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## CENTRE- STATE RELATIONSHIP: INTER-STATE MIGRANT ISSUE

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### Abstract

India is a country of villages and small town as 68.9 per cent of the population lives in 6.40 lakhs villages. At the same time, 450 million i.e. 37% of the population are internal migrants as per 2011 census. In developing country like India, migration mostly take place not due to pull forces as usually seen in case of developed countries, but because of factors like poverty, unemployment and natural calamities. Migration is not choice but it is necessary, so it becomes essential for the destined state to accommodate migrant workers when these persons need it. Uttar Pradesh and Bihar account for the highest outflow of migration. These migrant workers have played a key role in the development of the nation by sheer sweat of their labour but these very nation builders sought a little assistance from the country in their quest to reach their humble abodes. In India internal migration has never been taken seriously by the central and state government. Migrant workers have no residential security and are compelled to live and work in crowded slums and unauthorized public lands with unsatisfactory civic amenities and access to basic services, and they undergo repeated displacement. For the first time, COVID -19 crises unfolded the real face of centre-state relationship and brought migration to the centre stage. Though government has taken cognisance of the issue and announced financial measures to contain the impact on the migrant workers but there is an urgent need to review of national legal, regulatory and institutional concerns in resettlement and rehabilitation of migrant labourers. Time has come when both centre and state government need to prioritize the internal migrant issues. In order to deal with internal migrant issue, centre is required to decentralise political and economic power to state with greater decision making capacity.

**Keywords:** Migration, poverty, unemployment, workers

### Introduction:

In the context of globalization migration has become one of the most challenging issues for socio- economic development. Significant improvement in road connectivity and telecommunication system has facilitated reduction in the cost of migration and in the speed at which migrants can move from origin to destination. Of late, there is a growing concern and commitment for better governance of labour mobility and legal protection to migrant workers. Due to multidimensional socio-economic causes, inter-state migration is continued in India. The inter-state migrant workers, who are generally illiterate and in search of livelihood, cannot bargain with contractors and taking the advantage of their helplessness, the contractors put such types of terms and conditions in form of standard form contract that those are against their interest. According to National

Commission on Rural Labour, the basic reason for migration is lack of employment, prevalence of under-employment and intermittent employment which work as a push factors. The recruitment system through contractors and their agents is exploitive. These manifest in the inhuman working and living conditions and acquiescence by the migrants of the terms and conditions of employment as they do not have any option, however violation of law these may be. We know seasonal migration is one of the most critical issues in our country. The COVID -19 crises has brought for the first time, migration issue to the centre stage. In the past, a mass exodus would take place because of a disaster such as a famine, drought, flood, or regional conflict. An exodus would be from the area where such a calamity was unfolding. But now there are new way of mass exodus caused by demonetisation, violence against migrants, and the lockdown imposed to contain the spread of COVID-19. What is common in these narratives is the decisive role played by the centre and state or the lack of it. It is in the context of state action that migrant having drawn sharp attention in debate over public health and political economy.

