4

A Study on Social Equality with reference to Migrant Construction Workers in Kerala

Simi S V*

The economic development of Kerala with special focus on growth of IT sector and Tourism development necessitated several construction activities. A good percentage of Keralites has gone out to other countries for better jobs and majority of Kerala's educated youth go for preferring with white color jobs, this leads to a huge gap in the demand and supply of laboures in the job market especially in the construction industry. This widening gap is very often filled by the migrant workers from other states. The construction industry is the first point of entry for the migrant workers. Majority of migrant workers are unskilled. Their conditions of work are often marked by severe exploitation, serious breaches of rights and pervasive discrimination. Migrant workers are also caught in hyper-moralised. How should we think about equality and community - two cardinal principles of any social democratic project - when it comes to migrant

*** Faculty in Management, Institute of Management in Kerala, University of Kerala, Kariavattom Campus, Thiruvananthapuram-695581, Kerala (India) E-mail: <simi rakhi@gmail.com>**

CONTEMPORARY SOCIAL SCIENCES, Vol. 32, No. 3 (July-September), 2023
Peer Reviewed, Indexed & Refereed International Research Journal

workers. The key theme of this research proposal are to examine the cultural identity, social integration and social inclusion and effectiveness of labour laws and welfare benefits to protect the rights of migrant construction workers in Kerala.

[Keywords : Migrant workers, Social equality, Labour welfare]

1. Introduction

The construction industry is the second largest employer, after agriculture. Construction workers constitute one of the largest categories of workers in the unorganized sector. Construction workers are those who work predominantly on construction sites and are typically engaged in the regular aspects of the industry other than design and financing. They are comprised of both local and migrant work force. The work in construction sector is most vulnerable because of the poor employment conditions. Workers are exploited because they are socially backward, unorganised, uninformed and poor. Workers mostly comprise landless labour who move to cities in search of work, where they are exploited by contractors. The social protection is virtually nonexistent due to the reasons such as the casual nature, temporary relationship between employers and employees, lack of basic amenities and inadequacy of welfare facilities. The extent of unionization in the construction industry has been very low due to migratory, seasonal nature of workers and scattered location of work sites. The above conditions of the construction workers need serious thinking extensive and intensive studies. One of the measures usually initiated to give relief to the workers is the labour welfare measures undertaken by the society and the government. Migration process contributes to the economic development, cultural diversity and social dynamics of the state. The state of Kerala has experienced migration mainly from southern states but recently there has been an influx of inter-state migrants from the northern states. The migrant labourers are employed in all sectors irrespective of rural or urban localities. They are mainly working in the informal sector doing unskilled or semi-skilled job and have percolated into all sectors. These workers are of in the target of the backlash with nativity sentiments narrowly drawing Even though there exist number of problems, migrant workers cannot be ignored or avoided because without them our economy will be handicapped. Some consider migrant workers as nuisance. But, for the employer, labour contractors, shopkeepers and large-scale agricultural operators, the migrant workers in Kerala are

a blessing. They are very much needed for carrying out various activities which cannot be replaced by local people. They fill the gap of demanded labour in the absence of local workmen. The proper idea about the benefits they receive from the employers and the state of government, their awareness about various programmes meant for them are expected to achieve the stated objectives.

A considerable number of studies have been conducted on the current situation of the migrant labourers in Kerala, and the Government has taken some action to provide them basic amenities. The existing legislation helps to keep the society away from social problems which can be caused by the migrant workers, but when we look at them from Social Justice (angle) point of view, apart from wages, it is the responsibility of the Kerala society to take care of their welfare too. Hence, it is important to find out the attitude of Kerala society towards integrating them on an equal basis. Only a culturally sensitive intervention would be useful in understanding the domestic migrant labours in Kerala and contribute to maintaining a healthy flow of domestic migrant labours to the State that is now so necessary to sustain the State's economic growth. Many of these people have complaints about the discrimination shown against them by the natives. Obviously, we are interested in collecting genuine facts and figures about this so that appropriate steps could be undertaken to protect their personal safety, personal dignity and their privileges.

