



**Indraprastha Public Affairs Centre (IPAC)**  
(An initiative of Shivi Development Society)

## **Report on National Consultation on Inland Migration and Rights of Migrants**

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**Date:** 18<sup>th</sup> September 2009

**Organized by:** SDS- IPAC

**Supported by:** ICCO, South Asia New Delhi

**Venue:** Constitution Club, New Delhi

A National Consultation on Migration was organized on 18 September 2009 at the Constitution Club, by SDS-IPAC New Delhi. With globalization, migration is becoming more diversified and so are the reasons why people decide to migrate. Migration within India and from Nepal to India (which can be, in fact, considered inner migration as there are no restrictions regarding Nepal citizens coming to India) has still a growing tendency and is often considered a serious problem. In 2001, there were 309 million migrants based on place of last residence, which was about 30% of total population of India. During the last decade (1991-2000), the number of migrants in India rose by 32.9%; the total number of migrants by place of last residence in India grew by 34.7% during 1991-2000. 42.8% moved due to marriage, 21.0% moved with their households, 14.7% migrated due to work, 6.7% moved after their birth, 3% for educational purposes, 1.2% for business and 9.7% specified other reasons. Also during the decade, out of the urban growth of 30.3%, 6.6% is accounted for by migration to urban areas.

Some other facts on migration streams (during the last decade) are as follows:

- a. Rural to rural migration within the country: 53.3 million
- b. Rural to urban migration: 20.5 million
- c. Urban to rural migration: 6.2 million
- d. Urban to urban migration: 14.3 million

Many development thinkers consider migration as a natural socio-economic process in the course of development and increasing urbanization and industrialization. But, what makes migration a problem is rather lack of systemic approach to it. Therefore, SDS-IPAC thinks that a continuous discussion on the subject is required in order to incorporate all the competing views, and arrive at a reasonable solution from a human rights perspective. In this respect, the consultation was considered, though a first step, very relevant and useful for several reasons.

The national consultation aimed to draw the attention of government to recognize the seriousness of the human insecurity faced by the migrants whose plights are deeply connected with practically all the issues within a country like India, be it on environment, on trade and finance, on security and terrorism, as well as on other issues of Governance. The consultation was also an endeavor to bring different voices and perspectives from the civil society on the issue of migration and initiate a process of networking leading to some effective measures.

The consultation was divided into three sessions; the first one was towards understanding different perspectives on migration. The second was on state presentations wherein representatives from different civil society organisations gave a detailed situational analysis of the state of migrants and their circumstances, which propel them from one place to another, not necessarily from rural-urban but it could be also from rural to rural. Furthermore, the third session was on Strategies /Action plan wherein different organisations came up with suggestions to develop strategies to address the issue of migration. Representatives from different states viz. Delhi, Chhattisgarh, Jharkhand, Bihar and Rajasthan were present in the consultation. Besides civil society organizations there were social scientists who added a theoretical perspective to the discussion. Many parliamentarians also showed their solidarity, however due to their political works back in their respective constituencies, they could not make it on the day of the consultation. All the sessions had a panel followed by an open house discussion. All the three sessions were quite interactive with a good amalgamation of experience, thoughts, ideas and suggestions. All the panelists also possessed sound knowledge and experience on the issue of migration.

The consultation began with a welcome note by Executive Director of SDS - IPAC Mr. Narender Kumar. He also gave a brief description of the issue of migration and how inland migration in India and entire south Asia has become a major concern in the development sector. He also added that such consultations will plead the government to cease treating migration only as a matter of inter-state mobility and trade in labor force, and try to understand the insecurity of the migrants themselves. It is essential in building a just and stable regime to recognize the interconnectivity among different forms of migration.

Countries like Nepal were also included in the discussion as migration from Nepal contains no barriers and their needs should be included while discussing migrant rights. Also one of the big problems connected with the issue of migration in Nepal is human trafficking. It is difficult to estimate exact numbers, but, nevertheless, it is clear that a big portion of victims are sent to India and so it is also partly responsibility of Indian government to implement such laws which ensures safety of citizens coming from Nepal and furthermore, there should be provisions of checking malpractice and exploitation within the entire system linked with cross border migration.