### **Migration: Historical Context**

Migration is an important feature of human civilization. From the beginning of human civilization, people used to live a nomadic live. These people moved from one place to another in search of food, pastures and also for doing trade and hence it lays down the background of migration and it's after effects. The tradition of out – migration of Indian could be traced back to 268-231 B.C. when Emperor Ashoka sent messengers across the world to spread the message of peace given by Lord Buddha. However, systematic migration started in the 18<sup>th</sup> century under the British rule. In colonial period, the process of external migration entered into a new phase. As per many historians, the first group of many unskilled Indian labours was transported to Mauritius for sugar plantation. Afterwards, more such labour force was recruited on contract to work on tea, rubber, sugarcane, palm plantation and in mines. The countries where Indian labourers migrated were West Indian colonies, Fiji, Mauritius, Sri Lanka and Singapore. Apart from labour migration to the British colonies, a big number of Indian was also migrated to the advanced industrial countries like United Kingdom in Europe in the early 19<sup>th</sup> century and to the North America in the 20<sup>th</sup> century. According to a data, around 30 million Indians were migrated to different parts of the world between 1800 and 1945. About 22 million of these were migrated to Sri Lanka, Burma and Malaysia; 420,000 to East Africa and Mauritius; 400,000 to the West Indies and Fiji; and 50,000 to United States of America, United Kingdom and Canada. This emigration was male dominated and temporary in nature but with the advent of 20<sup>th</sup> century women were also started migrating in a considerable number and therefore, it became more of a permanent character. Till the end of Second World War, the migration of Indians to the Gulf countries was at low scale and there were only 14,000 Indians in 1948. But the rapid hike in oil prices during 1973-1974 and afterward brought uneven richness to the Gulf region which laid foundation of various development programs including schools, houses, hospitals, big business establishments, improvement in transportation and communication in the countries of this region. But the local workers were unable to meet the increasing demand in the labour sector because of their low number and inadequate training. Therefore, it paved the way for the entry of technically experts and semi-skilled workers from several countries of Asia including India. Migration of labour to industrialized developed countries of the west remained in process for a long time but U.K. was the most attracting country for a significant number of Indian engineers, scientists, doctors and technical workers during 1960s when such demand was not met by the local English workers. The migration to North America was started in the early 1950s and the trend remained modest till the middle of 1960s. During 1960s and 1970s, the trend of migration among Indians to USA and Canada was increased rapidly. Till the end of 1980s, about 3.6% and 6% Indians were living in USA and Canada respectively. However, with the dawn of globalization, the migratory flows to these countries increased in 1990s to 38,330 persons from 2,6184 in 1980s and in Canada from 7,930 in 1980s to 13,770 in 1990s. In 2003, more than 23,000 Indians got US immigration visas and more than 17,000 got Canadian visas. Moreover, a significant flow of Indian professionals to the countries like Australia, Germany, Japan, Malaysia and New Zealand was also noted in 1990s. Migration to developed countries from India grew steadily between 1950 and 2000. In an analysis of international survey data collected by the International Organisation for Migration from the Gallup World Poll for the period 2010-2015, 1.3% of the global adult

population, or 66 million people, were planning to migrate permanently within the next 12 months. In fact, 23 million adults are taking specific steps to realize their plans. Further, one in three adults surveyed plans to migrate to a developing country, with the United States as the most popular destination followed by the United Kingdom, Saudi Arabia, France, Canada, Germany and South Africa.