2. Objectives

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

1. To identify the cultural identity among migrant construction workers in Kerala.
2. To study about the socio-economic issues among migrant construction workers.
3. To understand the social integration and social inclusion among migrant construction workers in Kerala.

3. Research Methodology

This research article is based on secondary data. Reports from various organizations like UNESCO, articles published in national and international journals, e-contents relating to migrant construction workers are utilized in this article.

4. Migrant Labourers in Kerala

Migrant labourers in Kerala are some 1 - 1.3 million (expressed locally as 10-30 lakh) semi-skilled or non-skilled migrant labourers from other States of India, mostly from Tamil Nadu, Rajasthan, West Bengal, Orissa, Bihar, Jharkhand, Chhattisgarh, Assam and other north-eastern parts of India in search of employment and higher wages. The major reason for the influx of migrant labourers is attributed to the reluctance of the indigenous Malayali people to perform manual labour, as there is a social stigma attached to it and a prevalence of low wages. In Kerala state in particular, though there has been a sudden upturn in housing construction activity in the state since the mid-1970s, this boom has failed to generate a growth stimulus to the state's economy. Because the long-term sustainability of any industry depends on adequate social assistance measures, especially various social security initiatives, for its core work. It is widely recognized that investment in housing has a tremendous potential to facilitate a faster development of an economy. But the long-term viability of any development initiative would require an enabling labour market. Thus, social security for workers in the housing construction sector in general and for workers in particular is vitally important. The immense developmental potential of housing adds up to the above significance for a developing nation like India, and more so for a state like Kerala which is starving for investment and employment opportunities. "Due to limitations in the portability of entitlements, the inter-State migrants in Kerala are not able to enjoy some of the entitlements/benefits from the Central and State governments they had enjoyed before migration, the study notes. Inter-State migrants lose their rights when they cross the boundaries of their home States. For instance, migrant labourers from States like Bihar, Orissa, West Bengal or Assam who have been availing themselves of rice or wheat and other provisions at subsidized prices through the public distribution system (PDS) in their home States are unlikely to benefit from the PDS in Kerala". Aadhaar unique IDs could, to some extent, solve this problem. Labour migration from the northeast states to Kerala is similar to international migration. "The linguistic, social and cultural differences between the State of origin and Kerala and the large distances the migrant has to travel to reach Kerala make the inter-Sate migration to Kerala more similar to international migration". Language barriers make them vulnerable to accessing health care and protecting their rights. Poor language skills

also prevent them from communicating with physicians about their conditions and symptoms. The Inter-State Welfare Scheme, initiated by the state government last year, has not had much impact. The participation rate in the programme is less than 2% of the estimated migrant working population. The Department of Labour was established with the establishment of the State of Kerala. The Department is conferred with the primary duty to ensure enforcement of labour laws, providing services for prevention and settlement of industrial disputes and performing other related functions to promote all round industrial peace. It resists maintaining a peaceful and calm atmosphere in the industrial sector and preserving the interests of the working class. Peace and harmony prevail in the industrial sector due to the time and efficient intervention of the Department. The aversion of the Kerala worker to such manual work and their non-availability as and when required are the main reasons for this. They are attracted to Kerala because of the reasonably high wage rate that exists here in relation to the poverty and misery they face in their home states.

5. Literature Review

5·1 Social Integration

Social integration can be seen as a process in which members participate in dialogue to reach and establish peaceful relationships of coexistence in a society. That is not forced assimilation.

Emile Durkheim (1895) investigated how social integration was maintained by societies after modern economic relationships replaced traditional ties. Durkheim believed that society exerted a powerful power on individuals. Durkheim believed that society exercised strong power over individuals. Durkheim thought that it is the collective consciousness that unites people and leads to social integration.

