

**GENDER DIMENSION IN LABOUR MIGRATION:
A STUDY OF WOMEN WORKERS IN THE
CONSTRUCTION INDUSTRY
IN DELHI**

*Dissertation submitted to Jawaharlal Nehru University
in partial fulfillment of the requirements
for the award of the degree of*

MASTER OF PHILOSOPHY

PIYALI SARKAR



**CENTRE FOR POLITICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI- 110067
INDIA
JULY 2007**



Centre for Political Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi - 110067, India

Tel. : 011-26704413
Fax : 011-26717603
Gram : JAYENU


CERTIFICATE

It is certified that the dissertation entitled “Gender Dimension in Labour Migration: A Study of Women Workers in the Construction Industry in Delhi” submitted by Piyali Sarkar is in partial fulfillment of the requirements of the award of the degree of Master of Philosophy of this University. This dissertation has not been previously submitted for the award of any other degree in this University or any other University and is her work.

We recommend that this dissertation be placed before the examiners for evaluation.


Prof. Gurpreet Mahajan
(Chairperson)

Chairperson
Centre for Political Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi-110067


Dr. Vidhu Verma
(Supervisor)
SUPERVISOR
Centre for Political Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi-110067

Dedicated to

My Parents

For their unconditional love and support

ACKNOWLEDGEMENT

I would like to strongly express my great sense of gratitude to my supervisor, Dr. Vidhu Verma, for all her generous encouragement and guidance through the course of writing this dissertation.

My special thanks to Mr. Subhash Bhatnagar, National Coordinator of the National Campaign Committee for Construction Labour and Venkat Narayanan of 'Mobile Creches', for helping me in my field work. My heartfelt thanks to all the respondents for being cooperative and kind in answering all my queries required for the study.

Various libraries and institutes such as Centre for Women and Development Studies, Centre for Education and Communication, J.N.U library, Exim Bank library (JNU) and Teenmoorthi Library have been particularly helpful in providing the necessary material, including books, journals, public documents and newspaper clippings required for the purpose.

Thank you, Opia Das, Priyanka Roy, Devdutta Basu Srivastava, Malini Bhattacharjee and Avik Kumar Debnath for being the special people in my life.

Here at JNU, my special thanks are due to Anuradha Mandal, Deepika Wadhwa, Siddhartha Mukherji, Sucharita Sengupta, Areesh Ahmad, Avanti Mukherjee, Vignesh S, Priti Rekha Gogoi, Tanaya Sinha, Sudarshan Karne, Suhas Bhasme, Anindita Ghosal and all my classmates.

A simple thank you remains too small to express my deep love and gratitude to my parents and family members who have always supported me to continue my academic pursuits. This dissertation would have been impossible without their love and blessings.

Abbreviations

CIDC	Construction Industry Development Council
ILO	International Labour Organisation
NCL	National Commission on Labour
NSSO	National Sample Survey Organisation
NEP	New Economic Policy
UNDP	United Nations Development Programme
HDR	Human Development Report
GDP	Gross Domestic Product
NGO	Non Government Organisation

CONTENTS	Page No.
Introduction	1-10
Chapter 1: Migration, Work and Gender	11-41
Chapter 2: Women Workers In The Informal Sector	42-75
Chapter 3: Construction Industry and Women Workers	76-107
Conclusion	108-115
Bibliography	116-127
Appendix I: Tables	i-ii
Appendix II: Interview Schedule	iii-vi

INTRODUCTION

According to the International Encyclopedia of the Social Sciences, the word ‘migration’ is derived from a Latin word ‘migrare’ that means to change one’s residence.¹ Thus the element of changing the location and duration of stay are important to define a migrant. Like any other process migration shapes many areas of life and has its advantages and disadvantages. Migration gives rise to interaction of different communities who come closer and live together. Migration, therefore, is the means of cultural diffusion and social integration.² The role of “migratory threads in the progress of complex web of civilization” should not be neglected, as migration “plays a part just like natural growth, in the distribution, evolution and composition of human communities”.³ But it also can lead to demographic consequences and distrust among communities of different origins. This also impacts the changes in citizenship rights that groups might have enjoyed over a period of time.

About half of the world's migrant population is female, and the share of women in the total estimated migrant stock of 190.6 million people in 2005 has increased by almost 3 percent since 1960 (UN, 2005).⁴ Thus analyzing the dynamics and determinants of migration from a gender perspective is important as the impacts of migration vary with the gender⁵ of the migrant, as well as the gender of those left behind. Over the past four decades the total number of international migrants have more than doubled but the percentage of the world population migrating has remained fairly constant. There are now 175 million international migrants worldwide which is approximately 3.5 percent of the

¹ David L. Sills (ed) (1972), International Encyclopedia of the Social Science, Vol. 9, New York & London: The Macmillan Company and The Free Press & Collier- Macmillan Publishers, p.287.

² D. I Bogue (1959), “Internal Migration” in P.M. Hauser and O.D. Duncan (eds.), *The Study of Population: An Inventory and Appraisal*, Chicago: University of Chicago Press, p 487.

³ J.B Garnier (1978), *Geography of Population*, New York: Longman Inc, p 243.

⁴ The World Bank (2005), ‘ Women on the Move—New Evidence on the International Migration of Women’, Gender and Development, *The World Bank*, available at, <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTGENDER/0,,contentMDK:21011709~menuPK:336874~pagePK:148956~piPK:216618~theSitePK:336868.00.html>, accessed on May 07, 2007.

⁵ The term ‘gender’ refers to cultural differences and social differences and not biological difference. Thus the term is different from ‘sex’ which focuses on biological differences between man and woman. Feminist writer like J. Butler, L. Nicholson and others looks at ‘gender’ as socially constructed as opposed to that which is biologically given.

global population – and about half of them are women, despite the common misconception migrants mostly consist of men.⁶

Globalization and Migration

All over the world the globalization process has accelerated the migration trend, particularly women in search of survival, fulfillment and a better life for themselves and their families. There is a mixed reaction among scholars about the effect of globalisation and liberalization among women. According to Nandita Gandhi, Nandita Shah⁷ and others, the process has led to ‘feminisation of the labour force’⁸. In many developing countries export led economic growth and an inflow of foreign capital have given a big boost to electronic, chemical, service sector, manufacturing and garment industries. In these industries women workers are paid low wage and they have to work under undesirable conditions. Since most women are ready to work for any wage and perceived as passive and docile, they are in great demand, contributing to feminisation of labour and feminisation of labour migration⁹. At the same time, Indrani Mazumdar, Madhura Swaminathan, Renana Jhabvala¹⁰ and others are of the opinion that liberalization driven globalization has led to further marginalization of women in the workforce. With the advent of globalisation and liberalization process, new technology has been introduced, and thus there has been an increased demand for ‘skilled’ labourers. A large section of women workers are crowded in the lowest rungs of the unskilled labour and hence their demand has decreased in the market.

⁶ Susie Jolly, with Hazel Reeves (2005), *Gender and Migration, Overview Report*, Bridge Development Gender, available at, <http://www.traffickingandhiv.org/resources.asp>, accessed on May 02, 2007.

