

The migrant child's playground: a construction site



Mobile Creches, Delhi

I. Background Note

30 crore people in India live in poverty. Poor families get caught in the trap of illiteracy, poor health, unskilled work and low wages, passed on from generation to generation. In the family, women bear the responsibilities of work, home and children and the major brunt of poverty. Deteriorating health status, early marriages, low incomes and low skills, among others, are all manifestations of gender inequities and poverty, directly impacting the status of children.

The Price Children Pay

- Almost 20 lakh children die each year before their first birthday
- 50% children under 3 years are underweight, 46% stunted
- 60% of school-going children (6-14 years) are out of school
- Half the deliveries take place in the absence of a skilled attendant and contribute to high neonatal mortality
- Maternal mortality is at 407 for 1,00,000 live births

Source: UNICEF State of the World's Children Report, 2006

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1. Children's rights and migration

At a national level, the development indices, particularly those related to women and children, have performed miserably. If the lens is now focused on itinerant families belonging to poverty groups, all the parameters required for survival, growth and development of children are further compromised. Neglect in the early years of childhood has long-term repercussions on adult life: health, capacity and self-confidence. State interventions for supplementary nutrition, non-formal education and special-needs programmes address only the stable populations. So, while the young children of frequent/seasonal migrants suffer neglect, sub-human living conditions and hunger, their older children drop out of school or join wage-work and the whole cycle of poverty repeats itself.

The issue of *Labour Mobility and the Rights of Children*, at all times, needs to be looked at within the framework of the worker, woman, mother and child continuum, keeping the following in mind:

- *0 - 6 years is the period of most rapid development*
- *0 - 6 years is the period of maximum vulnerability*
- *0 - 6 years is the period of maximum dependence on adult caregivers*
- *0 - 6 years is the period when foundations of physical and cognitive development and personality are laid*

The lives of young children are, therefore, inextricably tied up with the condition of their parents' lives, particularly the woman's, during the critical period of pregnancy, birth, breastfeeding, early growth and development.

Among the poor, the worst off are the seasonally mobile groups of workers, engaged in agriculture, construction, brick kilns, salt pans and others, constantly moving in search of work. Migrancy deepens vulnerabilities and *the migrant child, its most invisible and vulnerable victim, pays a heavy price*. So do development goals and the vision of a fair and equitable society.

2. Factors underlying rural out-migration

The new economic policies have worsened the situation in the rural areas, characterized by the collapse of agriculture in many parts of the country, decline of traditional manufacturing and jobless growth. The liberalization of trade, deregulation and globalization of markets since the 90s, have unleashed trends that have harshly impacted the status of workers, especially women, and *exacerbated the threat to our children*. These include:

- Increase in the quantum of informal labour arrangements
- Sharp nuclearization of families
- Casualization of the female workforce
- Surge in employment seeking out-migration
- Proliferation of urban slums, congested, devoid of basic services and filled with filth and squalor, where migrant families and their children find shelter

In post-Independence India, rural-to-rural and rural to-urban employment seeking migrations have been the predominant pattern and a defining feature of the labour market. Some findings of the Situation Assessment Survey, on rural indebtedness by the National Sample Survey Organization (NSSO) in 2003 covering 51,770 households and 6,638 villages⁵:

- The All-India net income from cultivation is a dismal Rs.2827 p.a.
- The All-India net total income (farm + non-farm) is a negative Rs.7860 p.a.
- The All-India incidence of indebtedness is 48.6% (top 3: Andhra Pradesh - 82, Tamil Nadu - 74, Punjab - 65)

Many factors conspire to create dependencies and compel the rural poor to migrate: non-viable subsistence farming, deforestation, displacement and loss of land, mechanization, unequal access to water/credit/markets, lack of skills and information, rural indebtedness, collusion between employers at source and destination points, mechanisms of wage payment and labour arrangements.

Migration is a complex phenomenon that holds the high promise of challenging age hierarchies and gender roles and promoting social mobility. But for a majority of the poor, it perpetuates social and political marginalization, deepens gender inequities and worsens economic vulnerabilities. In reality, for the men and women who move, it is mostly about survival, hardship and exploitation. *For their children, the loss of childhood and choices.*

3. Trends in the 90s

There exists a huge overlap between numbers in the unorganized sector, casual labour and employment-seeking rural migrants. Trends in the former three, which may well be used as a proxy for the latter and micro-regional studies^{1, 2, 4} suggest that -

- For rural out migration there was a definite increase in the western and eastern parts and probably an increase for India as a whole
- A rise in the share of casual workers overall is matched by a decline in the share of the self-employed
- Expanding informal sector absorbing migrants (irregular, temporary contracts, outsourcing)
- A surge in migration over the drought years of 1998-2001
- Most female migration is with families though single female migration increased in the 90s (sex trade, maid industry)

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Women and children of migrants

While the NSSO and the India Census do give some aggregate data on migration this needs to be supplemented by inferences based on data available on the unorganized sector as well as pointers to sector/location specific situations from micro studies. According to NSSO 1999-2000, India had a labour force of 37.4 crores of which 93% fall in the unorganized sector (34.7 crores) and *women constitute 26.5% of the total (9.21 crores).*

Given the data gaps on seasonal, frequent migrant workers, their children and the occupations within the unorganized sector that they are mostly absorbed into, certain assumptions (see Note on Methodology) based on poverty incidence, the proportion of migrants within the unorganized sector and woman/child ratios yield the following "guesstimates":

Number of migrant women workers: 3 crores

Number of migrant children: 6 crores

Number of migrant children 0-6 years: 3 crores

(18% of the 0-6 age group)

A higher estimate of women workers in the unorganized sector (12 crore estimated by FORCES), based on higher female labour participation rates and the same assumptions as above, increases the number of migrant children.

Census data (2001) reveals a decadal migration of 9.8 crore Indians between 1991 and 2000, 7.4 crore of whom migrated from rural areas. Children between the ages of 0-9 years constitute 7.8% of the total. We can infer that for the 0-9 age group the decadal number of rural-to-rural and rural-to-urban moving children was 57 lakhs.

4. Impact of migration on wages, work and women

NSSO data clearly indicates a close correspondence between sector, type of employment and sex of the worker, on the one hand, and the incidence of illiteracy and poverty on the other⁴. Agricultural workers, casual workers (across sectors) and women form *the bottom most rung*.

The unorganized sector in general and the sectors/occupations absorbing migrant workers in particular are characterized by the following:

- Most migrant workers do not get minimum wages
- Late/non/under payment is a regular feature. Since work is scarce and irregular and migrants have no power of redress, they prefer a reliable, if exploitative, contractor
- Typically, women are paid lesser wages compared to male workers. Women in the unorganized sector get, on average, 2/3rds the wage given to men
- Little bargaining power, poor representation and no social security
- Increase in debt burden and erosion of household assets (even if income is higher so are consumption costs at destinations (food, fuel); selling assets to finance the move)
- Increase in sexual exploitation
- Constant movement that leads to loss of local networks
- For women - more casual work, deepening poverty, no skills, no childcare services
- Illiteracy, low skills and harsh working conditions
- Steady deterioration in the quality of life (shanties, no water, no toilets, etc.)

NSSO 1999-2000 data indicates that *women's employment situation is worse than men's* in several respects⁵: more women in casual wage work (42% women, 31% men); less work available (women - 4.3 days of work/week, men - 4.7 days/week). For the typical woman worker there is no job security, no maternity support and no childcare. Add to that the threat of sexual exploitation and for the migrant, constant movement. This has a direct bearing on the lives of her children.

5. Impact of frequent migration on children

The only constant in the life of the migrant child is the movement – new places and new faces, every few months. An itinerant life across rural/urban landscapes, the lack of a social support system or institutional care, overcrowded living quarters, lack of clean drinking water and sanitation, co-existence with adult populations and the burden of household chores take a toll on the children. In addition, the access to health and education services becomes virtually impossible. For the migrant child in such circumstances, *survival itself is a miracle*. Development is quite another matter.

Young Child under 6 years - The sharpest and most obvious impact of this environment is on the young child. The strain on young children is substantial, and the infant mortality rate among migrant groups is likely to be unusually high⁷. The movement and work conditions of her parents, particularly the mother, deprives her of breast feeding, complete immunizations and exposes her to early infections, malnutrition, stunted physical growth and delayed developmental milestones.

Nutrition – On construction sites, nutrition is poor, often just *rotis*, onions and red chillies - or rice and *dal*, cooked once a day. A baby's system does not know how to cope with such a diet. A TRU study¹ (Trust for Reaching the Unreached), 1998, showed that 53% of the under-fives were malnourished (26.5% severely) and infants were born as low birth weight babies.

Health - Childhood ailments, like waterborne diseases and complications from secondary infections, are common. Dust, exposure to the elements and enteric infections take their toll and many succumb. Research also shows that girls are less likely to receive medical care during critical illnesses than are boys⁷. Access to healthcare is difficult and intermittent.

"At a stone quarry in Kota, Rajasthan, over 400 men and women, *Bhil* migrants from Madhya Pradesh, are engaged in different tasks: machine-cutting the upper layer of stones, chiseling stones and slabs to the right shape and size, loading, transporting, collecting and carrying waste stone. The *munshi* pays them 2/3rds of the daily wage demanded at the city *nakas*. He demands near impossible working rates and forbids rest breaks. Women head-loading broken stones are expected to carry 400 head-loads a day. If they fail to meet the target their wages are reduced. *Young children sit and play unattended among the rubble and rocks.*"¹

Pre-school - No opportunity for pre-school education exists for migrants, except for a few NGO-run Balwadis and the ICDS. Pre-schooling is well understood as the first

rung of the educational ladder and a preparation for formal schooling. In its absence, the children of migrants are severely disadvantaged and cannot access their Right to Education.

Education - With constant movement, children's health and whatever chances they may have of a little education suffer greatly. Schooling is disrupted and older children end up working or looking after younger ones. School enrolment and attendance have been found to be low in source areas³. Between sibling care, home chores, wage work and the constant movement, there is hardly any opportunity for school, fun or friendships.

Changing milieu - Poverty, exploitation, non-existent support systems and the constant changes are particularly threatening to children. Everything changes - diet, ways of entertainment, family relations and community, income and consumption, language and identity - which make the child more vulnerable and less equipped to deal with the harsh factors of marginal existence⁷.


The broad contours of the migrant child's life given above are drawn from regional micro-studies and ground interventions with children, women and workers on construction sites, brick kilns, salt-pans, sugarcane and paddy fields. This underscores the need for timely interventions and more adequate information on the scale and nature of the problem.

6. Implications for law, policy, programme

Families moving in search of work pose a challenge for developmental interventions. Any attempt to address the issues of this moving target effectively will require an improved understanding of the causes, trends, regional variations and demographics of work related migration and its consequences for families and children.

There are four ways of addressing the issue:

- Prevent migration (e.g. National Rural Employment Guarantee Act, 2005)
- Give migrants (or sectors with their concentration) a better deal (Inter-state Migrant Workers Act, The Construction Workers Act 1996, Welfare Boards etc., the proposed Unorganised Sector Workers Social Security Bill, 2005)
- Specifically target women workers, and hence, their children (National Maternity Benefit Scheme, Equal Remuneration Act)
- Directly target all children, with special emphasis on migrants (ICDS, Right to Education Bill, Rural Health Mission)



Conventional wisdom has looked at the “long-term” and favoured “prevention of migration”, through rural development, employment generation, land reforms, increased literacy, financial assistance etc. However, the present reality of the lives of migrant workers and their children cannot be ignored anymore. Specific strategies are needed to reach migrants and their children – *now*.

