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India's Labour Legislation and its Employment Relation for the Next Decade



MIGRANT LABOURS

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ABSTRACT *Migration today is demonstrably central to the viability of labour markets. It is key to obtaining return on capital in a globalized economy worldwide. Unemployment and increasing poverty have prompted many workers in developing countries to seek work elsewhere, while developed countries have increased their demand for labour, especially unskilled labour. Lack of labour protection for migrant workers undermines protection generally for all workers. The many international labour standards adopted over the years by the International Labour Conference of the ILO are important for safeguarding the dignities of the rights of migrant workers .The media has formidable power in today's world in shaping public opinion. Through this competition, the ILO wishes to recognize exemplary media reporting on labour migration, which provides balanced narratives and gives voice to migrant worker.*

MIGRANT LABOUR

Migrant labour, who move about systematically from one region to another offering their services on a temporary, usually seasonal, basis. The term "migrant worker" has different official meanings and connotations in different parts of the world. The United Nations' definition is broad, including any people working outside of their home country. Some of these are called expatriates. Several countries have millions of foreign workers. Some have millions of illegal immigrants, most of them being workers also.

International migration of labour raises both hopes and concerns for the LDCs from which international migrants come. The migrants include millions of highly educated people from countries in which human capital is relatively care ,but also flow of relatively low skilled workers whose productivity and wages are far higher abroad than at home. International migration also produces benefits. The most tangible of these are remittance, the income that migrants send home.

WORLD'S LABOUR MIGRATION

According to the ILO, the world labour force stands at over 3.2 billion of the global population of 6.05 billion,200 million migrants representing about of the world population does exit today,60% of these figures presently reside in developed countries in Europe, United States ,North America and some parts of Asia. Top ranked sending countries include Mexico, Afghanistan, Bangladesh, Vietnam, Colombia, Bosnia, Kazakhstan, Rwanda, Srilanka, and Philippines. The top ranked receiving countries are United States of America, Canada, Germany, France, Australia, Russia, India and Saudi Arabia.

DOMESTIC MIGRATION IN INDIA

About two out of ten Indians are internal migrants who have moved across district or state lines, who have move within a country with population that tops 1.2 billion, while marriage is a common driver of internal migration. In, India especially among women, significant share of internal movements are driven by long distance and male-dominated labour migration, these flows can be permanent or semi permanent, or seasonal.

More than 69% of India's 1.21 billion people live in rural areas, according to 2011 census of India, but the country is rapidly urbanising at the cities of Mumbai, Delhi, and Kolkata are all the world's top ten most populous urban areas, and India has 25 of the 100 fastest growing cities worldwide, this due to rural-to-urban migration, as an increasing number of people do not find sufficient opportunities in rural areas and move instead to towns and cities.

The North Indian states of Uttar Pradesh and Bihar have the highest percentage of rural population, with 18.6% and 11.1% of people living in villages; these states are also the largest migrant sending states. Other major migrant sending sates are Rajasthan, Madhya Pradesh, Andhra Pradesh, Chhattisgarh, Jharkhand and Orissa. All sending states are characterised by low economic development indices and the major urban destinations are the growing economic magnets in an increasingly liberalized Indian economy.

REASON FOR MIGRATION OF LABOUR

- High economic wage differentials
- High social welfare conditions
- High income packages which have become the major attraction for skilled labour

PULL FACTORS

- Ageing and shrinking population in developing countries(e.g. European workforce will decline by 20 million by 2030)
- Low demographic growth versus a growing economy(Canada, Australia, New Zealand, EU)
- Different procedure in admission)
- Opportunities for employment and a higher standard of living

PUSH FACTORS

Poverty, Unemployment, Income disparities, Political conflicts, Environmental degradation, Lack of proper working facilities and structures, Overpopulation in developing countries due to high fertility rates.

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PLIGHT OF MIGRANT AT DESTINATION:
1.DOCUMENTATION AND IDENTITY:
Proving the identity is One of the core issue impoverished migrants face when they arrive in place, problem that can be persist for years or even decades after they migrate. Lack of identification means migrants are not able to access provisions such as subsidised food, fuel, health services, or education that are meant for economically vulnerable section of population.

2. HOUSING
Migration and slum are inextricably linked, as labour demand in cities and the resulting rural-to –urban migration creates greater pressure to accommodate more people. In 2011 census 68 million people lived in slums comprising one quarter of the population of India's 19 cities with more than 1 million residents.

3. LIMITED ACCESS TO FORMAL FINANCIAL SERVICES
Despite the economic imperatives that drive migration, migrant workers essentially remain an unbanked population. Since the migrant do not possess permissible proofs of identity and residence, which unable to open bank accounts in cities his has implication on savings and remittance behaviour of migrant workers. In order to avoid to avoid the risk of theft, they forced to wait for long periods to settle their wages, it will lead to cheating and non-payment of wages at the hand of contractors.

4. RAMPANT EXPLOITATION
Migration flows are mediated by an elaborate chain of contractors and middleman who perform the critical function of sourcing and recruiting workers. Here the migrants are completely depend on the middlemen for information, end up working in low end, hard and risky annual labour and are constantly subject to exploitation with little or no opportunity for legal recourse ,here female workers especially in the domestic and construction sectors, are often sexually exploited in return for the offer of regular work.

WOMEN MIGRANT LABOURS
According to the International Labour Organization, 48 per cent of all international migrants are women, who are increasingly migrating for work. Women become involved in migrant labour for a number of reasons. The most common reasons are economic: the husband's wage is no longer enough to support the family. Other reasons include familiar pressure, on a daughter, for instance, who is seen as a reliable source of income for the family only through remittances.

Young girls and women are singled out in families to be migrant workers because they don't have a viable alternative role to fulfil in the local village and if they go to work in the urban centres as domestics they can at least send home money. Many of these women come from developing countries, and are low skilled. Additionally women who are widowed or divorced and have limited economic opportunities in their native country may be forced to leave out of economic necessity. Lastly, migration can also substitute for divorce in societies that don't allow or do not condone divorce.

Economic conditions in developing countries have created the need for a new wave of migrant workers, predominantly young females. Turnover rate in many of these migrant jobs is very high due to harsh working conditions. This occurs on both a national and transnational basis. In Europe alone there are 3 million female migrant workers. The 1970s and 1980s have seen an increase in female migrant labourers in France and Belgium. Female migrants work in domestic occupations which are considered part of the informal sector and lack a degree of government regulation and protection. Minimum wages and work hour requirements are ignored and piece-rates are sometimes also implemented. Migrant labour allows large companies to keep up with the changes in the market and fashions but still keep production inexpensive at home. Women's wages are kept lower than men because they are not regarded as the primary source of income in the family.

SPECIAL WELFARE MEASURES FOR WOMEN
- A number of special measures have also been taken in the recent past for ensuring better protection and welfare workers ,especially the vulnerably sections like women migrants.
- Application of wage restriction of 30 years to all women emigration ECR passports
- Defining a minimum age wage for emigrant
- Stipulation of security deposit 2500 $ per worker from the foreign employer directly hiring Indian worker
- Compulsory attestation of employment documents for all women emigrants with ECR passport

RESPONSES TO MIGRATION
One of the policy conclusions that national policy makers have drawn from these outcomes is the state should undertaken efforts to prevent internal migration, through scheme such as rural employment programs. The government of India's interstate migrant workmen act of 1979 was passed in order to address the unjust working condition of migrant worker, including the necessity of gaining employment through middlemen contractors or agents who promise a monthly settlement of wages but do not pay when the time comes.

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