⁷ Nandita Shah, Sujata, Gothoskar, Nandita Gandhi and Amrita Chhachhi (1994), “Structural Adjustment, Feminization of Labour Force and Organizational Strategies”, *Economic and Political Weekly*, April 30, p. WS 39-48

⁸ The term ‘feminisation of labour’ is used to refer to the rapid and substantial increase in the proportion of women in paid work over the last two decades. At the global level, about 70% of the total population belonging to the 20–54 age group are members of the paid workforce. In developing countries as a group, the figure is lower at 60 percent. (United Nations (1999), *World Survey on the Role of Women in Development: Globalization, Gender and Work*, New York: United Nations, DESA, pp. 91-97)

⁹ K. Shanti (2006), “Female labour Migration In India: insights from NSSO Data”, Working paper 4, Chennai: Madras School of Economics, February, p. 8.

¹⁰ Renana Jhabvala (2003), “Liberalization and Women”, *Seminar*, November, p. 34-39

Thus the process of liberalization and globalisation has had far reaching consequences on the pattern of demand of female labour. Though there is mixed view on the increase or decreased in the demand for labour, the scholars are unanimous of the view point that women workers are highly under paid, have to work in unhygienic conditions and have no bargaining power.

In the developing countries, the standard labour legislation is applied to few workers, because governments have either not enforced it or abolished it outright or because existing legislation is weak and enterprises have been able to circumvent and bypass it. The deregularization of labour markets, fragmentation of production processes, de-industrialisation and emergence of new areas of export specialization have all generated an increased demand for low-pay, flexible female labour.¹¹

In most parts of the developing world, internal migration has become one of the major issues of concern for policy-makers and researchers. The reason behind this is the rapid urbanization, growth of mega cities, urban overcrowding and pressure on social infrastructure as well as widely recognised social costs in terms of population squatter settlements, the likelihood of social unrest in urban conglomerations, urban unemployment and poverty. At the same time concern has been expressed over the potential impact of rural out-migration on agricultural production, rural income levels, productivity etc. Moreover, concern has also been voiced over the economic, social and political exclusion of migrant workers, especially of those unskilled people moving from relatively deprived and depressed areas in search of gainful employment and living.¹²

Migration in India

In India, migration is one of the most volatile components of population growth and is most sensitive to economic, political and cultural factors. It has contributed significantly in the processes of urbanization, economic development, cultural diffusion and social

¹¹ Nazneen Kanji and Kalyani Menon Sen (2001), "What does feminisation of labour mean for sustainable livelihoods", International Institute for Environment and Development, available at: http://www.ring-alliance.org/ring_pdf/bp_gender_ftxt.pdf, accessed on May 15, 2007

¹² S.K Shashi Kumar (2004), "Theories of Internal Migration: A critique", in K. Gopal Iyer, (ed), *Distressed Migrant Labour in India. Key Human Rights Issues*, New Delhi: Kanishka Publishers, pp. 34-43

integration in India. The report released by the Government of India, 2005, based on Census 2001, shows that almost 30 percent of the population or 307 million people were classified as migrants by place of birth and the 55th Round of the National Sample Survey estimated for the first time, the number of short duration out-migrants who stayed away from their usual place of residence between 2 to 6 months at 12.6 million.¹³

Hence the flow of migration process has increased over the years and as a result number of women in the migration process has also increased. Although Ravenstein, one of the foremost migration researchers, identified difference between men and women migration, unfortunately, for much of its history the study of migration has tended to ignore gender as a variable. The increasing attention received by gender dimensions of migration in recent times is an indication of the changing profile of women's mobility, its relationship with the lawful and illegal elements of human movement (such as trafficking, exploitative and slave-like labour utilization, and so on), and fundamentally the growing recognition that existing 'gender-blind' frameworks are erroneous, calling for mainstreaming of gender concerns in all spheres of human and economic development.

In the context of India, marriage and family decisions constitute a major influence in the case of women's migration. This covers 87 percent of all migration among females, while the same factors influence only 31 per cent of males. On the basis of these statistics, it has often been erroneously assumed that since major female migration is associational, the economic dimensions of women in migration have little significance. Even the 2 percent of women who cited 'employment' as the main reason for their migration accounts for more than 3 million (Census 1991).¹⁴ The definitional constraints in Census data imposed by place of origin/birth or place of last residence serving as pivots for recording migration, and the large magnitude of female migration linked to marriage and associational reasons have curtailed any economic significance being attached to the gender dimensions of labour migration.

¹³Preet Rustagi (2006), "Women in the context of Migration: addressing Vulnerabilities and Policy Issues", *India Migration Newsletter*, July, p.4-6

¹⁴ Preet Rustagi (2006), Op.cit, p. 4

Hence the large-scale national surveys underscore female migration due to certain reasons. The respondents are required to give only one reason for migration and in the case of women invariably the reason for migration is identified with marriage. The woman may be working prior to marriage and intend to get married with an urbanite to enhance her potential for employment but it does not get captured in the national surveys. Moreover in the Indian cultural setting it is inappropriate for a woman to emphasize her economic role especially if the interviewer is a stranger and also when male members answer the question, women's employment is usually underplayed. Moreover the emphasis on primary and full time work and longer reference period often lead to underestimation of female employment. If women's jobs are extensions of domestic jobs then they are not even acknowledged as 'jobs'. Questions as to who migrated first, whether the male or the female and in associational migration whether women's employment opportunities were reckoned or not at the time of migration etc are not posed to the sample population and hence it is difficult to identify 'autonomous female migrants'.¹⁵

Only by the mid-1980s female migration received some attention and their contribution to labour, largely in the unorganized sector came into focus. This occurred parallel to the increasing voices drawing attention to women's work related issues, the non-recognition and under-valuation of the unpaid categories of work, especially the household care economy chores. The hallmark of care economy is the fact that it is unpaid. Domestic, reproductive and voluntary community work together constitutes the *care economy*. These activities are often thought of as 'social roles' rather than economic activities. These activities are also gendered, in the sense that they are almost invariably regarded as special responsibilities of women.¹⁶

Thus the marginalization of women's concerns in the context of migration relate to the overall lower socio-economic status of women, the non-recognition and under-valuation of their work and dominant perceptions regarding gender roles and stereotypes which

¹⁵ K. Shanti (2006), Op. Cit, p. 1-6

¹⁶ Diane Elson (1999), "Gender Budget Initiative", Background Papers, United Kingdom: Commonwealth Secretariat, p. 7-12, available at: <http://www.undp.org/women/CD-Gender-and-Budgets-2004/Budgets%20CD%20section%203/3.1%20gender%20neutral%20gender%20blind.pdf>, accessed on May 10, 2007

foreclose the possibilities of widespread mobility or the migration of women for economic purposes. It may be mentioned here that the determinants of women's migration are more complex than the determinants of men. This is probably because of the multidimensional role played by women, including the responsibility of child care, feeding the family, keeping marriage together and playing role in economic production also. The working women bear a double burden of doing domestic work as well as waged work but the patriarchal perceptions reduce the importance of their economic role resulting in women being considered as a secondary labour force. Women's engagement with the care economy therefore reduces their involvement in the labour market. Consequently, they are unable to compete on equal terms with men in the labour market. Thus women workers are mostly concentrated in low skilled and low paying jobs.