The starting point – on top of the agenda for the Consultation - is to critically examine the existing budgets, schemes and laws in order to amend and/or add new legislation to accommodate children of migrants. The light guiding the way forward, must, however be provided by the commitments made to children in the Constitution and Policy for Children 1974. The road map, therefore, must reflect a mix of the following:

- A Rights-based policy framework
- Long-term developmental strategies
- Coordinated interventions on the ground
- Immediate implementation of existing laws, policies, programmes
- *Fresh strategies , new legislations and additional provisions*

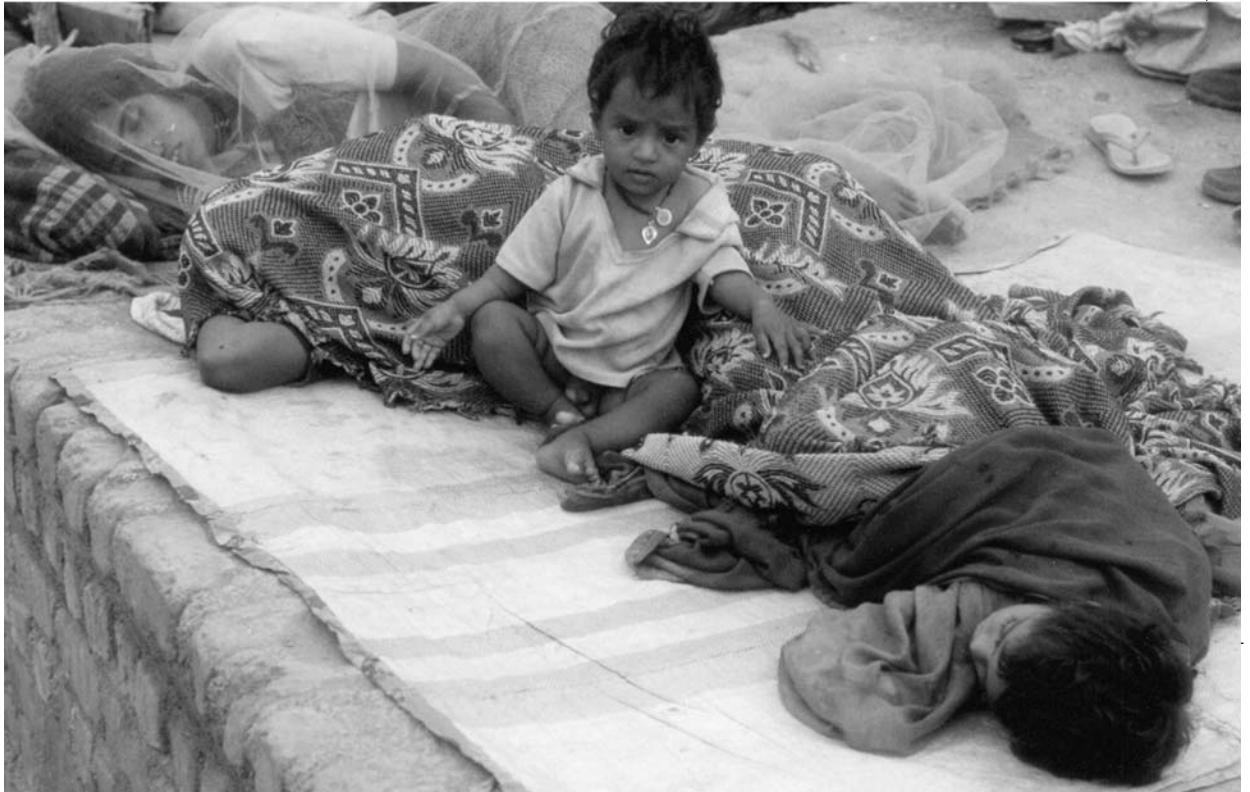
7. Conclusion

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It is evident from the above that children, especially young children of migrant workers, a politically marginal group, are *a vague and excluded category, missing in data, policy, strategy, laws and programmes*. The most recent and glaring example of this omission can be seen in the “National Commission for the Protection of Child Rights” Act, 2005. Among the children listed in need of special care and protection, under Clause 13, The Functions and Powers of Commission, the migrant child is again a missing category.

There is evidence and there is hope. But most of all, there is urgency - to sustain the momentum, work on multiple fronts and provide constant scrutiny of promises and processes addressing this issue. This Consultation with academia, demographers, trade unions, NGOs and activists, is one small step, towards *ensuring that such children do not fall through the cracks*, to once again jeopardize our development goals and the Constitutional vision of a fair and equitable society.

Migrant families on a railway platform



Gramin Vikas Trust, Bhopal, Madhya Pradesh

II. Executive Summary

Mobile Creches organized a Consultation on “Labour Mobility and Rights of Children” on March 2-3, 2006, in New Delhi. The goal was to analyse the migration issue from a gender and child perspective, look at the “big picture” of policies and programmes and place the emerging implications for children on the public agenda.

The objectives of the Consultation:

- To examine the socio-economic context of work seeking migration
- To identify the contours of the problem – trends, nature of work, wages
- To assess current status and implications of migration for young children
- To examine sectoral approaches and build a common understanding
- To recommend changes in law, policy and programme

To achieve these objectives it was necessary to look at the macro and micro dimensions of the issue. Since the focus was on “work-seeking, family migration” the experience of certain sectors on the ground, accounting for large-scale absorption of migrant workers, was specially sought out. Hence the spotlight on migrants working in construction, brick kilns, salt-pans, sugarcane cultivation and agriculture.

Day 1 of the Consultation focused on (i) the socio-economic determinants of migration; (ii) trends and demographic dimensions of migration as indicated by national data sets; (iii) findings of micro studies in specific industries/regions on conditions of migration and employment and its impact on families and children; (iv) grass root experiences in providing services to migrant workers and children.

The crisis in agriculture emerged as the main push-factor driving migration – increasing landlessness, lack of non-farm employment in the rural sector, declining investment in agriculture, displacement from village common lands and the growth of large scale, mechanized agriculture, and so on. Distress related and survival migration - of the short term, seasonal, cyclical, rural to rural and rural to urban variety - was growing.

While official statistics capture long term movements there was strong agreement over the complete inadequacy of the national data sets, the Census and National Sample Survey Organisation (NSSO), in measuring the seasonal/short term type of migration. The term ‘Migrant’ has to be redefined and additional queries included in the NSS and Census questionnaires to fill the gaps above. Inconsistencies between major macro trends need to be resolved, like those in the growth of rural employment,

rural population and rural migration. Information from official statistics, micro studies by research institutions and anecdotal evidence from grass root initiatives needed to be pooled to form the basis of credible data, the starting point for assessment, analysis and advocacy on any issue.


Macro trends in migration, according to the last Census, show a marginal increase in the percentage of migrants from 27.3 in 1991 to 28.1 in 2001. The long term Census trend, however, is of decline in migration. The other positive developments, as reflected in official statistics, in the past decade, include a decline in population growth rate and a decline in those below the official poverty line (although pockets of extreme poverty persist). On the negative side, there was an upward trend in unemployment (particularly rural areas), rural-urban disparities and family and female migration.

Trends related to children show a decline in child employment and an increase in school enrolment. Ironically, there is also an increase in the absolute number of “nowhere children”, who are neither in school nor in employment.

Sectoral perspectives across regions and industries drew a consistent picture of the conditions of migration and migrants’ work, life in destination sites and the situation of children. Research studies and NGO experience, of ground realities for migrant workers who migrate to work as agricultural, brick kiln, saltpan, sugarcane or construction workers, tell a grim tale. The informal sector that largely absorbs migrant labour, is marked by exploitative contractual work arrangements, harsh work conditions, non-implementation of labour laws and women at the lowest rungs of skills and wages where domestic work and the sex trade are the other options. Occupational multiplicity and the constant splitting up of families is the only means of survival for the workers.

All rights and entitlements to services are residence based. In urban areas, amid middle class hostility, migrants are seen as illegal, without voter cards or ration cards. We need migrant labour to build our “world class” cities, and yet, the idea that these people are not citizens has become stronger.

Children suffer gross neglect and pay a heavy price. A Mobile Crèches “guesstimate” places the number of “under-six migrant children” at 3 crores (refer Annexure 2). For the very young child, migration and migrants’ work makes exclusive breast feeding impossible, delays weaning, denies immunization and causes malnutrition, morbidity and even mortality. For the preschool child it blocks access to ICDS or other services for preschool, supplementary nutrition and health and compromises emotional and cognitive development. For the older child it denies or delays school-entry, interrupts schooling, causes dropouts and child labour, leads to emotional insecurity, denies a peer support network and increases chances of early marriage and sexual abuse.



Ground interventions by NGOs with migrant families yielded a rich variety of services, approaches and stakeholder profiles – crèche on work sites, healthcare, schools and hostels for children in source and destination areas, job information, legal aid, insurance services and skill upgradation for the workers, registration and identity issues for migrants as citizens and organizing industry specific workers to demand implementation of current laws and regulation of wages and employment. Two key learnings emerged from this exchange: intervention is needed in migration source areas *as well as* destination areas; there is an urgent need to work with a *range* of stakeholders, from the railway authorities and panchayats to the police and bureaucracy, to maximize “returns” for migrants.

Day 2 of the Consultation looked at (i) the policies, programmes and laws targeting migrants, women workers and children (not only of migrants); (ii) the gaps in design and implementation status of some of these; (iii) response from representatives of the government; (iv) recommendations to fill these gaps and strategies of action

The total non-implementation of labour laws for migrants was a source of great concern to all present. Laws that apply to industries that largely absorb migrant workers have seen very limited progress in terms of implementation, for instance the two Construction Workers Acts. This was seen in the political-economic context of the current globalization regime that poses a growing threat to the work and working conditions of the migrant worker in the informal sector while the issues of non-payment of minimum wages, bonded labour and contractual labour continue to go unheeded.

Maternity entitlements find little support as there is no understanding of the worker-woman-child continuum and, hence, of the dynamics between policies addressed to each of these separately. It is not on the agenda for trade unions and has no pride of place among government programmes and labour laws. Where laws exist and are availed of by women, the token monetary support and the late payments defeat the very purpose – timely support during delivery so the mother can take time off from work to rest, breastfeed the baby and feed herself.

Most programmes are designed for settled populations; flagship programmes for the young and school-going children (e.g. ICDS, SSA) are far from covering even those. The chronic neglect of the under-3s and the increase in “nowhere children” of the school-going age group prove the complete inadequacy of these largest of programmes, in terms of budgets, staff, training, infrastructure and flexibility, to address the needs of mobile populations. Creches at work places - as a critical enabler for the mother and a pre-requisite to health, overall development and education for the child – are an afterthought in legislations. If they are incorporated the budgets allocated are insufficient.

Representatives of government acknowledged the huge challenge of addressing issues of housing, social security, health, childcare and schooling for migrant workers and their families. They offered support on three fronts – mapping migration through existing MIS systems and identifying the hot-spots; using flexibilities under current programmes, adding new modules and facilitating access to extend reach to migrant children; inviting inputs into the 11th FYP process as well as a redesign of current programmes, from various Civil Society groups.