### **Rural – Urban Migration :**

According to the Census of India, 2011, more than 450 million Indians are internal migrants who came their residence within a country's national borders. Around two – third of internal migrants are concentrated in rural areas, while around one-third are concentrated in urban areas in India. Male dominate the inter-state streams of migration, while females dominate the intra-district streams of migration. Migration studies suggests that about 100 millions of workers/labourers circulate from place to place never with the intention to settle down, but to return to their native villages and towns once a job is completed or when a working season comes to an end. It is estimated that about 30 per cent of the migrants are youth aged 15-29 years and another 15 million are children. For a majority of migrant labourers, migration is either a livelihood accumulation strategy or survival risk reducing strategy whichever way we define the nature of migration. Migration of people within national border is far greater in magnitude than migration across international borders and has enormous potential to contribute to economic prosperity, social cohesion and urban diversity. Internal migration is an essential and inevitable component of the economic and social life of the country given regional imbalances and labour shortages and safe migration should be promoted to maximize its benefits. However, in the absence of a coherent policy framework and strategy, migration imposes heavy costs on human development through poor labour arrangements and working conditions of migrants and obstacles in their access to shelter, education, health care and food. Migration constitutes a floating and invisible population, alternating between source and destination areas and remaining on the periphery of society. In India internal migration has been accorded very low priority by the government and policies of the Indian state have largely failed in providing any form of legal or social protection to this vulnerable group. Migration is the barometer of changing socio-economic and political conditions at the national and international levels. It is also a sign of wide disparities in economic and social conditions between the origin and destination. It is a natural outcome of inequality in the distribution of resources. Migration and development is a growing area of interest. There has been much debate on the negative impact of migration on development and vice versa. On the one hand, it is argued that underdevelopment is a cause of migration, and on the other hand, prosperity also leads to migration. The history of migration is the history of people's struggle to survive and to prosper, to escape insecurity and poverty, and to move in response to opportunity. In developing countries like India, migration mostly takes place not due to the so called pull forces of the destination place as usually happens in case of developed countries, but because of poverty, unemployment, natural calamities and underdevelopment at the origin place. Migration in developing countries like India is still viewed as a survival strategy. In India internal mobility is critical to the livelihoods of many people, especially for people from rural areas. Field study by leading migration scholar R.B. Bhagat indicate that the lead source state of internal migrants are Uttar Pradesh, Bihar, Rajasthan, Madhya Pradesh, Andhra Pradesh, Chhattisgarh, Jharkhand, Odisha, Uttarakhand and Tamil Nadu , whereas key destination areas are Delhi, Maharashtra, Gujarat, Haryana, Punjab and Karnataka. According to a UNESCO study, Surat at 58 % has the highest percentage of migrant labour population in India. While the percentage of migrant population is 43% for Mumbai and Delhi. Internal migration has become so ubiquitous that Kerala, long known for "Kerala model" of human development and land of expatriates, has embarrassingly become a 'rainbow country' of migrant. Pouring mainly from West Bengal, Tripura, Assam and Maharashtra, domestic migrants are now estimated at 25 lakh in Kerala. Micro study conducted by research institutions as NGOs suggest that around 80 million short-term migrant are working in India, including: 40 million in the construction industry, 20 million domestic workers, 7 million sex workers and around 12 million who work in illegal mines.

## Migration: Pull and Push Factors

In developing countries like India, migration mostly takes place not due to the so called pull forces of the destination place as usually happens in case of developed countries, but because of poverty, unemployment, natural calamities and underdevelopment at the origin place. While push factors are mostly repelling and compelling ones the pull factors are largely the attracting ones. The push factors include the population pressure, declining yields, institution of marriage, disintegration of joint family system, lack of livelihood opportunities, etc; the pull factors include better educational, health care facilities, modern means of transport and communications, more employment opportunities and a growing craze for urban life. There are numerous causes of migration from rural to urban centres and vice versa or from one region to another. Migration is caused due to various reasons which may vary from country to country and it can vary from place to place, state to state within a country on the basis of socio-economic and cultural status of the demography. The factors which largely contribute to rural to urban migration are poverty and starvation, unemployment, low agricultural productivity, failure of crop, landlessness, poor education and medical care, lack of credit facilities mainly found in rural areas in one hand and better scope of employment, better gender equality, prospect for better life(education, health and drinking water etc),wage differentials, bright city lights cause attraction in the urban areas on other hand. The “push-pull factors model” broadly reveals the major determinants and causes of migration and able to contribute in policy formulation and possible intervention in controlling the migration.

| <b>PUSH FACTORS(-)</b>  | <b>PULL FACTORS(+)</b>   |
|---|--|
| <ul style="list-style-type: none"> <li>• <b>Poverty and Starvation</b></li> <li>• <b>Unemployment</b></li> <li>• <b>Low Agricultural productivity</b></li> <li>• <b>Failure of Crop</b></li> <li>• <b>Landlessness</b></li> <li>• <b>Lack of Irrigation Facilities</b></li> <li>• <b>Poor Education &amp; Medical Care</b></li> <li>• <b>Lack of Credit Facilities</b></li> </ul> | <ul style="list-style-type: none"> <li>• <b>Better Standard of Living</b></li> <li>• <b>Scope of Employability</b></li> <li>• <b>Better Gender Equality</b></li> <li>• <b>Prospect for Better Life</b></li> <li>• <b>Better Amenities</b></li> <li>• <b>Wage Differentials</b></li> <li>• <b>Bright City Lights</b></li> <li>• <b>Children’s Future</b></li> </ul> |

Figure 1: The push and pull factors for Rural-Urban Migration in India

Some of the notable factors of migration are the followings: -

1. Social conflicts and social tension.
2. Gap in civilization/ culture.
3. Law and Order situation.
4. Inequalities in the available social and economic opportunities and other amenities of life between groups of people and or sectors.
5. Income maximization.
6. Inequalities distribution of benefits of economic development.
7. Social mobility and social aspirations.
8. Residential satisfaction.
9. Friend and Family influences.
10. Desire for attaining lifestyle, performance and enjoyment.
11. Development of some sort of complex.

