *Labour and Development* 9 (2): December, pp, 31-55.
- Surabhi K S and N Ajithkumar (2007), 'Labour Migration to Kerala: A Study of Migrant Workers in Kochi'
- UNDP, *Human Development Report*, 1998 and 2009.
- Vaid K N (1999), 'Central Labour in the construction Industry in India' in DPA Naidu (Ed) *Contract Labour in South Asia*, Bureau of Workers' Activities, ILO
- *Workers in the South East*. Institution of Civil Engineers, London
- Zacharia K C, E T Mathew and S Irudaya Rajan (1999), 'Impact of Migration on Kerala's Economy and Society', Working Paper No. 297, CDS Thiruvananthapuram
- Zacharia K C, E T Mathew and S Irudaya Rajan (2000), 'Socia-economic and Demographic Consequences of Migration in Kerala', Working Paper No. 303, CDS Thiruvananthapuram
- [www.minister-labour.kerala.gov.in](http://www.minister-labour.kerala.gov.in)
- [www.ilo.org](http://www.ilo.org)

# *Appendix*

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- *Interview schedule*



# Interview schedule

## *Human rights issues of migrant construction workers in Kerala*

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### **I. General information**

1. Name :
2. Age :
3. Sex : Male / female
4. Religion : Hindu/muslim/Christian/budhist/sikh/ others
5. Marital status : married/single/divorced/widowed/separated
6. If married, number of children :
7. Number of family members :
8. Education status : no schooling/primary/ secondary/higher secondary/...
9. Languages known : only mother tongue/ Malayalam/ others
10. Original state :
11. Any permanent asset at home
  - i. Land : yes / No
  - ii. Own house : yes / No
12. Economic status of the family : APL / BPL
13. Age in which he/she migrated for the first time:

### **II. Process of migration**

14. Is this your first job in Kerala : yes / No
  - a. If yes, duration of your stay :

15. How did you know about a job here :
16. By whom you got a job here : firms/ contractors / any other
17. Have you paid any commission to get this job : yes / No
18. What are the factors pushed you out from home village ( ✓ )
- i. Lack of employment opportunities
  - ii. Low wage rate
  - iii. Water scarcity / drought
  - iv. Family problems
  - v. Migration of spouse
  - vi. Education of children
  - vii. Any other (specify)
19. Factors that attracted you in Kerala ( ✓ )
- i. High wage rate
  - ii. More employment opportunities
  - iii. Better living conditions
  - iv. Scope for education of children
  - v. Climate
  - vi. Any other
20. Are you satisfied with the present job : Yes / No
21. Do you try for a high wage job : Yes/ No

### III. Working condition

22. What is the work you do now? :

23. Nature of your job : skilled / unskilled
24. Have you done this kind of work earlier? : yes / No
25. Do you get any training : Yes / No
26. Nature of owner : government / private
27. Number of working hours/day :
28. Do you get promised pay : Yes / No
29. How are you paid : daily / weekly / monthly
30. How much you are paid :
31. Existing wage for such jobs in your home village :
32. Do you get bonus or festival allowance : Yes / No
- a. If yes, how much? :
33. Are you getting accommodation facility : Yes / No
34. Are you supplied free food at work place : Yes / No
35. Is there any difficulty in getting leave ; Yes / No
36. Do you get sick leave : Yes / No
37. Do you get paid leave : Yes / No
38. Are you forced to work while sick : Yes / No
39. Any harassment from the employer : Yes / No
40. Are you satisfied with the working conditions?: Yes / No
41. What are the difficulties you face at work place :

#### IV. Living conditions

42. Where do you get accommodation : in work place / outside the workplace

43. If inside the workplace, : free / paid

44. If paid, monthly rent :

45. If outside, nature of accommodation, ( ✓ )

i. Rented house

ii. Slum

iii. House rent paid by the employer

46. If rented house, monthly rent :

47. What are the consumer durable you have: ( ✓ )

consumer durable	In Kerala	In your home village
Radio		
Television		
Telephone		
Mobile phone		
Cycle		
Two wheeler		
Refrigerator		
Mixer grinder		

48. Is food is provided by the employer : Yes / No

a. If yes, how many meals per day :

49. Is there any deduction is made from your wages: Yes / No

50. If no, do you prepare food : Yes / No

51. Do you get food at regular intervals : Yes / No

52. Approximate daily expense for food :

53. Where do you purchase the goods from ( ✓ )

a. Supply co/ ration shops

b. Private shops

c. Others

54. Do you get any credit from these shops : Yes / No

55. Do you feel difficulty in getting water : Yes / No

56. Do you face difficulty to dispose waste : Yes / No

57. Do you get any support/helps from local people: Yes / No

58. Are you satisfied with the living conditions :Yes / No

59. What are the difficulties you face at living place:

1.

2.

3.

#### V. Health issues

60. Do you have any chronic disease : Yes / No

61. Do you have any work related disease: Yes / No

a. If yes , specify :

62. While in Kerala, have you been sick during last one year: Yes / No

63. Do you get proper treatment : Yes / No

64. Where do you go for treatment( ✓ )

a. Private hospital

- b. Government hospital
- c. Medical shops
- d. Own village
- e. Do not go for treatment

65. Do you get free medical facility at work place : Yes / No

66. Do you have health insurance : Yes / No

67. Do you have health insurance in home village: Yes / No

68. Do you get leave to go home for treatment : Yes / No

69. Do you neglect diseases due to lack of income : Yes / No

#### VI. Savings and expenditure

70. Do you get wages on time : Yes / No

71. Do you get payment for overtime work : Yes / No

72. What is your monthly expenditure :

73. What are the major expenditure items:

i.

ii.

iii.

iv.

74. Do you get loan from the employer : Yes / No

75. Do you get loans from any other source : Yes / No (if yes, specify .....)

a. If yes, rate of interest they charge :

76. Do you remit money to home : Yes / No

a. If yes, the method of remittance ( ✓ )

- i. Banks
- ii. ATM
- iii. Private individuals
- iv. Money orders

77. Do you have any saving : Yes / No

a. If yes, where do you save ( ✓ )

- i. Banks
- ii. Post office
- iii. Give for credit
- iv. Any other

## VII. Social security and welfare

78. Do you get leisure time

79. How do you spend your holidays ( ✓ )

- a. Go for movie
- b. Watch T V
- c. Site seeing
- d. Take rest
- e. Others (specify)

80. How do you communicate with local people

- a. No communication
- b. Less communication

c. Local people hesitate to communicate

81. Do you have any organization of workers of your state : Yes / No

82. Are you a member of any migrant workers organization : Yes / No

83. Are you a member of any welfare fund board : Yes / No

84. Where do you present your grievances :

85. Do you register your complaints before anybody : Yes / No

i. If yes, name the organization:

86. Do you get any support from Kerala government : Yes / No

i. If yes, specify:

87. Do you experience any harassment from the police/govt authorities: Yes / No

**Others**

88. How frequently do you go home ( ✓ ):

- a. weekly
- b. monthly
- c. yearly
- d. during festivals/ functions

89. How frequently do you communicate with home ( ✓ )

- a. Daily
- b. once in two days
- c. Weekly

90. How do you know the news from home state ( ✓ )

- a. Television



- b. Radio
- c. Letter/telephone
- d. Never know the news

91. Specify the most important problems faced in Kerala ( ✓ )

- a. Quarrel with local people in worksite/waiting place for work
- b. Blackmailing/torturing by Malayalee labourers Language barriers.
- c. Lack of information about accessing services
- d. Lack of opportunities for work
- e. Higher food and lodging expenses
- f. Frequent Shifting house
- g. Do not get wage that was offered