Recommendations from the Consultation, based on presentations by the panelists, open discussions and group work, highlighted five dimensions of the migration issue:

- **Mapping Migration:** Enhance national data collection and pool micro pieces of information from various sources to understand the scale/nature of migration
- **Identity & Entitlements:** Institution of Migrant Cells, registration and issuance of identity Cards; access to public services; cooperation between States/ Ministries/Departments.
- **Labour Laws:** Time-bound implementation of minimum wages, social security and maternity entitlements; industry specific new legislation with Tripartite Boards
- **Childcare Services:** At worksites/through ICDS; special cadre of childcare workers; adequate budgets under current schemes/new legislations; replace “schemes” with a “per child norm” to allow flexibility; minimum wages to the worker.
- **Education:** SSA to mainstream the migrant child; options like mobile schools, bridge courses, etc. for migrant children; enforcing the law against child marriage as necessary pre-conditions to educating girls; review of the mid-day meal scheme

The advocacy targets - for NGOs, networks, experts and activists – range from the Ministry of Statistics, research institutions and the Planning Commission to Panchayats, urban civic authorities, ministries and departments.

Future strategies of action:

- Setting up of a national network to advocate for the rights of migrant workers and their children
- Joining hands on the ground to facilitate migrants to access public services, less exploitative work conditions, decent living conditions and care/education for their children
- Seeking support for research on migration issues as well as the impact of agrarian policies and the globalization imperatives on the economy, its people and its children

Family labour at the brick kilns



India Sponsorship Committee, Pune, Maharashtra

III. Chairs, Panelists, Presenters

Context and Dimensions

Dr. Vandana Prasad, Advisor, Commissioners Right to Food; Convenor Jan Swasthya Abhiyan

Dr. Jayati Ghosh, Chairperson, Centre for Economic Studies & Planning, JNU

Prof. Rajni Palriwala, Department of Sociology, Delhi University

Prof. Amitabh Kundu, Dean, School of Social Sciences, JNU

Sectoral Experiences: Micro studies and action research - brick kiln, agriculture and construction

Dr. Amita Baviskar, Sociologist

Dr. Ruma Ghosh, Associate Fellow, V.V. Giri National Labour Institute

Dr. Narain Bannerjee, Hony. Director, Centre for Women's Development Studies

Mr. Subash Bhatnagar, National Coordinator, National Campaign Committee for Construction workers

Dr. Vandana Prasad

Interventions on the Ground: Facilitation and information services for migrants, childcare/education for the children - saltpans, sugarcane, brick kiln, construction

Ms. Tripti Trivedi, Self Employed Women's Association, Ahmedabad, Gujrat

Dr. T. Henry Mohan Raj, Gramin Vikas Trust, Bhopal, Madhya Pradesh

Mr. Pravin Mahajan, Janarth, Aurangabad, Maharashtra

Ms. Audrey Ferreira, India Sponsorship Committee, Pune, Maharashtra

Ms. Bhagyalakshmi, Mobile Creches, Delhi

Mr. Thaneshwar Adigaur, Nirman Mazdoor Panchayat Sangam, Delhi

Mr. Ashok Shrimali, SETU, Ahmedabad, Gujrat

Mr. Pramod Kishore Acharya, Committee for Legal Aid to Poor (CLAP), Orissa

Law, Policy, Programmes: Status and gaps

Prof. Babu Matthew, Country Director, Action Aid India

Ms. Mina Swaminathan, Advisor, Education Communication and Gender,
M.S. Swaminathan Research Foundation

Ms. R.Geetha, Additional Secretary, Nirman Mazdoor Panchayat Sangam



Strategies and Recommendations:

Group work, government response

Ms. Amarjeet Kaur, General Secretary, AITUC

Mr. Dhir Jhingran, Director, Department of Elementary Education & Literacy (Ministry
Human Resource Development)

Ms. Rashmi Singh, Joint Director (Programme), Department Of Social Welfare

Fisherwomen and children in temporary dwellings



SETU, Gujarat

IV. Consultation Day 1

1. Introduction

Ms. Mridula Bajaj, Executive Director of Mobile Creches, opened the Consultation with a warm welcome to the participants. She stated that the purpose of the Consultation was to put the spotlight on issues surrounding the Migrant Child within the larger issue of workers and their families moving in search of work. The Consultation was intended to look at the many dimensions of the problem, to examine what policies were in place for the migrant child and identify what further needed to be done.

Dr. Jayati Ghosh, Chairperson of the Centre for Economic Studies and Planning at the Jawaharlal Nehru University, chaired the first session and emphasized the need to bring the migration issue on to the public agenda.

Dr. Vandana Prasad, Consultant to Mobile Creches, set the stage for the main presentation with references to the Mobile Creches experience in the last 36 years and all it has learnt about the roots of migration and its consequences for children. However, today, it was critical to pool common experiences, assess the macro dimensions, analyse it from a gender perspective, address the data and research gaps and look beyond piecemeal schemes and programmes to devise strategies for action.

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2. Migration - Context, Socio-Economic Determinants and Impact

Sociologist, Dr. Rajni Paliwala, who teaches at the University of Delhi, established the context of migration, its socio-economic determinants and its impact. She outlined the various types of short and long-term migration and noted the complete inadequacy of the Census in measuring the seasonal/cyclical type of movement. She observed that the focus of the present consultation was family migration. *The main push-factor was the agrarian crisis* fueled by decline in state investment in agriculture, displacement from village common lands and the growth of new, large scale, mechanized agriculture. The decline in the incomes of small peasants has in turn impacted local economies. Rural unemployment and landlessness are growing and labourers, small peasants and artisans are adding to the ranks - increasing distress migration and survival migration.

Men who have lost their livelihoods and resources back home enter insecure low paid work in destination areas. Women enter at the lowest ends of the informal labour markets, with growth areas being sectors like domestic work and the sex trade. Children are left to fend for themselves on unsafe migrant sites while parents work long hours to eke out a living. Adolescent girls are frequently pushed into early marriage as a response to the physical insecurity of being left behind in the village or life on temporary worksites.

Within urban areas migration occurs in a political and social context where middle class rights take precedence and poor migrants are seen as illegal. They do not get voter cards or ration cards. Hostility to migrants is growing and the idea that these people are not citizens has become stronger.

Dr. Jayati Ghosh in her concluding remarks commented on the clear links between the agrarian crisis, the dramatic rise in landlessness and the decline in absolute calorie consumption levels especially of the bottom 40% of the population. The absolute calorie consumption has come down in recent years. She also pointed to inconsistencies in official data: NSS finds rural employment has been growing at 0.6% per year while the rural population has been growing at 1.8%. And yet the NSS aggregate and Census data show a decline in rural migration leading to problems in accurate assessment of the ground reality.

Dr Ghosh made a significant observation that *all rights and entitlements are immobile and residence based*. This needs to be rectified to ensure rights for migrants and their children.

3. Statistical Dimensions of Migration

Prof. Amitabh Kundu of the School of Social Sciences, Jawaharlal Nehru University, spoke on "Dimensions of the Problem of Migration – with special reference to seasonal migrants – disaggregated by sex, age and sector". It was vital for those working at the grassroots to understand the macro dimensions of the problem and to use credible data to support advocacy campaigns. The Census and National Sample Survey data do not adequately capture the problem of migration, particularly the short-term movements of the poor looking for work and survival. He pointed out that the definition of "migrant" is inadequate and there is need to lobby strongly to get migration issues included in NSS and census questionnaires.

Prof. Kundu went on to provide a macro overview of the many dimensions of population growth, children in different age groups, child labour and migration, while identifying the data gaps and difficulties in temporal comparison. He noted some *positive developments* in the past 10-15 years, including a decline in the population growth rate (to under 2%), which means a decline in the growth rate of

children; a small decline in child employment rates (down to 0.5% for the 5-9 age group and to 0.8% for the 10-14 group); an increase in school enrolment and in the average number of years spent in school (from 3.7 to 4.4 years); and a decline in those below the official poverty line, although he noted that extreme poverty persists in some pockets.

The negative developments are a record rise in unemployment, particularly in the rural areas; increase in rural urban disparities in the nineties; increase in the absolute number of nowhere children, who are neither in school nor in employment, from 92 million in 1991 to about 100 million in the 2001 Census; increase in family and female migration; decline in rural urban migration due to hostile urban attitudes; and a process of pushing poor migrants to the undeveloped peripheral areas of cities.

Census says migration is declining The latest Census and NSS figures show a slow down in permanent or long-term rural-urban migration rates. For the population as a whole, the last Census had shown a slight increase in the percentage of migrants from 27.3% in 1991 to 28.1% in 2001. The long term Census trend however is one of declining migration, despite increasing inter-regional inequalities. Census figures over the past four decades suggest a trend of decline in male migration. The percentage of male migrants (whose mobility is attributed to economic factors) has declined from 37.5 per cent in 1961 to 31.2 percent in 2001, although there was a slight increase in the figure between 1991 and 2001. Correspondingly, the figures for interstate and intercensal migrants too have declined over the period, as may be seen in Table 1. The percentage of female migrants too has declined but at a slower rate as this is determined largely by socio-cultural factors.

Table 1: Pattern of Internal Migration for Males in Urban India, 1961-91*

	1961	1971	1981	1991	2001
Urban Male Population	42.8	58.7	84.9	114.9	150.5
Urban Male Migrants					
A. All	16.1	19.7	27.1	29.6	47.0
	(37.5)	(33.6)	(32.4)	(26.0)	(31.2)
A1. Interstate	5.3	6.6	8.4	9.1	15.3
	(12.3)	(11.2)	(10.0)	(8.0)	(10.2)
B. Intercensal	10.2	10.8	14.1	13.3	17.7
	(23.8)	(18.5)	(16.9)	(11.7)	(11.7)
B1. Intercensal interstate	3.4	3.3	3.7	3.7	6.2
	(7.9)	(5.6)	(4.4)	(3.3)	(4.1)

*Figures in brackets are percentages

Source: Prof. Amitabh Kundu, JNU

In his concluding remarks, Professor Kundu stressed the need for migrant friendly policy measures. During discussions that followed, it was concluded that to measure migration three kinds of information could be looked at: official statistics, findings of micro studies by research institutions and anecdotal, qualitative evidence.

4. Sectoral Experiences

Academician, Dr. Amita Baviskar, chaired the session dedicated to Sectoral experiences comprising migration for work in brick kilns, agriculture and construction. All three presenters lamented the gaps in aggregate official statistics, the exploitative conditions of employment, the gross neglect of children and the total non-implementation of labour laws. Given the scale and diverse nature of the problem they recommended industry specific solutions.


Brick Kiln Workers

Dr. Ruma Ghosh, Associate Fellow, V.V. G. National Labour Institute reported on her study on brick kilns in Uttar Pradesh.

How many brick kiln workers? According to the All India Brick Kilns and Tiles Manufacturers' Federation, India has about 50,000 brick kilns, each employing on an average 100 male workers. This implies 5 million male workers. Only male workers are registered on the muster rolls of the employers and only they are counted. This estimate does not include family labour by women and children. If one includes family labour, estimating that there are three workers per family including the adult male, it works out to 15 million workers in the industry. However, the National Commission on Rural Labour estimated that in 1991 there were about one million workers in this industry.