5·2 Measurement of Various Levels of Integration

The method of measurement of ethnic identity, ethnosizer, ranges from 0 (complete commitment to the host state) to 1 (complete commitment to the home state). One-dimensional and two -dimensional patterns of ethnosizer exist. In the one-dimensional model, a stronger commitment to the host state involves a weaker commitment to the home state and vice versa. In the two-dimensional model, the ethnosizer measurement allows simul-

taneous intensification of connections with the host and original states. Like Berry (1980), the 2D model of the ethnosizer categorizes in-migrants into four states : assimilation, integration, marginalization and separation.

1. Assimilation (A) is a strong identification with the society and culture of the host state, and a strong conformity to its code of conduct, norms, and values, and a weak identification with ancestry.
2. Integration (I) occurs when a person demonstrates a firm commitment to the State of origin and to the Host State.
3. Marginalization (M) is a strong detachment or a weak devotion to the culture of origin or the culture of reception.
4. Separation (S) is the commitment to the culture of origin, even after years of emigration, coupled with a low commitment to the culture of welcome.

Krishnan (1991) examines the structure of wages and wage movements and their relationship between employment and output in the agricultural economy. It developed a concept of interrelated labour market where it is divided into four sections, relation with agriculture-construction sector, rural urban transition but estimating vector auto regressions and testing the casual relationship among the different wage rates. The paper also emphasis on the importance of social norms in labour market behaviour, movements in the wage relatives in relation to the changes in the produce demand and also develop an analytical model to explain employment behaviour in interrelated labour market to explain the changes in the output and employment in the agrarian sector of Kerala economy.

Gosh and Sharma (1995) point to the migratory pattern in rural Bihar. In this paper a survey results of 56 sample villages spread over six districts have mentions that there is lowest incidence migration in better agriculture areas and highest incidence of migration in better agriculture areas and highest incidence of migration in the opposite environment. They moved to Punjab, West Bengal, Delhi, Assam and Kerala for their employment. Temporary migrants emigrate for a particular or specified period. The author also highlights the purpose and occupation of migrant workers. Migration of workers is usually from areas of low employment to areas of high employment. Kerala had also witnessed a large number of migrant workers from Bihar just before the arrival of the migrant workers from the northeastern states.

The study concentrates primarily on the structure of aspects of rural migration.

Pillai (1996) In recent years, the government of Kerala has taken several steps to provide social security for workers in a wide range of activities in the informal sector. Welfare funds have been established and are managed by tripartite welfare councils. This article looks at the operation of one of the oldest fund schemes, the Kerala Headload Workers Welfare Scheme.

6. Social Integration and Cultural Identity among Migrant Construction Workers in Kerala

Social integration is the extent of interaction between migrant workers and the local community. 88% of the Malayalees usually address them as Bhai. They accept this, although 68% have expressed a desire to be addressed by name. The extent to which Malayalis refer to them has been studied and found that 82% of migrant workers believe that Malyalees are ready to connect with them. Migrant workers generally experience good and decent behaviour. But there were very bad experiences also of misunderstanding them as thieves and reporting it to the Police officials and the harassment by the police department. But usually the labour contractors help them out when they get into such problems. On the whole they experience warmth in the behaviour of Malayalees indicating good interaction with the local population. When they become ill, they visit nearby hospitals. In these hospitals they are very well managed by health workers. The percentage of migrant workers assessing the professionals' approach is good. It shows that the local population is very worried about them. Health care workers said their only difficulty is communicating effectively with them. As a result, they do their best to improve their communication skills in Hindi. There is a high degree of interaction between migrant workers and the local population. Another important factor determining the interaction is to have friends of Kerala. The behaviour of Malayalee's co-workers is generally compassionate and they are willing to help them in their needs. They accompany them when they go sightseeing or visit friends of their home state, which makes their communication with the local people effective. Studies indicate they have friends who speak the Malayalam language. It is also a clear indication that the interaction with the local people is considerably high. Work contractors and their

nature of manipulating these workers, it is clear that the element of interaction is high denoting a considerable cultural integration leading to social integration. Migrant workers think of contractors as friendly. This shows the need of the contractors and employers to keep them with them as long as possible, since they cannot pull on their business, industry, construction, agriculture or whatsoever without these Migrant labourers.