Poverty and starvation, over a period of time compelled people to migrate to the cities, as not a matter of choice but as compulsion. This type of compulsion arises due to distress conditions of migrants. Migration leads to urbanization. The UN also estimated that about 60 per cent of the urban growth in developing countries is due to the rate of natural increase of urban areas and the remaining 40 per cent is due to migration. Migration is the chief mechanism by which all the world’s greatest urbanization trends have been accomplished.



## NSSO Report On Rural Migration:

National Sample Survey Office in its 64<sup>th</sup> report entitled 'Migration in India, 2007-2008' released major findings based on the household survey on Employment and unemployment and Migration. The nationwide survey carried out during July 2007 to June 2008 covered a random sample of 5,72,254 persons from 79,091 rural households and 46,487 urban households spread over 7921 villages and 4688 urban blocks in the country. The survey covered the whole of the country except the Leh and Kargil districts of Jammu and Kashmir, interior villages of Nagaland situated beyond five kilometres of a bus route and villages in Andaman and Nicobar Islands which remain inaccessible throughout the year.

**Table 1: Percentage of rural migrants employed in different industries**

(NSSO 2007-2008)

| S. No | Industry             | Percentage of rural migrants |
|-------|----------------------|------------------------------|
| 1.    | Construction         | 41.6                         |
| 2.    | Agriculture          | 23.6                         |
| 3.    | Manufacturing        | 17                           |
| 4.    | Mining and Quarrying | 1.3                          |
| 5.    | Trade                | 7.3                          |
| 6.    | Transport            | 16.8                         |

- Migration in India is largely confined to within the same state. 72 percent of migrant households in urban areas and 78 percent in rural areas have migrated within the same state.
- The migration rate i.e the proportion of migrant in the population was higher in the urban areas (35 per cent) than in the rural areas where it stood at 26 per cent.
- Dominant proportion of female migration in the country accounted for marriage pattern in the country. Since the marriage pattern in the country is based on virilocal residence where a girl has to leave his parental house, the survey found that 91 per cent of the rural female migrants and 61 per cent of the urban female migrants had moved because of marriage.
- There was a significant decline in the rural male migration rate on an average by as much as 28 per cent compare to previous surveys.
- In 2007-2008, 28.6 per cent of rural males and 0.7 per cent of rural females migrated for work related reasons.
- For migrants from urban areas construction and manufacturing accounted for equal sharing of the activities amounting to just over half of the work found. The other large employers for the migrants from urban areas were trade, hotels and restraints.
- The construction industry was the dominant employer and a major destination employing about 41.6 percent of the rural migrants.
- It being followed by agriculture accounting for 23.6 percent, the manufacturing sector being the destination of 17 per cent of the rural migrants, followed by transport (16.8 percent), Trade (7.3 percent) and mining and quarrying being favoured destination of only 1.3 percent of the rural migrants.
- Migration of households in both the rural and urban areas was dominated by the migration of households from rural areas. Nearly 57 per cent of urban migrant households migrated from rural areas whereas 29 per cent of rural migrant households migrated from urban areas.
- In both rural and urban areas, majority of the households migrated for employment related reasons. Nearly 55 per cent of the migrant households in rural areas and 67 per cent of the migrant households in the urban areas had migrated for employment related reasons.
- Migration rate in rural areas was lowest among the schedule tribe (ST), nearly 24 per cent, and it was highest among those classified in the social group others (28 per cent).