Source: Dr Ruma Ghosh, V.V.G. National Labour Institute

Brick kilns constitute a low technology industry and are the second largest employer of migrant labour, next to construction. Occupational multiplicity is the only means of survival for the workers of this seasonal industry. Brick kiln workers are virtually bonded labour; employment is through contractors; piece rate wages are exploitative. Living conditions are poor; there is no safe drinking water or sanitation. The hunt for cheaper labour has increased the distance between the areas the migrant workers are sourced from and the destination where work is available. Some 45% of the households surveyed comprised children below 14 years, with no provision for crèches and schools. Most of the children were illiterate.



In contrast to official data micro studies show a sharp increase in population mobility. Many labour laws apply to the brick kiln industry but none are implemented. Dr. Ghosh advocated a separate legislation and a labour welfare fund for the brick-kiln industry.

Agricultural Workers

Mr. Narain Bannerjee, Honorary Director of the Centre for Women's Development Studies, presented a micro study that drew a vivid picture of the plight of rural migrants in West Bengal. Migrants, including the Santhal tribals, migrate up to four times a year to Burdwan district to transplant and harvest paddy in rich farmers' fields. They travel long distances in overcrowded buses, live in rough shelters and carry suckling babies to the fields where they hang in improvised cradles.

Migrant children are not allowed to play with local children or to attend the local primary schools or ICDS centres. Older children's schooling is disrupted and they drop out to work in the fields. In source districts surveyed 45% men and women were migrants and half the families nuclear. Decisions regarding which family members to take along and who to leave behind are complex. This splitting up of families and the constant illnesses at either end are major sources of vulnerability for the families.

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Construction Workers

Mr. Subhash Bhatnagar, National Coordinator of the National Campaign Committee for Construction Labour, traced the history of the construction workers' movement and pointed out the multi-layered character of the industry that obscured the presence of the principal employer. He demanded immediate implementation of the Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the accompanying Cess Act, now functional only in eight states. Welfare Boards are bureaucratic and cess collection sluggish. Commenting on the Act itself, he said, if the Boards are entrusted with regulation of employment, migration can be organised from Board to Board.

Dr. Vandana Prasad presented findings from a Micro Study of children at Construction Sites in Delhi. The study showed the high mobility of workers where the average length of stay, of a child at a Mobile Crèches centre, was four months.

Migration affects children in various ways, depending on the age group: for *the very young child*, it makes exclusive breast feeding almost impossible, delays weaning, denies immunization, causes malnutrition, morbidity and even mortality; for *the preschool child* it blocks access to ICDS or other services for preschool, supplementary nutrition and health, it compromises emotional and cognitive development; for *the older child* it denies or delays school entry, causes dropout and child labour, leads to emotional insecurity, denies a peer support network and increases chances of early marriage and sexual abuse.

5. Interventions on the Ground

A Poster Exhibition laid out by the participating grass root organizations, communicated through graphs and photographs, the nature and scope of their interventions with seasonal migrants. This was followed by a panel discussion which reflected the variety and energy of ground interventions and complemented the emerging picture from micro studies and action research.

These interventions revealed the *need to work on multiple fronts*:

- Services for children - creches, schools, hostels
- Health services for families, like mobile clinics
- Information and legal aid services
- Skill-upgradation and identity documents for migrants
- Record keeping for mapping of migration
- Organizing workers to regulate wages, employment, social security

Salt pans - Ms. Tripti Trivedi of SEWA presented the organisation's experiences of providing services for seasonal saltpan workers and their children on remote sites in the Little Rann of Kutch. The interventions included childcare centres, mobile medical vans, school admissions, insurance and rations. A PIL has ensured that the cess collected from the salt industry is used for basic facilities to workers and their families.

Sugarcane - Mr. Pravin Mahajan of Janarth described the experiment of running fulltime schools for children of seasonal sugarcane workers in Maharashtra. Some five lakh workers migrate to the cane factories from the state's dry districts. Two lakh children accompany the migrant workers. Janarth has set up schools near factory premises/worker settlements that run eight months a year. Children are encouraged to re-enroll in the village school when they go back.

Migrant services - Dr. Henry Mohan Raj of the Grameen Vikas Trust, Madhya Pradesh described their programme for *Bhil* tribals migrating to Gujarat. Palayan Sewa Kendras (PSKs) are set up to facilitate migration by working at the village level, transit points and destination points. PSKs work to prevent harassment during migration, give loans, provide information on job availability, facilitate issuance of identity cards, keep employment record books, ensure registration by Gram Panchayats and so on - in partnership with NGOs in the destination state.

Legal aid - Mr. Pramode Kishore Acharya of the Committee for Legal Aid to the Poor (CLAP), Orissa described their attempts to provide legal and pediatric services.

Table 2: Migration in Gujarat

Sector	Families	Sector	Children (alone)
Sugarcane cutting	1 - 1.5 lakh	Cottonseed manufacture	30,000
Construction Industry	1 lakh	Sari folding in Surat	10,000
Fishing/Fish Processing	13,000	Jari work	6,000
Salt Manufacture	65,000	Fishing/Fish processing	5,000
Brick manufacture	40,000	<i>Source: Setu, Centre for Social Knowledge and Action, Ahmedabad</i>	
Other manufacturing	50,000		
Ceramic/ Roof tiles	20,000		
Quarries/Marble mining	10,000		
Charcoal making	20,000		

Seasonal hostels - Mr. Ashok Shrimali of SETU talked of seasonal hostels that are set up in empty houses in the home villages when parents migrate, to enable children to stay back and study. The impromptu hostels are run in empty homes of migrants in the source villages. Coaching classes are also organized for the children.

Brick kilns - Ms. Audrey Ferreira of the India Sponsorship Committee, Pune, described its work in running balwadis for children of brick kiln workers, enrolling older children in Pune schools and providing afternoon support classes. The return to village schools is tracked by sending through the child a postcard to the village school principal, with the request that it be mailed to the organization once the child is re-enrolled.

Construction - Ms. Bhaygyalakshmi of Mobile Crèches described the challenges of setting up temporary crèches on construction sites and reaching nutrition, healthcare, non-formal education and other services to infants, toddlers and older children. She also spoke of the effort involved in working out partnerships with contractors on various patterns at each site. She stressed the importance of working on the issue of migrants on multiple fronts - unions, the Construction Workers Welfare Board, health services etc.

Mr. Thaneshwar Adigaur of the Nirman Mazdoor Panchayat Sangam (NMPS) spoke about organising construction workers and the campaign to implement the current law to provide social security to construction workers and their families nationwide.

The key learnings that emerged during the discussion were: intervention is needed at *source areas and destination areas* of migration; there is a *range of stakeholders*, from the railway authorities to the police and the bureaucracy, that need to be taken into account.

Life in the salt pans



SEWA, Ahmedabad, Gujarat

V. Consultation Day 2

1. Law, Policy, Programme – Status and Gaps

Ms. Mina Swaminathan spoke on Law, Policy, Programme vis-a-vis Migrant Workers and their Children – Status and Gaps.

She observed that *most laws for migrants have never been implemented*, for instance, the Contract Labour Act, 1970 and the Inter State Migrant Workers Act, 1979. The Construction Workers Acts, 1996, she noted, include several improvements such as the Welfare Boards and the collection of Cess to fund social security.

Ms. Alka Mehta of the Migrant Workers Development Trust, further supporting the observations on the neglect of labour issues, said that minimum standards laid down 50 years ago by ILO's Convention No.102 were yet to be implemented.

Connecting labour issues with those of women and children, Ms. Swaminathan drew attention to the provision of crèches for children under the recently passed National Rural Employment Guarantee Act. The stipulation for a crèche, wherever 5 or more women are employed, has opened up an opportunity for reaching migrants. However, lobbying would be required to ensure that a proper budget is allocated to ensure basic entitlements to young children.

Among programmes directly addressing children, all schemes were planned with settled populations in mind and they would need to be revised to be able to include migrant children. The Midday Meal Scheme was due for a review. ICDS, needed to put its house in order to tackle issues of coverage, infrastructure, training, etc. There should be a qualitative change, with ICDS workers doing outreach to migrants living in remote sites and to cover the under-threes as well. The recently revised Rajiv Gandhi Scheme for Creches for Working and Ailing Mothers, Ms. Swaminathan regretted, was a poor scheme that continues to provide too little food for children and below minimum-wage salaries for the staff.

Prof. Babu Matthew, Executive Director, Action Aid, advised the group to strengthen its sectoral work because the problem of the uncared for child will be aggravated in the near future, as the conditions of excluded sections of the population worsens. He said the worst plunder of people's lands and forests is going on now and dispossessed communities like the tribals are being brutally suppressed. The market mechanism and the principle of labour flexibility are being used to peripheralise the workforce. Sectoral alliance building around issues such as child rights is needed from which a larger alliance of the marginalized could rise.

Ms. R. Geetha of the Nirman Mazdoor Panchayat Sangam, spoke on her prolonged struggles to organise migrants in the construction sector as well as other unorganised workers. The Rules to the Welfare Acts for construction workers do not even mention childcare! Trade unions rarely take up the crèche issue. There are no crèches on sites and no education for children. Issues which remain unaddressed are maternity entitlements, non-payment of minimum wages, bonded labour and contract labour. She demanded that governments lead the way by stopping employment of children on their sites and ensuring payment of minimum wages.

Raising another issue Ms. Geetha pointed out that the globalization regime would further threaten the work and working conditions of the construction worker. Invitation of global tenders and use of mechanized processes and pre-fabricated materials would diminish employment opportunities, drive wages down and bring distress migration in its wake. A comprehensive law to address issues for the Unorganised Sector through Tripartite Boards was the need of the hour.

2. Law, Policy, Programme – Government Response

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The second session of the day was devoted to Group Work. The two groups formulated and presented Recommendations on Policies, Laws, Programmes and Schemes for Migrant Labourers and their Children. The groups made a presentation to the House which set the stage for the final session chaired by Ms. Amarjeet Kaur, General Secretary, AITUC.

The final session was designed to elicit responses from representatives of government. Mr. Dhir Jhingran, representing the Department of Elementary Education and Literacy, Union Ministry of Human Resource Development and Ms. Rashmi Singh, Joint Director (Programme), Delhi Government provided information on the respective approaches of their departments to the challenges posed by migration.

Mr. Jhingran admitted that government programmes including the Sarva Shiksha Abhiyan (SSA) do not provide adequate services to the migrant child. Recently the Ministry held the first national meeting on the migrant child and education. The state governments were told that since the SSA goal is universalisation of primary education they had to take responsibility for educating migrant children. They were asked to map migration in the current year. He said there is need to scrutinize the district education plans of 14 states and 82 districts, which have high migration.

He agreed that there is a lot to be done, concurrently and at multiple levels to ensure access to and continuity of education: more schools at destination sites, admission to regular schools; appropriate medium of instruction; migration/inter-state certificates that are recognised by schools. Mr. Jhingran also recommended

that those working with *migrant children use the flexible Alternative and Innovative Education scheme*. The Ministry's thrust, however, is that children be mainstreamed in regular schools.

Ms. Rashmi Singh said the migration problem in Delhi is gigantic. Besides running shelter homes for homeless children, the Government works with women and children through the Bhagidari and Stree Shakti programmes. NGOs are involved in the process. There are 3842 ICDS centres in Delhi and recently 526 new centres have been sanctioned. The Government is *inviting partnership with voluntary organizations* to run the centres.