Migrant workers are comprised of a vulnerable lot of workers, who are poor, desperate, with no bargaining power and also form a large section of the unorganised workforce. As per the 1991 Census data, 96 per cent of women workers were employed in the unorganised sector. The Human Development Report 1995 points out that, "in no society women enjoy the same opportunities as men" and "much of women's work remains unrecognized and undervalued".¹⁷ It also states, "in all countries the gender-related development index is lower than the human development index, reflecting lower achievements in human development for women, compared to men. Gender gaps in education and health are closing, but opportunities for economic and political participation are severely limited for women. With the average gender empowerment measure at 0.391, all countries have a long way to go before reaching equality" and that "Human Development if not engendered, is endangered".¹⁸ The Report also stated that much of the work that women do is 'invisible' in national accounting and censuses, despite its obvious productive and social worth. The reason is that women are heavily involved in small-scale agriculture, the informal sector and household activities – areas where data are notoriously deficient.

¹⁷The Human Development Report, (1995), *Gender and Human Development*, UNDP, p. 87, available at, http://hdr.undp.org/reports/global/1995/en/pdf/hdr_1995_ch4.pdf, accessed on May 17, 2007.

¹⁸ The Human Development Report (1995), *Ibid*, pp. 29- 30.

In the developing countries, one of the main reasons behind concentration of women workers in the informal sector is that they face many constraints in acquiring skills. The stark fact of poverty makes such investment in human capital formation a sheer impossibility. Also the multiple roles that women perform, and particularly the drudgery of housework, the hours spend in fuel and water collection by poor rural women, the multiple child births and child care as also the economically productive work they engage in, often at wages far below subsistence affords them with very little leisure time to pursue additional training to acquire skills. Also given the levels of female illiteracy and low levels of education, women are often not even aware of the benefits of skill acquisition. Moreover, women often suffer wage discrimination, with female wage rates being systematically lower than male wage rates. This research intends to study women migrants involved in the informal sector. Here construction sector is chosen as the site of research and a field study in this regard has been conducted in Delhi.

A Case Study of the Construction industry

The building and construction industry is the second largest absorber of the bulk of the Indian labour force in the unorganized sector.¹⁹ In building and other construction works more than eight million workers are engaged throughout the country. These workers are one of the most vulnerable segments of the unorganised labour in India. Their work is of temporary nature, the relationship between employer and the employee is temporary, working hours are uncertain.²⁰

The construction industry is highly labour intensive and absorbs a large number of skilled and unskilled labour force. Although the industry is labour intensive, the principal employer remains totally invisible to a labourer on the site. The whole process of employment ensures that the labourers are hired for a short duration and is never aware of the main employer. The construction workers are of two categories: migrant labour from the same state or other states and local labour available in the slums. The industry is also

¹⁹Vaijayanta Anand (1998), “ Advocating for the Rights of Construction Workers: Nirman’s Experience”, *The Indian Journal Of Social Work*, Volume 59, Issue 3, p. 847.

²⁰Source: Office of Labour Commissioner, Government of Delhi Available at: http://labour.delhigovt.nic.in/act/details_acts/buliding_other_construction/building/intro.html, accessed on June 6, 2007

characterized by a general lack of training facilities. The vast majority of workers, mostly women, remain unskilled with hardly any scope of skill improvement.

It is essential to look at the construction workers' problem with a gender perspective. If the conditions are unsuitable and unfavourable for male construction workers, women suffer doubly or more than that. Women's work is mostly categorized as unskilled and avenues for skill upgradation are almost non-existent. Women are paid less and face more job insecurities than men.²¹

Overall 27 labour laws are applicable to construction industry. Few important Acts among them are Minimum Wages Act, 1948; Contract Labour (regulation and abolition) Act, 1970; Equal Remuneration Act, 1976; Payment of Gratuity Act, 1972; Interstate Migrant workmen (Regulation of Employment and Conditions of Service) Act, 1970; Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979; Building and Other Construction Workers Act, 1996; etc. Women are exploited upto a great limit in this sector. It has been seen that women workers in the unorganized sector seldom get the fruits of the Maternity Benefit Act and are also victims of gender discrimination. Women are mostly paid minimum wages and are also underpaid-violating the Equal Remuneration Act. The contractors mostly do not take initiative to provide crèche facilities for children of the working women. The invisible nature of the industry, the fragile employer-employee relationship, the seasonal and discontinuous nature of employment has resulted in the bulk of these workers being denied their rights and benefits. Moreover, taking advantage of the worker's vulnerability as a migrant and temporary worker, the social security programmes meant as a part of the worker's rights never get implemented.²²

²¹ J Cherian and K.V. Prasad (1995), *Women, Work and Inequality; The reality of gender*, New Delhi: National Labour Institute, p. 20-24

²² Vibha Sharma (2004), "Enforce law on construction workers", *The Tribune*, Chandigarh, October 27.

Objective of the study

The study looks at various dimensions of female labour migration. The objective of the study is to unpack various linkages between gender, migration and work. Since the maximum concentration of migrant workers is in the unorganised sector, the study looks at various aspects of the unorganised sector with issues concerning women workers in this sector. It also attempts to point out under-valuation of women work manifested in disparities in wages, in access to and control over resources, in lack of infrastructural support, non-implementation of labour laws, and above all, the great disparity in the work burden. The Construction industry which is a hub for migrant work force is chosen as a specific sector to study the dynamics of female migrant workforce. A small field study for 20 days was conducted in Delhi as a part of this research.

Hypothesis

Over the years, social and culturally determined mobility for female migration is slowing down, while mobility induced by economic factors is on the increase. Thus, with the changing social scenario, women are not just 'tied movers' moving with families, now there is a trend for autonomous migrant women labourers. Moreover, even when women are migrating with their husbands or families as 'associate' migrants, they could not be only considered as 'tied movers'. They are being engaged as workforce in the destination area and hence need to be treated as economic units. Hence the position of migrant women could no longer be considered in terms of migrant's wife or daughter but must be put in terms of female migrant and she should be regarded as a person in her own right. The relocation of women as labourers from rural to urban conditions leads to change in the status of women. The contribution of women as a category of workers is grossly underestimated and women workers as a part of the unorganised labour force suffer more than their male counterparts.

Methodology

The methodology of the present study is primarily analytical and examines the changing patterns of female migration in India. This study involves a case study of the construction industry in Delhi to analyse various dimensions related to labour issues, specially labour issues related to women labourers. The research is primarily analytical and is based on both primary and secondary sources. This research involves a case study of women workers engaged in the construction industry in Delhi,

The primary level data was collected through interview schedule and participation observation method from the field study. A field work of 20 days was undertaken and a sample size consisting of 60 construction workers (30 male workers and 30 female workers) had been selected on the basis of random sampling method from different construction sites in Delhi. The workers were interviewed through interview schedules. Other stakeholders like labour officers, labour in-charge, manager (labour) and manager (commercial) of various construction sites were also interviewed. At the same time various organizations like 'Mobile Creches' and 'Nirmana' in Delhi who are engaged with the cause of construction workers for a long time were visited to interview various people in these organizations to get a clear picture about the situation of construction workers in Delhi.