While considering culture as one of the elements determining the level of social integration, it was found that there is a certain degree of cultural segregation for migrant workers. While considering culture as one of the determinants of the level of social integration, it was noted that there is a degree of cultural segregation for migrant workers. Here, the cultural aspects of migrant workers include their favourite leisure activities, preferred meals, participation in local festivals and other activities. It was found that they are mainly interested in talking to their friends and relatives at home state, interested in watching Hindi or other chains in their language. They prefer to cook their own food and only 5% eat from public dining places in Kerala. Culturally, they are more attached to their original condition. They are rarely invited by Malayalees to family gatherings or local receptions. Migrant workers tend not to participate in local activities. Their employers also say that they usually receive guidance during the festival season. Even these employers, who accept them more than as workers, do not permit them to mingle freely with their own friends and family members. Cultural segregation occurs and is practised by the Malayalee population. There are two standards for Malayalees when it comes to migrant workers. They need it badly to get the job done, but at the same time they do not want them to integrate into society. One of the members of the local organizations and several entrepreneurs believe that they are good as long as they work here. They're better than our labourers. But we don't want them to go on because of their lack of hygiene and good health habits, and we see them as a nuisance to society.

7. Socio-economic Conditions of Migrant Construction Workers in Kerala

Although all these problems and problems have been faced by them, most of them still wish to stay in Kerala because it is the virtue of place for them. Where they could make more money, have good

weather and good food. Even many commandments that the Malayali community is good and behave gently when it comes to the owners and Zamindars of their area. Along with this there exist a specified community who oppose this huge labour migration to Kerala by accusing them as the carriers of infectious diseases, unhygienic community and reasons for the emergence of slums in Kerala. Much in return for the growing crimes in the state. But on examining the growth of Kerala GDP and the contribution of this in-migrant labours in the growth of each sector especially in the unskilled labour sector were the state had faced huge crisis over the past years is indispensable as now even the agriculture had also started in demanding them with the increasing shortage of labour for work. The large-scale migration of all parts of the country to Kerala contains a true history of migratory flows, an opportunity filled with certificates, operations, sacrifices, gains and hopes. A perfect plot of other state peoples who build their edifices by the life, contributions and atrocities of migrant workers. While Kerala have the same replica treading its way called development at the cost of thousands of lives and their emotions, with a bad side of culture 42 split. A state with better human indices and sensitivities. Migrant workers in the state have no protection under either the centre's or the state's labour laws. No proper social measures and minimal social security. One of the main constrain the state face on the large-scale labour migration is framing policies for the migrant workers and their socio-economic concerns, due to the absence of authentic information and data on the existing and flowing migrant workers in the state. People in different conditions with distinct culture and food habit migrated with the same pattern. It would not sufficient to think of migrant labours as a single set without differing backgrounds and needs and a culturally sensitive intervention would be effective in understanding and formulating effective and necessary steps to maintain a healthy flow of migrant labourers to the state which is now a necessity to sustain Kerala's economic growth.