- For rural male, migration rate was lowest (nearly 4 per cent) among the ‘not literates’ and it was nearly 14 per cent among those with educational level ‘graduate and above’. For urban males also, it was lowest among the ‘not literates (17 per cent)’, and 38 per cent for those with educational level ‘graduate or above’ level.

### **Centre And State On Migrant Issues :**

While cooperative and competitive federalism have become the new buzz words in the political discourse of the day, it is important to remember that Indian federalism lives in the states and the districts. Unless real changes can be initiated at these levels, the consolidation of India’s federal democracy will remain an unfinished task. Even after more than 72 year of independence India still lives in villages and small towns. According to the Census of India,2011, more than 450 million Indian are internal migrant who change their residence within a country’s national borders. There is need to provide undivided attention to the working conditions of migrant workers and for that there is need of co-operation between centre and state on the matter of migration. What COVID-19 has done has created grey areas for which neither the state nor the centre was prepared. The situation migrant worker faced was horrible. These migrant workers have been contributing towards the development of the nation by the sheer sweat of their brow, their labour, so that India could move towards the goal of becoming a trillion dollar economy. The irony of fate is that when these very nation builders sought a little assistance from the country in their quest to reach their humble abodes, we failed to provide them food, shelter and conveyance. These are people who were crushed, mowed down and fated to die of exhaustion – from starvation really. This is a blot on humanity and an ignominy for the country. The glaring distinction between two India’s has palpably come to the fore. Swami Vivekananda had once said, “An ounce of practice is worth twenty- thousand tonnes of big talk”. It appears that the central and state government is emerging from a stupor and grouping in the dark about the status and significance of the migrants. This situation has raised the question on what it would mean for centre-state relation, and for national and provincial politics. While the centre is expected to handle the economic and financial aftermath, the immediate challenge of public health is supposed to be a state burden. A large population in the form of migrant workers fell through the cracks of both central and state administration. Migration need to be facilitated through a proper development initiatives and strategies so that its benefits can be maximized at all levels. Hence, a law is needed to deal with any adversities that the migrant workers may confront in future in a holistic manner. Migrant workers must be able to believe that this country for all, without any discrimination. The current scenario makes us think about the need to have a separate ministry for migrant affairs, dealing with domestic migrant only. Taking into consideration the exploitation of inter-state migrant workers, the Indian parliament enacted ‘The Inter-state Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 to regulate the employment of inter-state migrant workmen and to provide for their conditions of service and for matters connected therewith. The occupational safety, health and working condition code of 2019 has been introduced in parliament to promote the welfare of migrant workers and legal protection for their rights. The proposed code seeks to merge 13 labour laws, including the Inter-state Migrant Workmen Act, 1979 into a single law. The Inter-state migrant Workmen Act, 1979 is largely a regulatory law failing to incorporate welfare rights of the migrant labourers. The most urgent revision is to introduce a National Migrant Workers Commission at the Central level backed up by State level Migrant Workers Commissions. There is also need to expand the definition of migrant labourer and include next generations skills like IT, mobile repair, financial services related works. Also the Act needs to include provisions for State- supported skill training services for migrant labourers. The Building and Other Construction Workers (Regulation of Employment And Condition of Services) Act, 1996 should be integrated into the Inter-State Migrant Workmen Act. And it needs to be implemented by the Secretary of the Migrant Workers commission. In the digital age, we must stress more digital administrative techniques such as smart cards and leverage Jandhan / Aadhaar / mobile payment infrastructure for portability of all. Another urgent issue is probability of the public distribution system (PDS) for migrant labourers and also allowing migrant labourers to use their NREGA job cards in any part of the country. This portability of NREGA will be a great relief, if any migrant labourer is in crisis like pandemic, he or she can take up NREGA work at the destination