The government documents, including The Census reports, NSSO reports, Labour Commission reports, Human Development reports, reports of Ministry of Labour and Employment, report of the Tenth Five-Year Plan, etc. have served as a vital provenance of primary data. Along with this, various reports of international organizations like the International Labour Organisation, United Nations Organizations and United Nations Development Programme have also served as useful sources for primary data. The books, journals and newspaper reports written by various authors have provided deep insights into the theoretical and empirical aspects of the study and provided the secondary data needed for the purpose of this study.

CHAPTER I

MIGRATION, WORK AND GENDER

Introduction

Migration has been an integral component of human history. Migration has been viewed as being closely linked to urban industrial growth and hence indispensable in the process of development. Migration is as much a cause as a consequence of socio-economic imbalance between rural and urban areas. Migration can be described as “an instrument of cultural diffusion and social integration that results into more meaningful distribution of population”.²³ Migration can be classified into broadly four types: (1) Intradistrict Migrants: those people who are enumerated at a place different but born within the district. (2) Interdistrict Migrants: those persons who are enumerated in a district but born in another district of the same state. (c) Interstate migrants: those persons who are enumerated in a state but born in another state (d) International migrants: those persons who are enumerated in India but born in another country.²⁴

According to United Nations regional disparities in development are one of the most important factors which influence the volume and direction of migration.²⁵ According to classical economic theories wage differences among different areas is the primary cause of migration. In many Asian countries low agricultural incomes and agricultural unemployment and under-employment are mainly responsible for migrations towards the places with more job opportunities.²⁶ Thus migration is also influenced by industrial development. In addition to the economic motives, other factors like political and religious refugees are also important determinants of international migration. For

²³ D.I. Bogue (1959), ‘Internal Migration’, in O.D. Duncan and P.M. Hauser (eds.), *The Study of Population: An Inventory and Appraisal*, Chicago: Chicago University Press, as cited in R.C Chandna (2002), *Geography of Population. Concepts, Determinants and Patterns*, New Delhi: Kalyani Publishers, p 240.

²⁴ D.P Singh (1998), “Female Migration In India”, *The Indian Journal of Social Work*, Volume 52, Issue 2, April, pp. 728-731.

²⁵ United Nations (1980) *Migration, Urbanization and development in Sri Lanka*, ST/ESCAP/94, Economic and Social Commission for Asia and the Pacific, Bangkok, p.91

²⁶ A. S Oberai and H.K. M Singh (1983), *Causes and Consequence of Internal Migration. A Study in the Indian Punjab*, Delhi: OUP, p 30.

instance, in the mass influx of Bangladesh evacuees inside India in 1971, no economic motive was involved, because the refugees were forced to leave their country out of fear of extreme persecution and possible death.²⁷ Equally significant are the socially rooted determinants of migration. There are certain social customs that generate specific type of migration. For instance, females move from the place of their parents' residence to the place of residence of their spouses at the time of marriage. This is a type of migration, which owes nothing to the desire of economic gains.²⁸

In this chapter various dimensions of migration has been discussed. The objective of the chapter is to unpack the linkages between gender, migration and work. It has often been erroneously assumed that since major female migration is associational and the economic dimensions of gender and migration have little significance. Through the review of literature concerning female migration, in this chapter it is argued that the migration of women like that of men is likely to be employment oriented regardless of whether the women migrate alone or with their families. Henceforth, this chapter focuses on various issues related with migration of women workers. This chapter is divided into three broad sections. The first section deals with various theories of migration, the second section reviews literature concerning female migration in general and the third section deals with the female migration in the context of India. The last two sections also put special emphasis on female labour migration.

E.S. Lee²⁹ emphasizing the causes of migration both at the area of origin and destination and the intervening obstacles showed that the factor varies considerably between male and female migrants. The possibility of social constraints against autonomous migration of women, or even associational migration of wives is one area of gender differences. Cultural norms may well promote the migration of males while it can impend the migration of the female. Push and pull factors are also varied at the area of origin and

²⁷ P.N. Mukherji (1974), "The Great Migration of 1971-II: Reception", *Economic and political Weekly*, Vol. IX, No. 10, March 9, p. 399.

²⁸ M. Johnson Samuel, (1995), *Life Cycle and female Migration, a Study of the Pattern and Causes*, B. R Publishing Corporations, New Delhi, p 1-17.

²⁹E.S. Lee (1966), "A Theory of Migration", *Demography*, Vol. 3, No.1, Washington: Population Association of America pp. 47-57.

destination between male and females. These gender-related differences in the migratory process necessitate a more specific analysis of female migration, particularly the expanding stream of autonomous migration of women. Relevance of research regarding gender dimension of migration is increasing as females constitute half of all internal migrants i.e migration within a country in developing countries. It is important to point here that in Asia, particularly eastern and southeastern countries; there is growing tendency of feminisation of the migration process with the increasing flow of a large section of females migrating for work.

Theories of Migration: Conceptual Issues

There is no single theory of migration. Several complementary theories on migration have been developed over the years by different authors. Recent developments in migration theory mirror two concerns, namely the attempt to reconcile structure and agency and the importance of gender. It is argued that gender is an essential tool for unpicking the migration process and that a gender perspective has enriched and been enriched by models of migration allowing analytical space for both the agency of migrants and the structures which surround them.

Theoretical explanations of migration dates back to the 1880s when E.G. Ravenstein, an economic historian, first proposed his laws of migration. Ravenstein conducted an empirical study of the extent and mode of migration in the United Kingdom, using the census data of 1871 and 1881, and proposed his “laws of migration” in his two classical papers which are considered to provide major inputs for the development of contemporary theories of migration. The first paper highlights the facts that the choice of destination is regulated by distance, i.e., the rate of migration between two places is inversely related to the distance between these two places.³⁰ Migrants move from the areas of low opportunity to the areas of high opportunity. Migration takes place in stages, i.e. the migrants from the rural areas would normally be attracted towards the nearby

³⁰ E. G. Ravenstein (1885), “ The Laws of Migration”, *Journal of the Royal Statistical Society*, Royal Statistical Society, London, June, pp 167-227as cited in A. S. Oberai, and H.K. M Singh (1983), *Causes and Consequence of Internal Migration. A Study in the Indian Punjab*, Delhi: OUP, p 25.

towns and normally they would be diverted towards the large cities. Each stream of rural-urban migration produces a compensating “counter-current”, although the former tends to dominate the latter. Also the urban residents are less migratory than the rural parts of the country. The second paper highlights that migration streams accelerate with the growth in the means of transport and communication and expansion of trade and industry.³¹ According to Ravenstein, the economic motive is always the dominating factor in influencing the decision to migrate. The “desire inherent in most men to ‘better’ themselves in material respects” is the most influential factor causing migration.

Building on Ravenstein’s theory, E. S. Lee, a sociologist, defines migration as “a permanent or semi permanent change of residence” and that every act of migration involves an origin, a destination and an intervening set of obstacles. Lee borrowing significantly from Ravenstein’s “laws of migration” developed the Social Theory of Migration. He divided forces exerting influence on migrant perception into “pluses” and “minuses”. The former pull individual towards them, the latter tend to push them away. There are “zeros” also, in which the competing forces are, more or less, evenly balanced. These forces, in their own way, are governed by personal factors (for instance, age, education, skill level, sex, race, ethnic or tribal group, etc.) “which affect individual thresholds and facilitate or retard migration”. Lee maintained that the existence and nature of personal, family or ethnic contracts in destination areas could exert a significant influence on migration process. Lee incorporated in his theory the concept of “intervening obstacles” which include geographical distance and socio-cultural distance. It is understood that development of means of transport and communication will reduce geographical distance. But socio-cultural distance like difference in language, religion, food, customs and values act as minor or major ‘intervening obstacles’ which tend to exert differing influence on different people.³²

³¹ E. G. Ravenstein, (1889), “ The Laws of Migration”, *Journal of the Royal Statistical Society*, Royal Statistical Society, London, June, pp 241-301, as cited in A. S. Oberai, and H.K. M Singh, Op Cit, p 26.