On being asked about how ICDS could respond to the issue of coverage of migrant children in Delhi, she said that this had not been considered. She asked for inputs from Mobile Creches and other NGOs to feed into the Delhi Government's recommendations on ICDS to the Planning Commission for the Eleventh Plan.

Ms. Amarjit Kaur referred to the trade unions' petition to the Petitions Committee of Parliament demanding universalisation of ICDS, regularization of anganwadi workers and provision of full-time centres. She regretted the neglect of the 0-3 age group.

Mr. Jhingran critiqued the ICDS as a giant programme run with inadequate funds and skeletal staff, burdened with multiple tasks. In contrast, SSA spends 6% of its budget on administrative costs and has a huge administrative structure.

In the discussion that followed, several experts asked for a *drastic redesign of the vision and structure of ICDS*. It was suggested that the Labour and Education Departments work together - the first to ensure that crèches are set up and the second to provide the relevant educational inputs. It was also pointed out that the states need to work with each other on migration issues.

In her concluding remarks Ms. Swaminathan dwelt on issues of *visibility and identity for the migrants*. This required influencing the media, the middle class and the policymakers. Besides, rights need to be communicated to the migrants themselves. She made a strong case for an alliance or network to be a strong force for action. Groups could share their expertise and jointly work for the rights of migrants. She invited the group to send in ideas for a paper critiquing ICDS and other schemes for children, which could be used while making recommendations for the Eleventh Plan.

3. Issues of Concern

The discussions over the two days drew a grim picture of the conditions of migration and migrants' work, life in destination sites and the consequences of this itinerant life for children. Above all, the consultation underscored the need to *recognise migrants and their children as citizens with rights*, to implement labour laws, especially those relating to childcare and maternity support, and to ensure that ongoing programmes and public services reach the migrant families.

Numbers do not capture – There is a huge gap in data on migrants. National data sets, the Census and the National Sample Survey, are inadequate in assessing the problem, with serious consequences for planning and execution of programmes to deal with it. Research studies are micro in nature and qualitative data from NGOs lack the credibility of official statistics as the basis for policy recommendations. There are, as a result, serious gaps in research and analysis on the status of the migrant child: the scale of the problem, nutrition, health and education status, extent of child labour, mortality and morbidity among migrants, etc. Migrant children may well be a big part of the increasing “nowhere children” who are neither in school nor in labour.

Labour laws do not work – India has the largest number of labour laws in the world, but they do not work, especially for migrants. The Contract Labour Act, 1970 and the revised Inter State Migrant Workers Act of 1979 were never implemented. Even on plantations, where most workers are contract workers, crèches or other benefits are not provided to them.

Maternity entitlements do not count – Trade Unions do not fight for them and Welfare Boards, where they exist and function, for instance for construction workers in Tamil Nadu, give the money months or even a year after delivery. Women workers invariably get into debt, at the time of childbirth, when they most need support.

ICDS and Health Services do not cover – The flagship programme for the Young Child works largely as a food distribution centre and caters only to the 3-6 age group of settled populations. The ICDS is lacking in flexibility, adequate funds, staff and infrastructure. To extend its reach to the migrant young child it needs all of these. In contrast, SSA spends six percent of its budget on administrative costs and has a huge administrative machinery to back it up. Also, a crumbling public health infrastructure has no energy to reach out to migrant populations.

Education does not deliver – For the school-going migrant child, the choices are child labour, sibling care, domestic work, sex trade or early marriage – not schooling. Introducing parallel, low quality schooling options for migrant children through the Sarva Shiksha Abhiyan can only be a temporary solution.

4. Recommendations on Law, Policy and Programme

A key learning of the consultation was that an entire range of stakeholders has to be involved in mapping migration, a mix of rural development strategies for abating the “push factor”, direct intervention at source/destination points for facilitating access to employment and services, and cooperation between states, ministries and departments for convergence and coverage.

- i. **Mapping Migration:** To understand the scale/nature of work seeking migration, it is necessary to enhance national data collection and pool information from official statistics, findings of micro studies by research institutions and qualitative data from NGOs. This will lend visibility to the migrant, help identify areas of high migration and throw light on the reasons and conditions of migration.
 - a) *Redefine migration in official statistics* – Include specific questions on migration in the NSS and Census questionnaires to get details on seasonal, inter/intra-state, rural to rural and rural to urban migration.
 - b) *Other sources of information* – Pool in information from panchayats, railway authorities, ministries and departments (e.g. district wise data on out-of-school children from SSA), worksites, micro studies on groups of migrant workers, industries that employ them, etc.
- ii. **Identity and Entitlements:** All programmes and the planning for it caters to settled populations. We need to recognize the migrants as citizens and make all rights and entitlements correspond to the individual, not to the residence. This calls for cooperation between States, Ministries (e.g. Labour, Health, Education, Panchayati Raj), civic authorities and Departments.
 - a) *Institution of Migrant Cells* – Register migrants at source and destination and issue Identity Cards (employers, Tripartite Boards, government authorities). Assign Panchayat/block level officials, Labour Welfare and Minimum Wage Officers to the Migrant Cell.
 - b) *Access to Public Services* – Identity cards will ensure access to the ICDS, PDS, public health care centres, childcare at workplaces and schools, cheap housing and ensure the right to vote.
 - c) *Extension and outreach modules* – Campaigns and schemes for children, such as SSA, ICDS and the Rajiv Gandhi Creche Scheme, should have an “outreach variant” to ensure care, health and education for the Migrant Child.
 - d) *Inter-state coordination committees* – To help in the mapping, resolve disputes of access and identity and protect migrants from harassment by the police.

iii. **Labour Laws:** Laws must be implemented to provide minimum wages, basic social security and maternity entitlements, for instance, in the construction industry which takes in the largest number of migrant workers.

- a) *Time-bound implementation* of the Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the accompanying Cess Act – Rules, Boards, Cess collection, Worker registration, etc. Boards can regulate employment, facilitate Board to Board migration of workers and timely entitlements to the workers.
- b) *The National Maternity Benefit Scheme* - Revise the financial support based on the ILO norm of 100 days' wages as maternity entitlement and facilitate easy and timely access to entitlements.
- c) *New Legislation:*
 - *Unorganised Sector Workers Act* – With Tripartite Sectoral Boards that can regulate employment and ensure a fair wage, provide dispute resolution mechanisms, migrant labour cells and social security, including entitlements to childcare, education, and housing and health services for workers and their families. A cess/levy at every level of the industry (production and distribution) and 3% of the budget set aside by the government to fund social security.
 - *Industry specific legislation* – For brick kilns and others as per recommendations of a government appointed Tripartite Committee in 1984. This industry also needs to be brought under the purview of labour welfare funds of the Government of India on the lines of funds for beedi, mica and others.

iv. **Childcare:** With childcare services to the migrant child – at worksites or through outreach by ICDS - the mother can work, the older sibling can be released for schooling and the young child can get the care required for survival and healthy development.

- a. *Crèches/Early Childhood Care & Education at work places* – Legal provisions to be made/enforced to ensure mother-child proximity for breastfeeding, norms for adequate time off for nursing mothers, weaning foods, immunisation, ECCE, etc. (e.g. under Contract Labour Act, Construction Workers Act).
- b. *Development of a special cadre of childcare workers/teachers* – A specially trained cadre will be needed for quick response and to cope with mixed-group-short-timeframe situation of migrant children.
- c. *Rajiv Gandhi Crèche Scheme* – Allocation of adequate funds for wider coverage of children, payment of minimum wages to the worker and a replacement of the schematic pattern by a "per child norm" to allow flexibility in usage, to suit local conditions of work and childcare needs.

- d. *ICDS* - The vision of ICDS has to change from being a mere nutrition delivery programme to a holistic programme of care and education of the young child. The entire programme needs to be redesigned:
- Universalisation as per Supreme Court orders
 - A model daycare programme for the under-3s to provide fulltime daycare, including nutrition, immunisation, healthcare and ECE to the migrant child
 - Regularisation of and minimum wages to the AWWs
- e. *Budgeting for Creches under the National Rural Employment Guarantee Act* - The Rules under NREGA require that there be a crèche for every five women employed on a worksite. One woman is to be employed (at the same wages as the others) for childcare. A proper budget will be required to provide shelter, food 3-4 times a day for the under-threes, water, training of crèche workers, etc.
- v. **Education:** Mainstreaming the child into the formal school system must be the ultimate goal. Alternative models are a stop-gap and outreach variants work only if the fundamentals are in place. Bringing the migrant child *within* the ambit of the SSA or instituting specific schemes for her must be with a view to strengthening access, quality and continuity of education.
- a) *The Alternative and Innovative Education* scheme is flexible and could be used to provide this coverage and support to ECCE/crèches
- b) *Education options* for migrant children are mobile schools, mobile teachers, bridge courses, summer camps, residential schools as under the Delhi School Education Act and hostels as under the Department of Education. Flexible school admissions, issuance of certificates and equipping schools to receive returning children are necessary enablers.
- c) *Girl Child* - Older girls migrate with the parents to look after the young ones. If left behind marriage is considered a safe way out. Enforcing the law against child marriage *and* providing safe schooling options are necessary pre-conditions to educating girls.
- d) *Appropriate medium of instruction in receiving states* implies hiring the right teachers and getting the right textbooks.
- e) *No child labour* – As a first step, a focused campaign to root out child labour on government sites
- f) *Midday Meal Scheme* - A comprehensive study to review effectiveness and coverage.

5. Strategies for Action

At the conclusion of the 2-day Consultation the participants went away with a clearer understanding of the challenge at hand. The recommendations based on this understanding will remain a wish list unless we translate that understanding into clear strategies of action – for grass root NGOs, networks, academia, experts and activists – to advocate with specific targets for specific outcomes.

Advocacy Targets

- a) Ministry of Statistics, the Central Statistical Organizations, leading research institutions - to ensure more/better data, micro studies and surveys
- b) All stakeholders – from Panchayats to urban civic authorities – to ensure structures and mechanisms to confer identity, visibility and citizenship to migrants
- c) Union and state ministries and departments - to ensure that they prioritise migrants in their plans and programmes.
- d) Planning Commission – to translate “declared intent” into budget allocations under the 11th Five Year Plan

Actions by Civil Society

- a) Set up a National Alliance/Network to advocate the rights of migrants
- b) Build alliances between NGOs across states to facilitate safe migration and decent working/living conditions and care/education for the children
- c) Promote Migrant Service Centres at the grassroots
- d) Use the media as a major tool for advocacy
- e) Seek support for research on the impact of globalization on migration and the consequences of prolonged government neglect of the agricultural sector on the economy and its people

It needs to be emphasized, again, that children of migrant workers are a vague and excluded category, missing in strategy discussions, programmes, laws and policies. There is some hope, however, based on the current momentum built up by the Supreme Court judgment on food security related schemes and the NREG Act. We need to capitalize on this to open up the issue of children of migrant workers, firmly find a space for them in policy and programme, and strengthen our collective efforts to prevent such children from falling through the cracks, to once again jeopardize our development goals and the vision of a fair and equitable society.