8. Outcome of the study

Even though all the above problems exist, migrant workers cannot be ignored or avoided because without them our economy will be handicapped. Our youth migrated to foreign countries and remit money to their families, enabling them to pay better wages than other states. This has resulted in the growth of our economy,

especially in construction and small-scale industries. This has brought a boom in Hotel Industry also. Number of families eating outside increases every year Some consider migrant workers as nuisance. But, for the employer, labour contractors, shopkeepers and large-scale agricultural operators, the migrant workers in Kerala is a blessing. They are very much needed for carrying out various activities which cannot be replaced by local people. They fill the gap of demanded labour in the absence of local workmen. These migrant workers sustain the economic activities and economic growth of Kerala. The economy benefits through indirect taxation when they purchase from Kerala. A good number of migrant workers value d their increased self-confidence as an important consequence of their migration. Migrants from stigmatized castes and religious communities, feel freed from social and psychological constraints on freely choosing their lively hoods and employers. They have more access to leisure activities. Kerala becomes a hub of Higher education and children in Kerala are benefitted as they need not discontinue Higher education due to work pressure. Kerala is in a way enriched by cultural Diversity. This diversity can be made use of by the tourism ministry for promotion of tourism industry.

9. Suggestions based on the Outcome of Study

From the study, it is clearly that there ia a need to address the following issues urgently such as migrant registration, improvement of housing and living conditions, social security, health issues and employment issues. The following are some of the suggestions that can be implemented to overcome the issues :

- There should be proper registration system for the migrant. Registration card with unique number should be computerized systematically to make future references.
- Health cards should be provided to migrant workers and they should be included in the health insurance cover.
- There should be provision for the migrant workers to join in the trade unions. They can thereby realize their rights and needs and can get away from the harassment and exploitation of their employers.
- There should be government mechanism to monitor assurance of minimum wages.
- It is important that the state Government initiate steps to provide affordable group housing to the migrants in the state.

- It should be compulsorily made sure that migrants have adequate hygiene accommodation with electricity, drinking water, sanitation facilities, sufficient toilets, and washrooms.
- The state government should have a social security schemes for the migration workers in the construction sector in the state . the social security schemes should include provision for the payment of lump sum to take care of in cases of accidents , serious illness and death.
- A help-line staffed by people speaking different languages and with separate numbers for different languages should be a top priority.
- Support mechanism for hearing migrant complaints should be set up at local government level.
- Coordination between host state, states of origin and the central government may be necessary in other aspects such as extending the benefits of the public distribution system, sharing of information on migrant workers who are sent back to home state when infected with contagious disease like malaria, incidence of such diseases in the states of origin.
- Discussions may be stimulated between state governments, (employers and trade unions), civil society and migrant communities so that the contributions of migrant workers are recognized, their rights are protected, to ensure positive social and economic changes in the local community.
- National labour and migration legislation may be introduced which enshrines international standards for the legal protection of migrant workers (particularly women), to ensure decent working conditions for migrants and local workers alike.
- Appropriate labour laws regulations and inspections may be promoted to Ensure fundamental rights at work, including freedom of association for the migrant workers.
- Rationing system in every state may be digitalized and prompt delivery of Ration Cards everywhere in India may be ensured, enabling the migrant workers to make use of the civil supplies system.
- National level sports competitions may be organized every year for organized and unorganized sector workers for promoting national integration which will have a positive impact on integration of migrant workers.

- Issues of occupational Health and safety may be addressed by promoting training programmes for migrant workers as well as Employers and contractors.
- Cultural activities for migrant workers, local workers and local people, may be organized to bring them together and enable everyone to understand the different cultures.
- A safety and welfare officer may be appointed in every Taluk, exclusively for ensuring the safety and welfare of the migrant workers, reporting to the District Labour Officer, with responsibility of issuing Labour Cards and inspecting the work places and ID proof of the migrant workers.
- Health insurance and safety measures may be ensured to each and every migrant workers.
- NGO's may be encouraged by giving appropriate support, to help the government to carry out various welfare facilities for the migrant workers.
- Government may insist that the labour contractors and employers to ensure the Labour Card and health insurance as a pre-requisite for employing them, in order to ensure, social protection to all the migrant workers in Kerala.
- The Ministry of Labour and the Departments of Labour, at state levels, are responsible for formulating and implementing measures to protect migrant workers. Certain existing labour laws aim to improve the conditions of migrant workers and prevent their exploitation. The important ones are: the Inter State Migrant Workmen Regulation and Conditions of Service) Act, 1979; the Minimum Wages Act, 1948; the Contract Labour Regulation and Abolition) Act, 1970; the Equal Remuneration Act, 1976; and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996. The enforcement of these laws is the responsibility of both the Central and State Governments. At the central level, the key agency is the office of the Chief Labour Commissioner and its field offices. However, the Directorate General of Labour Welfare and the Welfare Commissioners also deal with certain welfare provisions emanating from some of these enactments. In the states, the offices of the Labour Commissioners and their field offices are responsible for enforcing these laws. Concerns of migrant labourers are also the responsibility of the relevant