³² Kamaljit Singh (1991), *Internal Migration in a Developing Economy*, New Delhi: National Book Organisation, pp 17-22.

The neo-classical Model

The neo-classical theories on migration have been developed by W. A. Lewis, G. Ranis and J.C.H. Fei, J. Harris, M.P. Todaro, Sjaastad and others. The first comprehensive model of development to deal with rural-urban labour transfer was developed by Lewis on which neo-classical theories of migration are based, and later extended by Ranis and Fei. The combined structure is known as L-F-R model. This model considers migration as an equilibrium mechanism which through the transfer of under-employed labour from the non-capitalist sector of the economy to the capitalist sector, brings about equality between the two sectors. In the subsistence sector, the marginal productivity of the labour is zero or very low, and workers are paid wages which could maintain them in the level of subsistence. In the modern industrial sector wages are maintained at levels much higher than the average agricultural sector.³³

Some observers like B. Dasgupta³⁴ has shown dissatisfaction with the L-F-R model from the viewpoint of analyzing the causes and consequences of migration in developing countries. Firstly, migration is not mainly due to unemployment and underemployment although they play the decisive role on migration. Secondly, the assumption of near-zero marginal productivity in agriculture is not confirmed empirically as in many developing countries the rate of growth of the modern industrial sector is very low. Moreover, in many instances it is found that unemployment and under-employment of the rural sector are shifted to the urban sector due to migration.

Perhaps the most sophisticated example of this approach is that developed by M.P. Todaro. There are four basic features in the Todaro model. First, migration is stimulated primarily by rational economic considerations of relative benefits and costs, mostly financial, but also psychological. Second, the decision to migrate depends on “expected” rather than actual urban-rural real wage differentials and the probability of successfully

³³ S.K Shashi Kumar, (2004), “ Theories of Internal Migration: A Critique” in Gopal. K Iyer, (ed), *Distressed Migrant Labour In India. Key Human Rights Issues*, New Delhi: Kanishka Publishers, pp 34-42.

³⁴ B. Dasgupta, (1979), “ Migration and Rural Employment”, in *Land Reform: Land Settlements and Co-operatives*, No 1, Food and Agricultural Organisation, Rome as cited in Singh, Kamaljit, (1991), *Internal Migration in a Developing Economy*, National Book Organisation, New Delhi, p 30.

obtaining employment in the urban modern sector. Third, the probability of obtaining an urban job is inversely related to the urban employment rate. Fourthly, migration rates in excess of urban job opportunity growth rates are not only possible but also rational and probable in the face of continued positive urban-rural expected income differentials. High rates of urban unemployment are therefore inevitable outcomes of the serious imbalances of economic opportunities between urban and rural areas of most underdeveloped countries.³⁵ The Harris- Todaro model (H- T model) approach is an extension of the basic Todaro framework. In the H- T model it is assumed that the rural sector and the urban sector specialize in the production of agricultural and manufacturing goods respectively. It is assumed that the migrant retains his ties with the rural sector. The income that the migrant earns is assumed for analytical purposes to accrue to the rural sector.³⁶

This model has also been criticized by many on certain grounds. Migration is not necessarily a reaction to the expected income differential. People also migrate because they are unable to earn an income for their bare subsistence. Moreover, Todaro's theory or H-T model do not emphasise the role of non-economic factors in the mobility decisions. Again, they abstract from the structural aspects of the economy. The differential in incomes is not a cause in itself, but a symptom of disparities between the urban and the rural areas associated with inequitable allocation of resources, an inequalitarian land ownership system, and inappropriate technology, etc. G.S. Fields and others have modified the Harris- Todaro model by introducing the concept of 'informal' or 'murky' or 'traditional urban' sector.³⁷ In this concept it is assumed that the informal sector is identified with free entry. Few people accept the employment in this sector just to earn the subsistence while seeking the job in the modern sector. However, Joshi and

³⁵ A. S. Oberai, and H.K. Manmohan Singh (1983), *Causes and Consequence of Internal Migration. A Study in the Indian Punjab*, Delhi :OUP, pp 28-30.

³⁶ J.Harris and M.P. Todaro (1970), " Migration, Unemployment and Development: A two Sector Analysis", *The American Economic Review*, Vol. 60. No.1, March as cited in Jyotirmaya Mohanty, (1996), *Emerging IndustrialCentres and Impact on Migration. A Study in Orissa*, New Delhi: Classical Publishing Company, pp 31-32.

³⁷ G.S. Fields (1975), "Rural- Urban Migration. Urban Unemployment and Job-Search Activity in LDCs", *Journal of Development Economics*, Vol., June, 1975, North- Holland Publishing Co, Amsterdam, p. 165-187 as cited in Kamaljit Singh (1991), *Internal Migration in a Developing Economy*, New Delhi: National Book Organisation, pp 22-26.

Joshi³⁸ have pointed out that the average informal sector earnings are roughly equal to, if not higher than, rural earnings. If this is the state of affairs, then there is the possibility of the rural migrants being attracted by the opportunities available in the informal sector.

The model of human investment theory, as developed by Sjaastad, uses the concept of investment in human capital to focus on the costs and benefits of migration decisions. It assumes that people will migrate when the benefits outweigh the costs. Benefits of migration are defined as the present value of potential income gains resulting from the difference in income between origin and destination. Non-monetary benefits such as those arising from location preference are also included in the model. Costs include moving expenses, opportunity costs of foregone earnings between jobs and non-monetary psychic costs such as the disutility of leaving one's home community and settling in an unfamiliar environment.³⁹

The structural model

A structural model of southern African migration, which made problematic the relationship between the non-capitalist and the capitalist sector, was developed in the early 1970s by various (neo) Marxist theorists, led by Wolpe (1972) and Legassick (1975). Just as the neo-classical model of migration can be linked to the modernization theory of development, the structural model was heavily influenced by the center-periphery concepts emanating from dependency theory in Latin America. According to dependency theory, the economy of a peripheral country is conditioned by the development and expansion of the central economy to which it is subordinated. It is argued that the migrant labour system developed as a result of coercion, directly by a system of forced labour and indirectly by the structural constraints imposed by capitalism. Far from being a matter of choice which operates to maximize individual utility, therefore, labour migration is to be explained within the structural model in terms

³⁸ V. Joshi, and H Joshi (1976), *Surplus Labour and the City: A Study of Bombay*, New Delhi: Oxford University Press, , pp 165-166.