### **SESSION I – (9.00 am to 1.00 pm)**

The first panel, which was supposed to discuss on the different perspectives of Migration comprised of eminent speakers like Ms A. Kalamani from ICCO, Dr M.K Jha from Department of Social Work, Delhi University, Mr Laksmi Narain from Ekvishva Vidyalaya, Rajasthan and Dr R.S. Tiwari from Migrant Forum in Asia, New Delhi.

The chairperson of the Panel was Mr Laksmi Narain who had a good understanding on the issue of Migration and the problems associated with it. He beautifully brought many concerns pertaining to migration including the emerging trends of trafficking and cross border migration. He also requested the speakers to keep Hindi as the medium of discussion for the benefit of the participants. Touching on the emotive side of conversation, Mr Narayan requested the participants to begin with a regional song. Mr Sudhir Kumar from Sewa Bharti sang the popular song Aadmi ko dekh kar followed by a

“*Shayari*” which referred to safeguarding the right of the human race to freedom of thought, space and imagination.

Thereafter he invited Dr Manoj. K. Jha to share his thoughts on this issue. Mr Jha spoke about the often unspoken side of migration, with the ‘US –They’ theory. Attributing this theory to the issue of migration he asked the audience to recall the story of famous “*Kabuliwala*” by Rabindranath Tagore wherein the relationship of *Mini* and *Kabuliwala* (migrant) is of a ‘stranger’ who does not fall in the ‘US’ category. This division though is vague but in case of migration, it could be drawn as a perfect simile.

He further gave a light on other factors, which are crucial for analyzing the issue of migration. Firstly, the new things that build the likeness of a new city are magnetic for the migrant. Giving his own example, he tried to simplify the discussion by stating that the strangeness and newness of a different kind, he first saw in Delhi when he came to pursue his studies. In other words, the place to which the person belongs and the destinations of migrants are two crucial points for analysis. Departure from a place and the arrival at the new place is a long race, which builds relationships not only between persons but also between the places, means of communication so on so forth. What is explicit here is the need to view migration not as a problem but view it through the eyes of the migrants. In the changing political scenario, it is important that the migrants should be seen from the perspective of the core periphery model. In other words, the ethnocentricity, which the nation reinforces, should be removed by seeing a migrant not as a stranger but as an agency in him/her, which would enable policy makers to re look at the issue of migration.

The next speaker was Ms Kalamani from ICCO who related migration directly to the development of the country. She also mentioned that without migrants, survival of any metropolis would become near to impossible. Migration has many dimensions, which could be from one place to another or even from one country to another. The vital point is that in recent time’s civil society organisations have started coming together and discussing this issue.

As she is a South Asian Region Program Officer, her focus was on the issue of cross-border migration in south Asian countries including India and Pakistan. The condition of Indian and Pakistani workers in Middle East is resulting in massive problems among migrant’s viz. suicides for not being able to come back to their home country. There is no protective mechanism for the migrants. Besides this, the glaring reason for the outcome of such conditions is extreme poverty. Urbanization at an increased rate is another reason she stated is responsible for migration.

Second important issue, which she raised, was regarding the youth who are the ones who often migrate for study purposes, jobs etc. and due to lack of any protective mechanism they face many challenges. Even the basic opportunities are denied to them due to which they fall prey to various anti-social activities. In addition to youth, she also mentioned women and children who are becoming victims of trafficking or some other forms of exploitation due to an unprecedented increase in their rate of migration without any legal protection. She specifically spoke in reference to migrants from Nepal. One major challenge to tackle the issue of migrants is the lack of data, which furthermore makes their life more vulnerable. Migration has become an everyday’s phenomenon and it is important to systematize the process of migration to reduce vulnerability and marginalization. Another reason for such a situation as she pointed out could be the

remittance factor which in case of migrant workers in the unorganized sector is negligible because of which the political will towards these workers is found missing. Looking at the conditions of migrants, it becomes imperative to have a regional policy for migrants to stop the process of marginalization and undue exploitation meted out on the migrants. This would make migration safe and free of any constraints. She further added that ICCO has recently decentralized and established its regional office in India and is taking interest in working on migration and youth issues.