Social Sector Ministries (Health and Family Welfare, Human Resource Development, Food and Consumer Affairs, Urban Affairs, Social Justice). However, there are no separate departments in these ministries dealing exclusively with migrant labour. The Ministry of Home Affairs has the responsibility for immigration. Even though the above laws and regulations are in existence, laws and regulations concerning working conditions of migrants are largely ineffective. Legislation fails because regulatory authorities are overstretched, the state sees migrants as a low priority and because migrant workers are vulnerable with little support from civil society.

10. Conclusion

Migration highly contributes to urbanization, urbanization is closely associated with rising human development. Kerala has been significantly turning to be an urban village today. This fast urbanization of the state demand large number of construction workers for creation of infrastructure like roads, railways, airports etc. Urbanization has also led to increase the demand for migrant workers for domestic works and construction work. Kerala is in a way enriched by cultural Diversity. The working conditions as well as their living atmosphere are not satisfactory while comparing the overall human development achievements of the state. Effective implementation of existing laws and creation of new laws with the help of registration system and trade union activities would help to solve their problems. Indirectly it contributes to the productivity and efficiency of local workers. When the migrant workers are preferred due to their increased efficiency and productivity, the local workers will be forced to increase their efficiency and productivity for their sustenance.

References

Arya, S., "Domestic Migrant Workers in Kerala and their Socio Economic Condition", ***Shanlax International Journal of Economics***, 6(S1), 2018, 74-77.

James, Lizy, ***Social integration of Migrant Workers in Kerala : Problems and Prospects***, Report submitted by Centre for Education Development and Research Society, Kozhikode and sponsored by Kerala Institute of Labour and Employment, 2016.

Manoj, P. K and Vidya Viswanathan, "Socio-Economic Conditions of Migrant Labourers - An Empirical Study in Kerala" ***Indian Journal of Applied Research***, 5(11), 2015, 88-93.

Mathew, Jomon, ***Human Rights Issues of Migrant Construction Workers in Kerala***, Project report submitted to National Human Right Commission, New Delhi, 2014.

Saikia, Dilip, "Migrant Workers in Kerala : A Study on their Socio-Economic Conditions", ***SSRN Electronic Journal***, 11(2), December 2015, 29-43.

Sreedharan, Nimisha and V. Murale, "Social integration of migrant workers in Kerala", ***International journal of Pure and Applied Mathematics***, 118(5), 2018, 631-636.

Suryanarayan, S. S., "Information base for the informal sector", ***The Indian Journal of Labour Economic***, 4(3), 1998, 459-474.

Thampi, Alkashaju, "Socio-economic conditions of inter-state migrant workers in Kozhikode district of Kerala", ***Journal of Research in Humanities and Social Sciences***, 10(9), 2022, 178-191.

Thomas, Asha Elizabeth, "Labour migration in Kerala: a study on working conditions of unskilled labourers", ***The International Journal of Disability Management Research***, 2016. Available at https://www.researchgate.net/publication/323522162_LABOUR_MIGRATION_IN_KERALA_A_STUDY_ON_WORKING_CONDITIONS_OF_UNSKILLED_LABOURERS ★

Article Received on August 12, 2023; Accepted on August 28, 2023