³⁹ S.K Shashi Kumar (2004), "Theories of Internal Migration: A critique", in Gopal K. Iyer, (eds), *Distressed Migrant Labour in India. Key Human Rights Issues*, , New Delhi: Kanishka Publishers, pp 36-37.

of the functions which labour served for capital. Structuralist approaches look at how structural factors such as changes in patterns of production give rise to migration. These have been critiqued for underplaying individual motivations, and for emphasising production at the expense of reproduction. Reproduction is very relevant as migration is often a household as well as individual livelihood strategy, and migration is made possible by the reproductive labour of family members.⁴⁰

The Structuration model

The third and most recent model of migration also arose from a critique of preceding theory, and seeks to combine elements of both the neo-classical and structuralist accounts. Its development, which owes much to the disciplines of history, anthropology and sociology, and, latterly, to gender studies, is not yet complete. In Anthony Giddens model, the human agent plays the principal part in a social system. The point of departure in the model is that rationality lies behind every given individual's behaviour. This rationality is based on the individual's knowledge and information about society and the empirical world. Humans as subjects are not only isolated singularities but also interpreters of the world in interacting social systems. In his theory of structuration, Giddens emphasizes that both individual and societal forces are influential on the constitution of society and incorporates this into one explanation⁴¹. Structuration theory is "an approach to social theory concerned with the intersection between knowledgeable and capable social agents and the wider social systems and structures in which they are implicated"⁴²

Keith H. Halfacree is a strong proponent of the use of structuration theory in studies of migration. In his study of household migration and the structuration of patriarchy, he emphasizes the importance of the duality of structure in the migration decision making process. He emphasizes that migration is more than just a simple cost-benefit analysis,

⁴⁰ Susie Jolly with Emma Bell and Lata Narayanaswamy, (2003), " Gender and Migration in Asia: Overview and Annotated Bibliography" *BRIDGE (development - gender)*, Institute of Development Studies, University of Sussex, p5.

⁴¹ Philip Cassell (ed) (1993), *The Giddens Reader*, Stanford: Stanford University Press, p 70.

⁴² Derrick Gregory (1994), *Geographical Imaginations*, Cambridge: Blackwell, p 55.

but is influenced by wider social issues. To this end, Halfacree (1995: 170) stresses “the need for analysis of the institutional structures which sustain the apparent sex-role structure” in a gender perspective on migration.⁴³

According to Giddens, it is important to view both the societal characteristics and the individual’s responses to those characteristics in order to understand the processes behind migration fully. Giddens gave six of the elements of Structuration Theory: Agency, Structure, the Duality of Structure, Institutions, the Dialectic of Control, and Time/Space relations.⁴⁴ In structuration theory, the agent knows what she is doing and why she is doing it. The emphasis that agents are knowledgeable and their actions are intentional is one of the cornerstones of Giddensian thought. In Giddensian theory, people use a cost-benefit analysis in order to make a decision. It is important to remember that a knowledgeable actor undertakes this cost-benefit analysis utilizing a host of criteria, not just economic concerns. The second element, after agency, in Giddens' structuration theory is the role of structure in social change. Giddens defines structure as, "rules and resources, recursively implicated in the reproduction of social systems."⁴⁵ In a Giddensian framework, this implies that structure is both influenced by and influences social change, in other words, it is recursive. Societies have certain laws and resources that influence social change. Also, these rules and resources can be modified through the process of restructuring society. The process of social change in a society is referred to as structuration. Structuration is defined by Giddens as "conditions governing the continuity or transformation of structures, and therefore the reproduction of systems"⁴⁶In other words, structuration refers to the methods by which society is changed. The Duality of Structure is one of Giddens’ most important contributions to social theory. Giddens has identified this duality as the foundation of his Structuration Theory. According to

⁴³Keith. H Halfacree (1995), “Household Migration and the Structuration of Patriarchy: Evidence From the USA”, *Progress in Human Geography*, 19(2), p 159-182.

⁴⁴ Philip Cassell (ed) (1993), *Op. Cit.*, p 72.

⁴⁵A. Giddens (1979), *Central Problems in Social Theory: Action, Structure and Contradiction in Social Analysis*. Berkley: University of California Press. As cited in, Richard L. Wolfel (2002) “*Migration in the New World Order: Structuration Theory and its contribution to Explanations of Migration.*” Paper presented at the 2002 NESTVAL Conference, New Bedford, MA. available at, <http://www.siu.edu/GEOGRAPHY/ONLINE/Wolfel05.pdf>, accessed on April 16, 2007, p 11.

⁴⁶ *Ibid*, p.12

Giddens, “the theory of structuration involves that of the duality of structure, which relates to the fundamentally recursive character of social life, and expresses the mutual dependence of structure and agency”.⁴⁷ The relationship between structure and agency is a dialectical relationship in which both structure and agency interact with each other to influence change in society. This dialectical relationship forms the basis of Giddensian thought. It is important to remember that both the structure and agency interact to change society. This is one of the fundamental points of Giddensian thought. Therefore, a structurationist approach to migration must confront this point.

Halfacree emphasizes this point in his discussion of the influence migration has on structuration of patriarchy in American society. In this study he emphasizes that when women acquiesce to the migration decision of the man, they are promoting this system of patriarchy⁴⁸. This is also true in studies of migration. Migration of minority groups promotes the majority’s structuration of society by eliminating competition in the nation building process. Rather than negotiating the changing nature of national identity, the minority group leaves the region, thus eliminating their influence of national development.⁴⁹

In his structuration theory, Giddens explains the power relationships between actors in his dialectic of control. In structuration theory, all actors have some power in influencing the structuration of society. In order to understand the influence of agents, it is necessary to understand the resources available to them. Institutions are another factor that influences the structuration of social systems. Giddens identifies four types of societal institutions: Symbolic orders/modes of discourse; Political Institutions; Economic Institutions; Law/Modes of Sanction.⁵⁰ Agents utilize each class of these institutions in an effort to influence the structuration of society. Many institutions influence migration throughout the world. For instance, discrimination against minorities has forced many

⁴⁷ Ibid, p.18

⁴⁸Keith. H Halfacree (1995), “Household Migration and the Structuration of Patriarchy: Evidence From the USA.” *Progress in Human Geography*. 19(2), pp. 159-182.

⁴⁹ Rogers Brubaker (1995), “Aftermaths of Empire and the Unmixing of Peoples: Historical and Comparative Perspectives.” *Ethnic and Racial Studies*. 18(2), pp.189-218.

⁵⁰Philip Cassell (ed) (1993), Op. Cit., p 75.

people to return to their ethnic homelands. This constant threat of discrimination has caused many people to migrate from prosperous regions, creating non-economically motivated migration decisions. A second institution that has influenced migration is a set of networks between people outside their homelands and friends or family members located in their ancestral homelands. Networks are emphasized by Massey et al. (1993) as an important research stream in migration studies.⁵¹ Giddens also emphasizes in his social theory that time and space are important influences on the structure of society. The history and geography of a region are essential to understand social change as they are strong influences on the range of actions available to agents. In any study of migration, it is necessary to look at a set of unique origin and destination factors that influence migration.⁵²

TH-16945
From the above discussion it comes out that in the neo-classical model of migration, the agency of the individual migrant is the key explanatory factor, whereas in the structural model, explanation is to be sought at the level of structure, and, in particular, in terms of the organization and reorganization of capitalist development. Giddens attempts to correct this shortcoming in his theory of structuration. His model privileges neither structure nor agency as explanatory factors but their complex interaction. Structuration is a concept employed by Anthony Giddens to express the mutual dependency, rather than opposition, of human agency and social structure. It is important to emphasize that this is not an attempt to "marry" structuralism and humanistic social theories, but an attempt to overcome their deficiencies through an understanding that both the agent and structure interact to bring about social change. What Giddens has proposed is not a compromise, but a whole new social theory. His theory attempts to place equal importance on both the societal structures and human agents.