After these thoughtful words of Ms Kalamani the Chair recalled a meeting of the Akhil Bharatiya Marwari community and added that a community like Marwari is found everywhere from Norway to India and added the value of "*Saari Dharti Sabki*" which means Earth belongs to everyone. After these words, he called upon Dr Tiwari, to share his thoughts on the given agenda.

Dr Tiwari started off by calling migration a problem and mentioned that above 30 crore population in India are migrants. In addition, he also mentioned that 03 crore of the workers in India are migrants to other countries. He further added that national labour laws are applicable to all workers. However in order to make it more adequate migrant workers act was framed which could not be passed in the parliament. A migration policy is crucial; otherwise the situation will deteriorate. He also proposed that SAARC countries should have a regional policy on migration as it creates challenges to almost all the SAARC countries. Extending the discourse on migration, he further added that even there should be a refugee law for the immigrants. In both the issues he emphasized that the role of the civil society is very challenging and crucial along with the state and central government.

Lastly Mr Laksmi Narain summed up the sessions by adding that migration and immigrants issues are interlinked and a policy for the security and safety of migrants especially workers in the unorganized sectors is must. He also mentioned that NRI's are considered as an asset to a country which is not the case with the migrants because of the resources attached with the former. Thus stating migrants as service providers, he further emphasized on the need of a regional and national policy for migrants.

## **SESSION II – (11.00 am to 1.00 pm)**

Commencing the next session the chairperson Dr. Surjit Singh (IDS) started off by introducing the Panel Members. The panel of the second session comprised of Mr Sudhir Kumar Singh (Sewa Mandir), Mr Rajesh Singh Sisodia (Nangepaon Satyagraha), Ms Sangeet Bhairali and Mr Avdhesh Kumar (Srijan Lok Hit Samiti) who chaired the session. Dr Singh called migration a dilemma; he tried to trace the historical factors which led to migration. Tracing the history to the colonial times, in that period the state played a role in facilitating migration for economic benefits. He further added that the flow of cheap labour from developing countries to developed countries continues and the prime example is the outflow of people from Punjab to Canada. He compared the status of inland migrants with the cross border migrants giving the example of laborers from Bihar to Punjab which started vigorously during the Green revolution. The political economy of the state is directly linked to the issue of migration as the state is responsible in the growing number of migrants in the country. He also specifically mentioned that migration always follow a trend. Commenting on this he mentioned that the trend of migration from rural to rural is more than from rural to urban as mentioned in

the census. In addition he mentioned that migration breeds myriad problems and there should be a policy which keeps track of the people migrating from one place to another and also protects the rights of the migrants. However throughout his speech he clearly differentiated between migrations through marriage which is dominant in the feminist discourse than the other forms of migration. Lastly complementing the point raised by Mr Laxmi Narain he too added that assimilation of migrants inside and outside the country is very important for the development of the country.

After this thought stimulating presentation, Mr. Rajesh Sisodia from Chhattisgarh gave a detailed presentation on migration in his state. Stating that there is not much anxiety in the case of migration in the organised sector, he brought the house to the focus of the migrants in the unorganized sector. He said the main problems of migrants are education, employment, housing and most importantly land. Further emphasizing his point he wrote that land is a very important concern of the migrants as the lack of it often pushes the person into becoming a migrant which affects the society in general and the family of the migrants in particular. Seasonal labour out-migration is today a regional character of the area, involving nearly a million population which, barring few Southern States, moves nearly in all parts of the country. The labour migration from this area cannot be categorized as development migration, based on maximization of the profit, but is a part of household survival strategy of the marginal farmers and land-less workers who are unable to find work locally from December to June. Nevertheless migrating out for work has become an essential component of household economy for a large section of poor population and therefore it is necessary to change the attitude of, both the media and administration towards migration.