site rather than returning home. There is a need to adopt a human rights approach to address the socio-legal issues. The resolution of contradictions in trade, fiscal, monetary and other policies – for example, the implementation of the report of the task force on migration (2017), expansion of the outreach of the Integrated Child Development Services – Anganwadi (ICDS-AW) and auxiliary nurse midwives (ANMs) to include migrant women and children and inclusion of migrant children in the annual work plans of Sarva Shiksha Abhiyan – would also be helpful. Now time has come to decentralise political power and arm the states with greater decision making capacity. Our states need to be provided more funds; the centre needs to sustain, support, emulate and reward/award those like Kerala which have done remarkably well in this crisis. It is not time to concentrate more power in an already hugely centralised and arbitrary dispensation. There is a need to rebuild the rural economy based on building the household. That is the key and the target. Swachh Bharat network need to be strengthen cottage industry which have been killed by huge industry. Incentives should be given to the huge industry in order to buy from rural manufacturers and it will further generate rural employment, not migration distress, so that farm incomes are supplemented. There is a need to equip and empower artisans with better skills, design, capacity and technology, access to capital and markets.

### **MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE ACT (MGNREGA) AND MIGRATION:**

The main objective of the MGNREGA is to arrest out migration of unskilled landless labour force from the rural areas to urban areas by ensuring up to 100 days of wage employment within their native jurisdiction so that these guaranteed wage employment can be judiciously and rationally utilized by the landless peasants during lean and distress seasons. As far as possible the work site is to be within a five Km radius of the applicant's village. MGNREGA will have significant positive impact on seasonal rural-urban migration by providing rural workers with employment during the lean season. Research seems to indicate that the agriculture labour shortage is not caused entirely by MGNREGA; trends of reduced labour force in agriculture precede MGNREGA. Data from FY2010-2011 suggests that 70 per cent of the works in the Scheme have been generated during the agriculture lean season. On the other hand, data from some studies demonstrates that there has been a change in the composition of the MGNREGA labour force where more agriculture labour is participating in the Scheme. MGNREGA has reduced migration by providing work closer to home and decent working conditions. A study conducted in Anantpur, Andhra Pradesh observed that the scheme brought down the migration level from about 27 per cent to 7 per cent in the sample village due to availability of work. Another study from Bastar notes that in one block the number of people migrating declined from 4500 to 500 as a result of employment being provided close to home by MGNREGA. A survey of 240 households in the district of Sidhi in Madhya Pradesh also confirmed these findings; migration had reduced in sample areas by 60 per cent due to the availability of work. The impact of MGNREGA may be more on the population that migrates for employment; as per the National Census data 2001 around 15 per cent of the households migrate for employment. The month-wise employment data under MGNREGA during FY 2010-11 indicates that it is in the lean agriculture season that around 70 per cent of person days of work were generated. While this does not factor in migration of labour during an agricultural lean season to other places, it does suggest that the impact of MGNREGA on labour market may be limited at best.

### **Conclusion:**

Migration issues are one of the major thrust of research now a day. In spite of number of studies have been conducted still there is a lot issues related to the migration has not been addressed. The main cause and concern behind the migration is the economic factor; so agriculture and non-farm sector at rural landscape should be given the top priority to control migration. Hence, the government should kick off inclusive rural policies through which credit support and rights based service delivery and other services can be assured to the target demography. The centre and state both should develop public policy by integrating social inclusion in milieu of rural diversity for the wellbeing of all the segments or rural community. Migration should be managed in such a way that it can play a positive role in the process of economic development and can provide a sound basis for national prosperity. The ad-hoc policies related to urbanization and migration need

to be replaced by a consistent, logical and systematic policy which can be sustained over a period time. Both the centre and state is required to co-operate each other on migrant issue and there should not be undivided opinion at all. A comprehensive social protection programme is necessary for migrants to guarantee minimum wage, no exploitation, proper housing, and access to improved sources of drinking water, sanitation and health services. Migrant can be provided with computerized identity cards that can help them to access services at their destinations, viz. Health care, entitlements to PDS rations etc. In any case migrants should not lose their entitlements to PDS. Potential for human development can be tapped by formulating policy and programs to harness remittances and effecting necessary changes in deeply rooted attitudes and governance structures. Regulation and administrative procedures should be sharply focus on migrant's access to legal rights, public services and social protection programs as accorded to ordinary residents. Migrant cannot be treated as second class citizens.

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