Migration theories may differ in their approach to agency and structure, but their similarity in term of gender blindness has been long remarked upon and is also an important concern of this research. However, the recent research in India, has gone some

⁵¹Douglas Massey, et al. (1993), "Theories of International Migration: A Review and Appraisal." *Population and Development Review*, pp. 431-466.

⁵² Philip Cassell (ed) (1993), *Op. Cit.*, p. 81.

Diss
331.48095456
Sa738 Ge

TH14945



way towards addressing this omission, highlighting the independent movement of women that the analytical privileging of the (male) migrant labour system so successfully obscured.

Female Migration

Morokvasic defines the condition of migration women as a fourfold oppression at the level of: (i) working class, (ii) gender, (iii) migrant minority group and (iv) accept oppression as their fate.⁵³ Migration can lead to a greater degree of economic and social autonomy for women, and the opportunity of challenging traditional or restrictive gender roles. Through migration, both men and women may develop skills or earn higher wages, some of which they can send back to their country of origin as remittances. However, migration can also entrench restrictive gender stereotypes of women's dependency and lack of decision-making power. Moreover, women may have little influence on migration decisions in the household. Even where women migrate alone this is likely to be with reference to, or even determined by, the household livelihood strategy and expectations of contributions through remittances.

Gender blindness in migration studies on work

The early accounts of migration seeking to reconcile agency and structure have tended to neglect gender that has also characterized neo-classical and structuralist accounts. They have recognized that not all migrants are equal in terms of their potential to influence social events but it is on class distinctions between migrants, and racial distinctions between migrants and settlers, that attention has been focused, while differences based on gender have been overlooked or subjected to biological determinism.

Although Ravenstein, one of the first renounced migration researchers, had identified difference in migration behavior between women and men, unfortunately for much of its history the study of migration has tended to ignore gender as a variable. Gender and

⁵³S. Sundari (2005), "Migration as a Livelihood Strategy. A Gender Perspective", *Economic and Political Weekly*, May28- June 4, pp. 2295-2303.

migration research dates largely from the early 1980s and was initially concerned with 'adding women' to existing migration research. Prior to this, migration was either assumed to be non-gendered beings, or all migrants, regardless of gender, supposedly experienced migration in the same way. Recognition of the importance of gender led to a large number of studies focusing on women's migration flows and experiences, as previous research had been so male dominated. This focus on women led to an expansion in the areas of research interest, moving away from structural approaches based on labour markets and the economic sphere, to micro-scale studies, often concerned with gender norms in source communities and gender relations within sending households.⁵⁴

'Traditional' migration research often focused on more permanent forms of migration and issues of settlements and assimilations for both national (usually rural-urban movements) and international migration. With the advent of globalisation resulting in improved transport and communication routes, migration process has increased and, importantly, there has been a feminization of many of these flows⁵⁵. That is, women are no more left behind and more and more women are joining the migration process as single migrants, associational migrants, etc. Migration is part of the circulation of labour and capital in global capitalism. Demand for cheap labour leads to relocation of industries to developing countries, and migration of cheaper labour to developed countries. Globalisation involves redistribution of reproductive labour, between nation, race and class, but not between the sexes. Privileged women in developed countries employ women from less privileged countries to do their reproductive labour. These women relegate their reproductive tasks to poorer women in the sending countries.⁵⁶

The inclusion of a gender element in migration studies has led to recognition of the importance of looking at social relations in both the 'source area' and the 'destination', as well as considering individuals' characteristics and motivations. The social unit which

⁵⁴ Katie Willis and Brenda Yeoh (2000), (ed.), Introduction, *Gender and Migration*, Cheltenham: An Elgar Reference Collection, pp 11-20.

⁵⁵ Ibid. p 12.

⁵⁶ Rhacel Salazar Parrenas (2001), *Servants of Globalization: Women, Migration and Domestic Work*, Stanford: Stanford University Press, p 209.

has become prominent in such studies has been, the household, because migration decisions are often made on a household basis, and the household is regarded as the social unit through which gender norms are mediated between individual's and wider society. Hence it is important to focus on women as migrants with the families, single female migration and also women left behind due to migration.

With the changing dynamics of migration process, scholars have begun to grapple with the question of why and how the gender division of labour right at the heart of the migration labour system came into being, developing an analysis of gender at three (conceptually) distinct levels: the micro-level of individual behavior\agency; the macro-level of political economy; and the meso-level of the household.

Today, evidence of independent female migration counterbalances a long history of accounts which over-privileged women's role as the dependent half of a marital dyad, left behind in the rural periphery. Now families send their daughters and young women to town to earn extra money to support the household unit. Unfortunately women's migration is generally dismissed as associational, however women from subsistence households take up gainful economic activities after they reach their destination. Sometimes, they get involved in the same kind of activities at the place of destination as they were engaged in the place of origin.

Since migrant women are, by and large, illiterate or even if educated, very few of them have gone beyond the primary levels of schooling, their access to formal skill/training also remains low. As in the case of a vast magnitude of the unorganized sector workers, even migrant women learn skills through informal channels of training and skill transmission. Hence, the low enumeration of migrants for work is linked to the low recognition of worker's work itself and is intermeshed with the problems relating to the unorganized workers.⁵⁷

⁵⁷ Geertje A Lycklama (1988), "Women and Development: The Fallacy of Integration" in A. Farnen (ed), *The Developing world: An Introduction to Development Studies through Selected Readings*, Dublin: Development Education support Center, pp 291-302.

It has often been erroneously assumed that since major female migration is associational, the economic dimensions of gender and migration have little significance. But, the migration of women like that of men is likely to be employment oriented regardless of whether the women migrate alone or with their families. They are, however, subject to triple exploitation first as worker secondly as migrant and thirdly as women. Dumon⁵⁸ demonstrated that migrant women workers experienced relatively strenuous labour conditions compared with male migrants and local female workers because of the segmentation of labour market. According to her, the position of migration women workers on the job market was characterized by bad working conditions, low salary and fewer prospects for upward mobility of career.

Dynamics of Female Migration

The proportion of women involved in global migration flows is increasing rapidly. Recently scholars have analyzed the patterns, reasons of female migrants for different countries. For example, works by Sylvia Chant (1992), on female migration in developing countries, Lim Lin Lean (1995), on the status of female migrants, Cecilia Tacoli (1999) on Filipino women migration, L Trager (1984) on women migrants in Philippines, Katherina Lay (1981) on the situation of women from Southern countries like Italy, Spain to Switzerland, N Huang and H Ching's (1983) writings on female migration in Taipei, Hugo (1999) on woman migration in Asian countries, T Siddiqui (2001) and Jane Pryer (1992) on Bangladeshi women migrants, etc are worth-mentioning. In the context of India, authors like, J. Berman, M. K. Premi, Johnson M Samuel, Nirmala Banerjee, L. Gulati, A. Singh, Gopal Krishna Iyer, M.S. A. Rao, A.K. Basu, Sulabha Brahme, Leela Kasturi, M. Swaminathan and others have written extensively on various aspects of female migration.