Annexure 1

Background Note – References and notes

References:

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2. S. Sundari: *"Migration as livelihood strategy: A gender perspective"*. EPW, May 28, 2005
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4. Ajit K. Ghose: *"The employment challenge in India"*, EPW, November 27, 2004
5. A. Narayanamoorthy: *"State of India's farmers"*, EPW, February 11, 2006
6. Sandbergen Loes Schenk (ed.) 1995, *"Women and seasonal labour migration"*, Sage Publication
7. Mishra R.B, Singh. C (ed.) 1992, *"Indian women - Challenges and changes"* Common Wealth Publishers, India.
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Note on Methodology

All workers in the unorganised sector or all working poor (workers who fall in the BPL category) are not migrants. However, most migrant workers are absorbed in the unorganized sector and migration as a "survival strategy" is, by definition, largely the burden of the poor, the indebted and the assetless. NSSO data also indicates a close correspondence between sector, type of employment, sex on the one hand and the incidence of illiteracy and poverty on the other. Agricultural workers, casual workers (across sectors) and women form the bottom most rung. Looking at the glaring gap in current data, the overlapping nature of the above categories, and using the "rule of thumb" that 1 of 3 Indians lives in poverty, Mobile Creches put together a "guesstimate" to arrive at the number of children of migrant workers.

It is based on the following assumptions:

- a) 1 of 3 women in the unorganized sector are migrants; a different proportion for different sectors may be applied using sectoral distribution for the total labour force to split the 9.2 crore women in the unorganized sector into Agriculture (65%) – 5.9 crore; Construction (5%) – 0.46 crore; Manufacturing (11%) – 1 crore; Trade & transport (10%) – 0.9 crore and Other – 0.9 crore.
- b) 1 migrant woman worker has 2 children; and 1 of them is under 6 years



Annexure 2

The Impact of Migration on Children of Construction Workers

Mobile Creches, Delhi, Dr. Vandana Prasad

Impact on health and education a microstudy, MC 2006

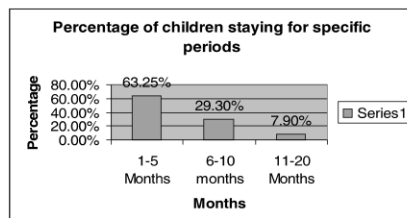
- To see the effect of labor mobility on the health and education of children of age 0-15 (Jan – Feb 2006)
- two-construction sites, one in Gurgaon (ET) and the other in Ghaziabad (IP).
- Total of 215 children
- 65 children from the creches, 80 from the Balwadi, and 70 from the NFE age group

methodology

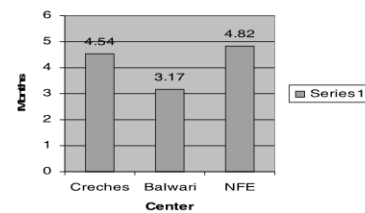
- the daily attendance record used to see the pattern and frequency of movement
- open-ended interview with the children and their parents
- detailed case histories gathered from the child, parents, center supervisor
- information gathered from the medical card.

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How long do they stay?



Avg duration of stay in center as per age



On an average a child stays
four months within the
programme

Movement and child care

- Within these 7 years Pramila has shifted to 5 different construction sites
- She feels lucky to have a creche on this site for the first time, but the contractor harasses her by deducting money from her salary if she gets late from her half an hour break in the morning and evening to feed her child who is at the crèche.
- In the last 9 years Rajwati has shifted to 7 construction sites with her 4 yr old
- For two years she used to tie her child on her back and work on the site as there was no crèche there
- Within Delhi this is the 4th site that Durga has been on in the last 6 years.
- The 'new' site does not have a 'centre'. She is desperately waiting for MC to open a center there for her 4 yr old.

The Impact of Migration on Children of Construction Workers

Mobile Creches, Delhi, Dr. Vandana Prasad

The very young child

- Exclusive breast feeding almost impossible
- Delayed weaning
- Delayed or no immunisation
- Malnutrition
- Morbidity
- Mortality

The preschool child

- No access to ICDS or other services for preschool, supplementary nutrition, health etc
- Higher malnutrition, morbidity, mortality
- Poor adult supervision and impact on safety, security, survival, protection, development
- Lack of consistent peer group and impact on emotional and cognitive development

The older child

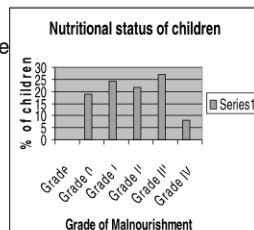
- Delayed school entry if at all
- Interruption of schooling
- Dropout
- Early entry into child labour
- Insecurity and emotional impact
- Lack of peer group and peer support network
- Early marriage
- Sexual abuse

nutrition

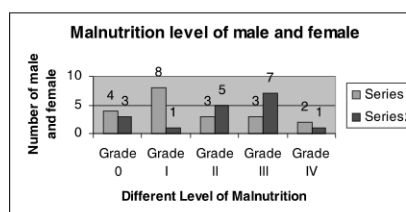
- Though Reena was looked after carefully, weaned on time and put on 'special diet' too, her weight at 1 year was only 6.5 Kg (Gr II malnutrition). During her stay at the centre, she had one episode of pneumonia, one episode of diarrhoea and she went away twice to the village. She is quite weak and is not able to stand yet.
- Pooja was breast fed from birth till two years of age and weaned when she joined the center but she wasn't fed at home till she was of 2 years old. She weighed 7 Kgs at 1 year of age (Gr I malnutrition) and 8kg a year later. (still at Gr I)

SP construction site, May 2004

- 37 children
- 20 male 17 female
- age range 8 months to 13 months.
- Over 80% maln!



Stark male – female differences



The Impact of Migration on Children of Construction Workers

Mobile Creches, Delhi, Dr. Vandana Prasad

immunisation

- Reena got her BCG shot at 2 months of age at the village. Here in Mobile Creches she got DPT 1st, measles and polio in July at 5 months of age, and DPT 2nd five months later in January at 10 months (she had 'gone home' in July and came back in Oct.), the third dose of DPT has not yet been given."
- Pooja was delivered at the village where she got the BCG injection. Drops of polio were also given in the village itself. However, the rest of her immunization began only when she joined the centre at 4 months.
- Monica got the BCG in the village where she was born. However, she received no other vaccinations till she joined the centre at age 3 yrs.
- Preeti got her first shot of immunization at the MC centre at age 5 yrs.
- Malti had a BCG when she was born at the village. However, her next immunisations happened only at the centre when she was 8 yrs old.

The response of government health care services

- NONE!
- Disown the construction site completely
- No outreach
- Discourage and turn away

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School....

- Malti was born on 4-8-93 and is thirteen years old. She joined the centre in 2001 when she was eight.
- This was the first time she had ever gone to 'school'
- She missed school for 4 months in 2002, 3 months in 2004 and for 5 months in 2005.
- She was always found to be very motivated and bright by the teachers and managed to catch up with the class.
- She was shifted to the Nagar Nigam school on MC scholarship, but all that came to an end when they shifted from Essel Towers to Park View.
- She is very upset that she can no longer go to school.
- There is a government school nearby but her mother doesn't think it is safe for her to attend.
- It would also cost more money.

to labour....

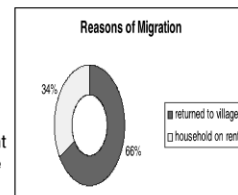
- These days, in the evening Malti takes tuition from her uncle (Chacha), who also stays in the same juggi.
- Malti's goal is to become a teacher in a school and help kids like herself.
- She thinks she is brighter than those kids who go to regular school. She watches children going to school in school bus and feel sad about herself.
- These days Malti helps her father in running the egg stall in the evening. She herself runs a juice stall in the morning along with her younger brother

Friends and things...

- It's very difficult to find a good friend on every site. (monica, age 4)
- She felt quite lonely after she left her calf back in the village and came to Delhi. She did make some friends but after shifting from the main site she has lost all her friends. (preeti, age 6)
- She is concerned that once they leave a place she loses all her friends and then it takes a long time to make new friends. Back home in the village it is very difficult to make new friends, as children there are quite reserved and not good at making friends so she is left out. She is very attached to the little plants that she has planted in the front of her juggi and is worried that she has to leave all that and go to her village this Holi. (pooja, age 4)

Migration in a resettlement colony; MC action-study Madanpur Khadar, 2005-

- 319 families
- 13% dropout due to movement
- The reason for migration were: returned to village (66%), living on rent and went elsewhere (34%).





Working With Salt Workers

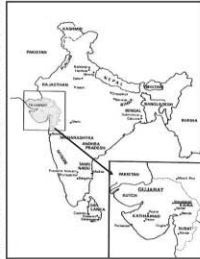
Self Employed Women's Association, Gujarat

Self Employed Women's Association

- Member-based organization of poor informal sector women workers.
- Confluence of three movements- Labour, Co-operative and Women.
- Founded by Shree Elaben Bhatt in 1972.
- Rural development program initiated in 1970's.

Presence in India



National: 7,96,000 members
Includes Gujarat, Kerala, Delhi, MP, Bihar, Orissa, Meghalaya

Gujarat: 5,30,000 members
Rural: 3,50,000 members (2/3rd)
Across 14 districts


5,30,000 members

SEWA' Intervention for Salt Workers


- Organising 20000 salt workers in Little Rann of Kutch
 - Trade Related intervention
 - Working Capital
 - Market Linkages
 - Quality
 - Social Security
 - Health Care
 - Child Care
 - Insurance
 - Ration

Living & Working condition of Salt workers in LRK

- The salt season in LRK is from October to May.
- Salt farmers migrate from their villages to desert with entire family.
- Most of the salt farmers live below poverty line (BPL).
- In the desert they live in temporary shelters
- There is no facility of transportation, childcare, health services, drinking water and other basic infrastructure at worksite.



- Their working conditions are also very pitiable –physical as well as financial.
- They have skin and eye diseases due to working in saline water & scorching heat.
- They are continuously exploited by traders because they lack
 - Working capital
 - Market linkages
 - Technical awareness for producing their salt.



Jeevika Introduction

Up scaling of ongoing operation, SEWA – implemented livelihood security programme – Jeevika.

Jeevika is a **comprehensive, integrated livelihood security project** undertaken by SEWA in conjunction with IFAD, GOI, GOG, and WFP after the 2001 earthquake

It is **demand driven** and **need based**

It is highly **decentralized** wherein Village Development Committees (**VDCs**), and Self Help Groups (**SHGs**) play the central role in program planning, implementation and monitoring

It covers **400 villages** in approximately 14 blocks in Kutch, Surendranagar and Patan districts of North Gujarat

Approximately **40,000 households** are expected to benefit directly from the project

Working With Salt Workers

Self Employed Women's Association, Gujarat

Childcare Interventions

Mission

To provide childcare and development services to the young children of self employed women workers for their holistic growth and development

Our approach

- * Holistic, integrated
- * Tailor – made services
- * Participatory
- * Capacity – building of local women, leaders
- * Sustainable – parents', community, employers', government and others contributions.
- * Partnership
- * Focal point for overall development

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Childcare Interventions

- 246 child care centers are running with 8662 children attending regularly.
- Provides critical support to women by offering a safe, clean and stimulating space for the care of the children while they are away at work.
- Collaborated
 - With ICDS for 30 childcare centres in Patan
 - 15 with Samaj Kalyan Board in Surendranagar
- 2 Balsevikas per childcare centre
- Activities undertaken
 - Child development activities

Activities undertaken Child development activities

- Organising health camps (mothers and children)
 - Immunization of children
 - Growth Monitoring
 - provision of play materials
 - Recreational and educational activities like organising picnics, celebration of national events and organising bal- melas.
 - Mother Meeting
 - Provide nutritional support to Pregnant and lactating mothers
- Provide nutritional support to all children
- Provide continual trainings on different modules and exposure visits to Balsevika

Impact

- Increase in women's / family's earnings
- No child deaths (centers)
- 100% Immunization
- Increase in community contribution (cash and kind)
- 50 % increase in school going
- Reached the poorest children
- Older siblings started school

Challenges

- Sustainability
 - Economic – cost Rs. 11,000 per centre per month
 - Decision – making and control – capacity building
- On site centers needed
- Full time centers needed

Migration – a livelihood option for poor



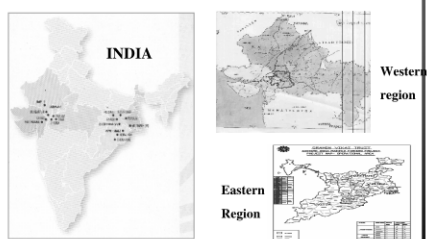
1

Gramin Vikas Trust (GVT)
An autonomous body of KRIBHCO,
promoted by Government of India
(GOI) and Department For
International Development (DFID)-UK



2

GVT OPERATIONAL AREAS



3

Poverty conditions in the project areas.