Mr Sudhir from Sewa Bharati commented that in the light of changing contours of rural economy as a whole the nature and pattern of migration has been also changing over the time. He brought forth the notion of trafficking often associated with migration. This further exploits the already exploited migrants. In today's socio-economic and political environment, livelihoods of people are being threatened in various ways. Several development projects such as dams and extractive activities result in mass displacements, environmental degradation, and the destruction of natural resources. In addition, sustainable forms of agriculture are disappearing, and so are traditional forms of sustenance. Talking of Bihar he mentioned that disaster-both manmade and natural coupled with climate change - is getting worse. Losing livelihood options and breaking up of socio-cultural fabric of the society brings about new forms of violence and exploitation - and rural poor are the worst sufferers. This also leads to massive migration, trafficking, exploitation, and extreme hardship. In order to face this massive migration and the increasing hardships and exploitation of migrant workers it is very important for the country to have a national policy on migration to ensure adequate livelihood standard of the migrants.

Mr Avadesh Kumar also challenged the concept of "*Palayan* (Migration)" and added that that it must be replaced by some other name as it connotes a certain meaning to this section of population. Endorsing what the other panellists have pointed out he said that migrant rights need to be protected to make the process of migration safe and dignified.

Vaagdhara, Rajasthan an NGO undertook a study on migration<sup>1</sup> whereby 200 migrant household and their living and working conditions were analysed and how these could

be ameliorated for a safe and dignified migration. Ms Richa Sharma was appreciated by the Chairperson as well as the members present in the hall for the detailed study presented. Some of the recommendations suggested by the presenter were:

- Capacity Enhancement (awareness, training)
- National level policy/schemes
- Livelihood options (Employment Generation Schemes)
- Invest in augmenting natural resources
- Migration facilitation/ Support Centers
- Support for children

This presentation summarised the entire state presentations as the deprivation of rights of the migrants are not very different from one state to the other. This also gave a direction that a similar policy on migration in all the state is essential to control and prevent the inhuman living and working conditions of the migrants which leads to multidimensional problems as was evident through the study. The situational analysis of the different states after the session on perspectives paved the way for the strategy session, which could synthesize both for a most suitable strategy for the state as well as the civil society collectives /organisations/alliances present there. The need of a national policy was very clear from all the presentations.

### **SESSION III – (2.00 pm to 4.30 pm)**

The panel for the third session on Strategies/Action Plans comprised of Anil Singh (SANSAD New Delhi), Malay Kumar (Prayatan Jaipur), Sandeep Bhattacharya (Deccan Chronicle, Raipur) and Ms Gurinder Kaur (South Asia Partnership) who was the chairperson of the Panel.

Mr Narender Kumar commences the session by summarising the first two sessions for the people who joined the consultation after lunch, and also opened the third session on strategy and asked people to come with suggestions for the strategy round. Dr Jyotsna Chatterjee from JWP, Delhi mentioned that though they have not directly worked with migrants, but in their intervention in Delhi slums and resettlement colonies they have felt that it is absolutely urgent to bring a common policy for the migrants and the trafficked women and children in the name of migration. She added trafficking is a grave concern pertaining to women and children which happens in the guise of migration. Mr Brij Kishore Chaurasia from Madhya Pradesh spoke about the lure of economic development which is the main cause in compelling people for migration. The distribution of land which is very uneven is another major reason for migration. According to him while addressing the problem of migration the aspect of economic development should be considered important. In fact though in different ways, he reiterated this aspect time and again during the consultation.

Mr Avdhesh Kumar mentioned that the various concerns like health, hygiene, and education should be given priority in the process of building a strategy on migration. Mr Manish from Jaipur also brought forward an important aspect which was regarding the crux while forming a strategy. He said there are three ways of looking at migration Viz. facilitating it, managing it or stopping it. The house should also come to a consensus before forming a strategy. Another participant Sangeeta Bhairali brought forward the

question of Bangladeshi immigrants in Assam and whether the house is concentrating on this issue or not. However she expressed the desire that it should also be considered an issue to be discussed in this consultation especially in the strategy session.

Mr Narender Kumar thanked the participants for their valuable suggestions and requested Mr Anil Singh from SANSAD to start the session. Mr Singh, after a patient listening of the discourse from morning said that there is a need to differentiate the confusion between migration and trafficking. Both the processes cause displacement of people. However it is pertinent for our understanding that there is a need to differentiate between the two. Stating reasons for this he said that the manifestations of both the problems are different. Trafficking is a problem which comes with forceful migration. And women and children are the worst sufferers of such a process. There should be a strategy to address these issues and only then a policy on migration would be helpful.