- Villages predominantly tribal
- A large population Below Poverty line
- Hilly terrain, poor soil, low and erratic rainfall
- Mono-cropping with low productivity
- Facing acute food insecurity

4

Key Findings of study conducted

- 65% of households have to migrate to find work in the dry season
- Only Male members, couples, couples with children
- On average for 5-6 months (Dec.-May)
- Around 80% cash income comes from migration
- 42% female migrants

Migration is essential for poor households to meet their basic needs

5

MIGRANTS' PROBLEMS

- Ignorance about legal & labour laws and Human Rights
- Uncertainty of getting jobs
- Non-payment of wages
- Vulnerability and exploitation of women & children at work place
- Inadequate shelter, water & sanitation facilities
- Difficulty in establishing communication links
- Lack of access to basic livelihood services (e.g. PDS, health education)



6

OBJECTIVES OF THE PROGRAMME

- Organize migrants and increase their awareness of their rights
- Reduce the costs of migration (e.g., providing communications, loans, information on jobs)
- Increase the returns from migration (e.g., skill training, easier transfer of funds; tackling non-payment cases)
- Influence the perceptions of different stakeholders about migrant workers



7

Migrants arriving at Ahmedabad



8

Strategies

- Sensitization of Stakeholders at different levels
- Establishment of PSKs in project villages and destination areas
- Partnership with Panchayats, Govt departments, GOs & NGOs and local level institution
- Promoting the research activities in the area of migration.
- Policy advocacy at different forums



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ADDRESSING THE PROBLEM OF MIGRATION AT DIFFERENT LEVELS

- Village level - Migrants home areas (project villages)
- Transit Level – Where migrant people gather before traveling (railway station, bus stand etc)
- Destination level - Urban areas (construction sites, nakas etc)



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Need Assessment of the migrants

- Preparatory stage:
 - High interest rate for getting credit
 - Lack of information on Job
 - Problems of existing debts
- Transit stage:
 - Transportation facility
 - Transport of luggage
 - High traveling cost
- Destination stage:
 - Communication with left behind at home
 - Sanitation
 - Taking care of children at work site
 - Lower wage as per agreement



police harassment

Palayan Seva Kendra

(Migrant Service Centre)

- Provision of Identity Cards and Employment record books to the migrants
- Registering the migrants in Gram Panchayats.
- Establishment of communication channels with families at the source.
- Awareness about migrant laws, rights and other support organisations.
- Information about job opportunities.
- Action on cases where migrant labourers have been deprived of their wages.



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Migration Resource Centres

(At Destination Sites)

- Addressing issues and concerns of migrant people (e.g. harassment, not-payment of wages)
- Providing information of jobs opportunities and entitlements
- Awareness and skill training upgradation for migrants
- Experience sharing workshops
- Coordinating and supporting the migrants (e.g. PSKs, Govt, NGOs, Mukkadam, contractors)

INITIATIVES

- Identifying migrants and provision for identity cards
- Strong linkages established with District Administration
- Supported MP Construction Worker Welfare Board –migrants enrolled through line department
- Facilitated training programme on migration issue for government functionaries

TYPE OF MIGRATION

- Opportunity Migrants – well-networked, some assets
- Survival Migrants – poor networks, fewer assets
- Distress Migrants – poverty, indebtedness
- Destitute – unable to migrate

INITIATIVES

Partnership Programmes

- DISHA Ahmedabad-
Established 3 MRCs & 1 day care Center
Provided a forum to migrants at their destinations
- MARG - legal awareness
- Hadoti-Kota
- Construction Industries Development Council (CICD) – Skill upgradation and certification

Receiving ID Card and Employment Book at PSK

Migrants' Identity Card

Issued by Gram Panchayat

Employment Book Issued by PSK

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PROGRESS

- Developing perspectives amongst government and Non-Govt. orgs.
- Gained the confidence of migrant community
- Established and operationalise MRCs & PSKs
- Strong linkages with Panchayats and line departments
- Achieved success at different stake-holders in recognizing migration as a problem

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Innovative piloting and upscaling methods

- Communication and Multi-media effectively used
- Knowledge management through knowledge centres in rural areas.
- Piloting micro-level activities through linkages
- Addressing Macro-level issues through creating policy environment and advocacy
- Enhancing outreach through National Migration HUB



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Way Forward

- Building financial sustainability of PSKs by linking expenses to user fees and other income sources.
- Be useful and relevant to the large proportion of migrant communities through quick and efficient scale up.
- Value addition and diversification of services.
- Quality control and gradation of PSKs.
- Documenting outcome and impacts for learning, and replication.



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THANK YOU



Gramin Vikas Trust

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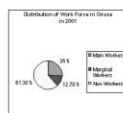
ABOUT CLAP

CLAP, acronym, of the Committee for Legal Aid to Poor has been working since its inception 1982 to provide justice-social, Economic, political and cultural for all human being through the use of law, legal process and legal system. It is also a Legal Resource and Research Centre as well as Advocacy Group for the protection, promotion and advancement of Child Rights.

CHILDREN IN ORISSA

- ❖ The Child population in the State, as per Census 2001, in the age group of 0-6 years was 5.4 million.
- ❖ The Child Population in the age group of 0-14 years was 12.2 million in 2001 which is about 33.2% to the total population.
- ❖ The Child Enumeration – 2005 data reveal that approximately 10.7 million children in Orissa in the age group of 6-14 years.

WORK FORCE IN ORISSA



Percentage of Cultivators to Main Workers has decreased from 44.3% in 1991 to 35.8% in 2001.

By contrast the percentage of Agricultural Labourers and Allied Workers to Main Workers has increased from 38.2% in 1991 to 60% in 2001.

This is primarily due to increase in landlessness or near landlessness on account of population growth.

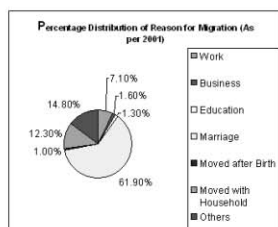
Of late, the agrarian economy of Orissa is in disdainful condition. Natural Calamities like flood, drought and cyclone has been compelling people, who depend on agriculture for the sustenance of life, to migrate.

Inter-State, Intra-State, Rural – Urban and Rural-Rural Migration has been a regular phenomenon.

Migration take place more in districts like Kalahandi, Bolangiri, Sonepur, Rayagada, Gajapati, Koraput, Malkangiri, Mayurbhanj, Ganjam and Nawarangpur.

Migrating Labour are engaged in informal sectors like construction works, brick kilns and allied activities where social protection is almost non-existent.

A Statement made by Hon'ble Minister, Labour and Employment, Govt. of Orissa, in the ongoing Assembly Session indicates every year 8,00,000 people of Orissa migrate to Kerala, Jammu & Kashmir, Punjab, Haryana, Delhi, Gujarat, Maharashtra, Tamil Nadu, Karnataka and Andhra Pradesh.



EARLY CHILDHOOD CARE AND DEVELOPMENT

Early Childhood Years is a special time in the human life cycle.

The operational definition of Early Childhood being 0-6 years, the period needs conducive environment and nutritious food for the optimal growth and development.

STATUS OF ANGANAWADI CENTRES IN ORISSA

No. of ICDS Projects	No. of AWCs	No. of Children Beneficiaries		
		0-3 Yrs.	3-6 Yrs.	Total
326	34248	1363884	1167686	2531570

The AWCs are considered to be the most important grassroots institution providing basic services of Early Childhood Care and Education (ECCE), Promoting the Health and Nutritional Status of Children below 6 years.

FAMILY MIGRATION IN GUJARAT

SECTOR	Estimated Number of families
Sugarcane cutting	1 to 1.5 lakh
Construction Industry	1 lakh
Fishing / Fish Processing	13,000
Salt Manufacture	65,000
Brick manufacture	40,000
Other manufacturing in Gujarat	50,000
Ceramic manufacturing	10,000
Quarries/Marble mining	10,000
Charcoal making	20,000
Roof tiles manufacture	10,000
SECTOR	Children alone
Cottonseed manufacture	30,000
Sari folding in Surat	10,000
Jari work	6,000
Children in fishing/fish processing	5,000

SETU'S AREA OF INTERVENTION (Jodiya Block, District Jamnagar)



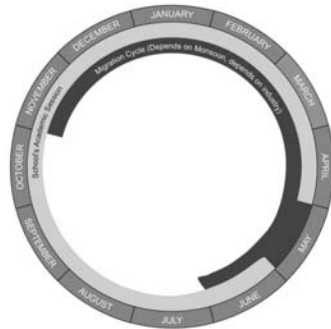
IMPACT OF MIGRATION ON EDUCATION STATUS OF CHILDREN

Causes of poor education status of migrant children

- Accompanying parents when they migrate for livelihood
- Absence of Residential Schools and hostels
- No educational opportunities at places of migration
- Pressure on adolescents to supplement family income
- Inferior quality of primary education - low faith in education within the present school system

Migrants overwhelmingly belong to marginalised communities such as Scheduled Caste, Scheduled Tribes, Other Backward Castes and minorities

Overlap of Migration Cycle with School's Academic Session



OVERVIEW OF SETU'S INTERVENTION IN EDUCATION

- Engaging with the school system
- Seasonal hostels
- Coaching classes
- Non-formal education centres for 'left-out' communities such as Jat pastoralists and Machhiyara fisherfolk
- Work site schools
- Bridge course for dropouts, never been to school

ENGAGING VILLAGE COMMUNITY

- Dialogue with local MPs, MLAs
- Panchayat leaders
- Caste leaders
- Industry owners
- Village Education Committee
- Setu's Women's groups
- Setu's Village Committee

SETU'S COVERAGE

	Villages	Seasonal Hostels		Coaching Classes		Non-formal Centres		Libraries	Worksite school
		Boys	Girls	Boys	Girls	Boys	Girls		
2004	11	174	13	185	146	21	20	11	-
2005	12	151	50	212	205	12	14	12	35
2006	22	530	353	662	505	66	44	22	540

SETU'S LEARNINGS

- Community values education, is ready to make efforts for this
- Education efforts have to be coordinated with entitlement rights, vocational training and community mobilisation for maximum impact
- Important to work at 'sending' areas (villages) as well as 'receiving' areas (worksite) to achieve universal coverage in education
- Need for advocacy for greater involvement of Panchayati Raj Institutions and industry in responding to migration

KEY CHALLENGES

- Lack of data: Collection of data, Quantum and flows
- Need for Flexibility of Government programmes
- Planning around migration volumes and flows
Impact of monsoon
Industry fluctuation
- Slow response of school system, Mid-day meal scheme
- Strengthening community participation

The problem

- Sugarcane harvesting & feeding mills highly labor-intensive
- Harvest starts in Oct/Nov – lasts for 5-6 months.
- **Approx 4,50,000 laborers migrate from dry districts to sugar factories every season**
- **Nearly 200,000 children below 14 years, migrate with parents.**
- **With every 100 M.T. installed crushing capacity of sugar factory 54 children are likely to migrate and be out of school, if appropriate steps are not taken.**

➤ The objective

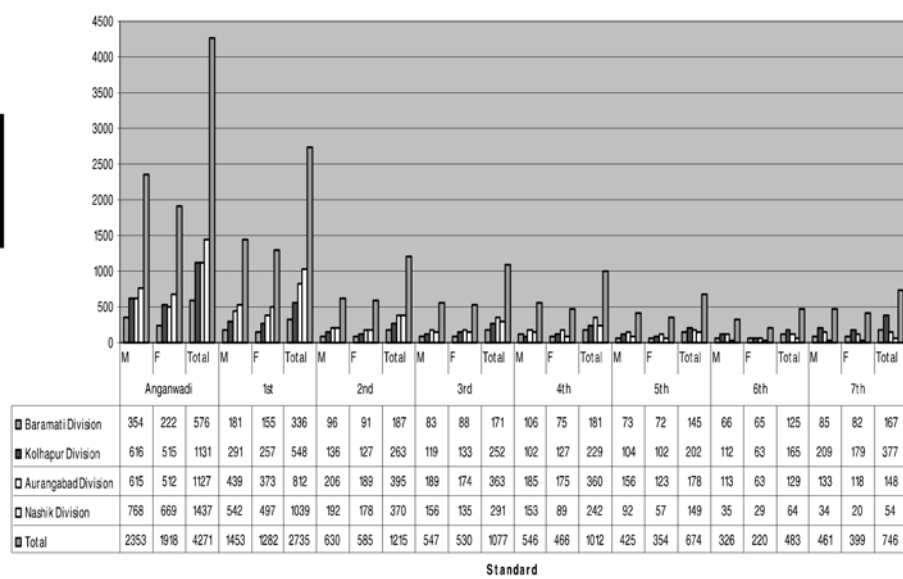
- To ensure every child is in school and learning.
- Schools should be where children are

Intervention

What are Janarth Sakhar Shalas?

- Temporary full time schools run for migrant children of preprimary & elementary school age (3-14yrs) at sugar factories
- Teachers recruited and trained by Janarth.
- State curriculum followed
- Attendance & exam results of JSS valid in village schools.
- Systematic follow-up in villages to ensure children continue education on their return.

Divisionwise distribution of students



Standard

Annexure 3

List of Papers Submitted

1. *"Seasonal Migration and Children: A Study of Brick Kilns"*, by Dr. Ruma Ghosh, V.V.G. National Labour Institute, NOIDA
2. *"A Case Study of Agricultural Migrant Labourers in West Bengal"*, by Dr. Narayan Banerjee, Centre for Women's Development Studies
3. *"An overview of Distress Seasonal Migration, the Complexities involved and its Impact on Children's Education"*, AIF (American India Foundation)
4. *"Voices from the Construction Site – Some Case Studies"*, by Dr. Vandana Prasad
5. *"Migrant Parents and Protection of their Children"*, by Dr. Lakshmidhar Mishra, Former Union Labour Secretary, Former Senior Advisor ILO, Honorary Professor IML, Delhi
6. *"Law and Migrant Women"*, by Renana Jhabvala, SEWA

Note: The papers are available with Mobile Creches for reference.

List of Participants

Names	Organisation
1 Abhijeet Nirmal	HAQ: Centre for Child Rights
2 Alka Mehta	Migrant Workers Development Trust
3 Amar Prasad	Gramin Vikas Trust
4 Amarjeet Kaur	All India Trade Union Congress
5 Amita Baviskar	Sociologist
6 Amitabh Kundu	Jawaharlal Nehru University
7 Arit Sinha	Gramin Vikas Trust
8 Ashok Agarwal	Social Jurist, Lawyer
9 Ashok Kumar	Dr. A. V. Baliga Trust
10 Ashok Shrimali	SETU – Centre for Social Knowledge and Action
11 Audrey Fereira	India Sponsorship Committee
12 Avantika Arya	Ankur
13 Babu Mathew	Action Aid
14 Bruno Oudmayer	PLAN India
15 Deepa Das	Nirman Mazdoor Panchayat Sangam
16 Dhir Jhingran	Director, Department of Elementary Education & Literacy, MHRD
17 G C Upadhyay	National Council for Education Research and Training
18 Ishwar Sharma	Nirman Mazdoor Panchayat Sangam
19 Jaya Shrivastava	Ankur
20 Jayati ghosh	Jawaharlal Nehru University
21 Krishna Shekhar Lal Das	Centre for Education and Communication
22 Kuldip Singh Sandhu	Gramin Vikas Trust
23 Kumud Sharma	Centre for Women's Development Studies
24 Lalit Batra	Hazards Foundation
25 Madhumita Purkayastha	HAQ: Centre for Child Rights
26 Malini Ghosh	Nirantar
27 Meeta Parti	OXFAM
28 Michael Ward	Department For International Development
29 Mina Swaminathan	M.S. Swaminathan Research Foundation
30 Mohd. Raheemuddin	Lawyer
31 Naimisha Joshi	Self Employed Women's Association
32 Narain Banerjee	Centre for Women's Development Studies
33 Nirali Mehta	PLAN India
34 Prabhjot Sodhi	Centre for Environment Education
35 Pramod Kishore Acharya	Committee for Legal Aid to Poor

36	Pravin Mahajan	Janarth Shakkar Shalas
37	Prem Bohukhandi	Bandua Mukti Morcha
38	R Geetha	Nirman Mazdoor Panchayat Sangam, Chennai
39	R K Mishra	Technical Support Group for Sarva Siksha
	Abhiyaan	
40	Rajendra Dangwal	Navjyoti Development Society
41	Rajni Palriwala	University of Delhi
42	Raju Sharma	America India Foundation
43	Rashmi Singh	Joint Director (Programme) Social Welfare Department
44	Ritwik Patra	Technical Support Group for Sarva Siksha
	Abhiyaan	
45	Ruma Ghosh Dr	V. V. Giri National Labour Institute
46	S Arun	Gramin Vikas Trust
47	Smita	American India Foundation
48	Subhash Bhatnagar	Nirman Mazdoor Panchayat Sangam
49	Sudha Sundaraman	All India Democratic Women's Association
50	Sujata Madhok	Consultant
51	Sunisha Ahuja	Room to Read
52	Suraj Kumar	Lawyer
53	T Henry Mohan Raj	Gramin Vikas Trust
54	Thaneshwar	Nirman Mazdoor Panchayat Sangam
55	Tripti Trivedi	Self Employed Women's Association
56	Uttam Kumar	Nirman Mazdoor Panchayat Sangam
57	Vandana Prasad	Pediatrician, Consultant
58	Willeke van Rijn	OXFAM G.B.

Participants from Mobile Creches

59	Amrita Jain
60	Anjali Alexander
61	Asha Chaudhari
62	Bhagyalaxmi
63	Chirashree Ghosh
64	Devika Singh
65	Hemlata Kansotia
66	Jyoti Sinha
67	Kali Vohra
68	Kumkum Ghosh
69	Mohini Prakash
70	Mridula Bajaj
71	Ranjana Agarwal
72	Shanti Ghosh
73	Saurabh Prakash

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Rapporteur: Sujata Madhok
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Mobile Creches Publication 2006

Preface

Migration dating back to times immemorial has captured the fancy of many a young adventurer in search of greener pastures. In India, we come across it in many diverse contexts, the worst forms of which are manifested as “distress migration” where people are “pushed out” from their habitats in order to survive and explore alternative livelihoods. The impact this has on them and their families may well be gauged from the social indicators of development reported by states across the country.

Mobile Crèches with its vast experience of working with the children of migrant construction workers has developed an insight into the reasons for migration of families, the socio-economic profile of sending states, the frequency and cyclical nature of movement and the multi-layered dynamics of employer-employee transactions. However, despite direct work in the field and persistent advocacy on multiple fronts - Policy on Children, 1974, Scheme for Crèches for Working and Ailing Mothers, 1979, Construction Workers and Other Builders Act, 1996 - the condition of workers and their families continues to be an area of grave concern.

A need to voice this concern, build a common understanding and formalize inputs to the planning process through a structured consultation seemed an urgent necessity. It was important to understand mobility – its implications for families and challenges for policy makers – and reach out to others in the field facing similar situations and groping for direction and positive outcomes.

Discussing the issue with academicians, activists and field practitioners revealed much interest and concern amongst a wide group, but a common lament – there was very little “hard” data to go by.

The Consultation on Labour Mobility and the Rights of Children was, therefore, an attempt to assess the situation of the migrant workers in the unorganized sector, across different regions. The story appeared to be the same from all sectors: the law doesn’t work, government programmes do not deliver and maternity entitlements do not matter. The plight of the migrant child hardly attracts the attention of hard pressed parents, trade unions or policy makers. The 6 crore children (a Mobile Crèches “guesstimate”) accompanying their itinerant parents, are absent from all planning processes for the urban or rural segments.

Deprived of access to uninterrupted education, medical facilities and government schemes, these children also suffer from the psychological impact of constantly

facing unfamiliar places and faces. With the passage of the Constitutional Amendment on the Fundamental Right to Education in 2004, the older, school-going child has managed to grab some attention. The young child, accompanying the parents, with no support facilities and left to inadequate sibling care or the vagaries of nature, still remains “nobody’s baby” and falls through the chasm that separates departments and ministries.

During the build-up to the Consultation, however, we were very encouraged by the willingness of people from different disciplines and fields of activity to engage with the issue and share information on it. The time appears ripe to take this dialogue forward and grapple with issues for positive changes in law, policy and programme that are required *vis a vis migrants*. National goals for development and poverty reduction cannot be realized, unless the problem of Labour Mobility and its impact on children is squarely addressed.

The consultation was a step in that direction – assessing and examining the extent and complexity of the problem and developing appropriate policy and programmatic strategies. Subsequent to the circulation of the draft report amongst the participants, a follow-up meeting has already taken place to identify specific action points in the short run: address data gaps by feeding into the official data collection machinery (Census, NSS, SSA) as well as micro studies already on the anvil (research institutes); focusing on the NREGA districts in partnership with the Right-to-Food Campaign for status and demography of local/potential migrants; pooling in state-level information from NGO partners preparatory to a sector/area specific joint venture.

We hope the present report is able to do justice to the rich discourse which took place during the two days of consultation and provide a framework for joint action.

Mridula Bajaj
Executive Director
September 2006



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