By the time Mr. Singh presented his ideas on the strategy session, Ms Gurinder Kaur arrived who from thereon took over as the chairperson. After introducing herself she called upon Mr. Sandeep Bhattacharya to share his thoughts on a strategy to be used for addressing the issue of migration. Mr. Sandeep tossed a question to the audience. Who are migrants? After a pause he mentioned that these are the people who take risk and are self confident. Not all people migrate from a particular place. It is always a selected few who gathers courage to change their place of residence for work. He gave examples of himself and including others sitting in the hall that migrated from their native place. Even in the unorganized sector he mentioned not all workers migrate to other places in search of work. This is why he mentioned a policy for safe migration is a must. Coming to the purpose of the session he said that the strategy for a safe and dignified migration should be a balanced planning. Hinting at this he said there is no dearth of resources in the country. Only thing that is required is proper distribution of wealth and infrastructure. Secondly migration is not considered an issue while planning, Why migration is happening is not contemplated upon when planning is done for the country. Another dimension to the problem of migrants is also the excessive saving culture it promotes because of varied reasons. Along with state's planning he also tried to focus on the planning required at the personal level of the migrants. With these words he stressed upon the need of proper planning and a proper framework to build an understanding of the different dimensions of migration.

After him Mr. Malay Kumar presented his ideas with clarity and understanding. He stated that migration happens for varied reasons and for that matter even there are migrants who are more vulnerable and susceptible to exploitation like women and children. He said that while building a strategy migration should always be taken from the perspective of the most vulnerable. He said the civil society should be particularly careful while presenting its recommendations/dialogue with the state. The chairperson thanked the presenters and taking forward what others have said she concluded that migration is happening at both organised and unorganized sectors. However it is very important to differentiate between the two as both the sectors manifest different concerns. For migration in the unorganized sectors, government needs to address the needs of the people. The needs of the migrants are many, health, education, security rights which form the basis to right to life. In addition she also mentioned that there is also a need to accept the psychological distrust between the educated and the illiterate. Soon after that she opened the house for discussion on the framework for a national policy on Migration.

Mr. Anil from SANSAD said that a definition of Migration to make it safe and dignified is that it should be facilitated and not ceased for any reason as it is the right of the person to migrate. Also this was the conclusion after daylong presentations in the house.

Mr. Malay added that it is the state's responsibility to develop measures for the safety and security of the migrants.

Mr Sandeep Bhattacharya added that there should be mention of different types of migrants like daily, seasonal and permanent migrants. He said that like population explosion is not a problem but a phenomenon, similarly migration should be seen as a phenomenon and not as a problem.

Mr Avdhesh Kumar also stressed on the need to replace the Hindi word of "*Palayan*" to something better suitable.

The suggestions which came up in the open session could be summed up as follows:

- National policy on migration keeping in mind all the important aspects discussed in the consultation
- Technological up gradation in rural areas as well
- A resource center for migrants at the village/district/state level
- Skill development of migrant workers
- Improvement of education/health and livelihood of migrant workers
- Migration to be seen from the perspective of right to development.

Finally Mr. Narender Kumar from IPAC summed up the sessions by stressing on the following points

- It is the state's responsibility to ensure the basic rights to the migrants.
- There is an urgent need for a policy on Migration
- The issue of migration is integrally linked to the development of the country.
- Thus one of the issues IPAC is seriously concerned under the right to Development project is migration.

After this a small committee was formed to materialize the action plan which developed from the process of the consultation. It comprised of IPAC (Coordinator), Lok Vikas Sansthan (Bihar), Barefoot Campaign (Chhatigarh), Vaaghara (Rajasthan), Prayatan (UP), Srijan Lokhit Samiti (MP). Besides, Ms. Gurinder Kaur and Anil Singh also offered to be part of this follow up committee.

Taking the responsibility to carry forward the suggestions/recommendations of the representatives from different civil society organisations and the action plan Mr. Narender Kumar thanked all the participants for their valuable time and inputs which facilitated the consultation in initiating a serious discourse on migration and rights of migrants.

### List of Participants

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