Several studies of internal Filipino migrants show families are more likely to send daughters to migrate because they perceive them to be more reliable in sending remittances. In one study of Filipino migrants in Rome, women tended to send larger

⁵⁸ W.A. Dumon (1981), "The Situation of migrant women workers" , *International Migration Review*, Vol. XIX No 1, pp 190-209.

remittances to families than did male counterparts. In addition, the family assigns the roles of women and girls, which in turn determine their relative motivation and incentive to migrate, and controls the distribution of resources and information that can support, discourage or prevent migration⁵⁹

The gendered division of labour in destination societies may result in women's skills being under-utilised, or lead women into sex work or domestic service, even if they had no intention of doing so on departure. In addition, services such as health, education and employment protection may be hard to obtain in destination countries, particularly if women are engaged in informal (or indeed illegal) employment. Such service deficits can be particularly acute for women if they are unused to negotiating their rights to help when they need it, or if they face barriers of language and isolation.⁶⁰

Gender-segregated labour markets in receiving areas often offer different opportunities and rewards to women and men migrants. Jobs more often done by men are classified as skilled and jobs more frequently done by women as unskilled, with greater rights awarded to skilled workers. Again, in receiving countries, often policies managing immigration often give greater rights and possibilities of regular migration to those taking up jobs usually done by men. Women are therefore more vulnerable to being pushed into irregular (or illegal) channels.

Globally, it is the case that most women who migrate find work in unskilled occupations, for instance as domestic or care workers, as so-called "entertainers", or in manufacturing (especially garment) and to a lesser extent in agriculture. In manufacturing, male migrants often join higher management while women are concentrated at lower levels whilst the majority of female migrants fill the less-skilled jobs upon entry; they are not absent from the ranks of the skilled. Skilled women have globally tended to go into what can be broadly classified as the welfare and social professions (education, health, social

⁵⁹ Cecilia Tacoli (1999), "International Migration and the Restructuring of Gender Asymmetries: Continuity and Change among Filipino Labour Migrants in Rome", *International Migration Review*, 33 (3), pp 658-682.

⁶⁰ Introduction (2005), "Gender and Migration: An Overview", *In Brief*, Bridge Bulletin, Issue 16, October, available at, www.bridge.ids.ac.uk/Docs/InBrief16.pdf, accessed on April 06, 2007.

work) – traditionally female jobs. Nursing is the most female-dominated sector, with 90 per cent or more of the nursing workforce being comprised of women.⁶¹

In line with stereotyped expectations of Asian women, Asian female migrants are highly concentrated in women-dominated occupations, including domestic work and entertainment/sex work, hotels, assembly lines. This can leave them vulnerable, especially where working in isolated situations (eg. domestic work), or in areas not covered by host country's labour laws and social security. Other problems include: women are often de-skilled and lose status through migration; safe efficient channels to remit earnings are lacking; reintegration upon return is difficult, resulting in remigration.⁶²

Female out-migration may mean men left behind take on greater childcare responsibilities, but this may not be maintained upon the woman's return. Filipino women working abroad often continue bearing the responsibility for childcare by organising and funding a domestic worker back home to raise their children, with little expectation that men will increase their caring role.⁶³ In Bangladesh, when men migrated, women readily assumed many of the traditional household functions performed by men. However, in the absence of their wives, men were found to be inflexible in accepting new roles in household management. Instead, the extended family came into operation when women were away. This is indicative of how male roles within the family are rigidly defined and how difficult it is to change them.⁶⁴ Women migrants suffer gender discrimination as well as other forms of marginalisation. For example, in China internal women migrants are required to have a pregnancy test every six months to ensure that they do not violate family planning policy by escaping jurisdiction of their local family

⁶¹N. Piper (2005), 'Gender and Migration', Background paper for Global Commission on International Migration (GCIM) and appendix to the GCIM Global Report on Migration, Recommendations to the Secretary General as cited in Susie Jolly with Hazel Reeves, (2005), *Gender and Migration. Overview Report*, Bridge. Development-Gender, Institute of Development Studies (IDS), UK, p 46-48.

⁶² Lin Lean Lim and, Nana Oishi, (1996), "International Labour Migration of Asian Women: Distinctive Characteristics and Policy Concerns" in *Asian and Pacific Migration Journal*, Vol. 5, No. 1, pp 85-116.

⁶³ Rhacel Salazar Parrenas (2001), *Servants of Globalization: Women, Migration and Domestic Work*, Stanford : Stanford University Press, p 220.

⁶⁴ T. Siddiqui (2001), *Transcending Boundaries: Labour Migration of Women from Bangladesh*, Dhaka: The University Press Limited, p 53.

planning bureau. In Singapore and Malaysia women migrant workers are likewise required to have pregnancy tests every six months, and are deported if pregnant.⁶⁵

Migration, a process affecting the lives of millions of women in the developing world, is closely interrelated to the changing roles and status of women. The increasing attention received by gender dimensions of migration in recent times is an indication of the changing profile of women's mobility, its relationship with the lawful and illegal elements of human movement (such as trafficking, exploitative and slave-like labour utilization, and so on), and fundamentally the growing recognition that existing 'gender-blind' frameworks are erroneous, calling for mainstreaming of gender concerns in all spheres of human and economic development.⁶⁶

Factors Influencing Female Migration

G. Hugo⁶⁷ and G. Standing⁶⁸ while writing on female migration has considered time as an important dimension which includes both permanent and temporary moves. This dimension has gained additional importance for there is an increasing trend of short term movement due to improvement of transport and communication in developing countries. Sex composition of migration streams can vary not only across countries but also within the same country at different periods of time. In Bogue's view,⁶⁹ in the initial years of economic development the rural to urban migration in country could be male dominated, just as it was during the period of colonization when rural to rural frontier movement was generally dominated by men. He explained that fast migratory moves would always be marked by uncertainty. So men could usually migrate first and generally wives and families would follow with recurrence of migration move and its ultimate routinisation.

⁶⁵ Jolly Susie with Emma Bell and Lata Narayanaswamy (2003), "Gender and Migration in Asia: Overview and annotated bibliography", Paper presented at the Regional Conference on Migration, Development and Pro-Poor Policy Choices in Asia, Dhaka, 22-24 June, p: 10.

⁶⁶ Preet Rustagi (2006), "An Extract from Women in the Context Of Migration: Addressing Vulnerabilities and Policy Issues", *India Migration Newsletter*, Vol 1, No 2, July, p 4-6.

⁶⁷ G.Hugo (1982), "Circular migration in Indonesia", *Population and Development Review*, Vol. 8, No.1, March, pp 59-83.

⁶⁸ Guy Standing (1978), "Aspiration wages, migration and urban unemployment", *Journal of Development Studies*, Vol 14, p. 43.

⁶⁹ D. J. Bogue (1969), "Migration: Internal and International". In D. J. Bogue (ed) *Principles of Demography*, New York: John Wiley and Sons, p. 86.

Similarly, while studying the situation of women from Southern countries like Italy, Spain to Switzerland, Katherina Lay observed that in the beginning the moves involve men only. As the men migration proves successful, their wives follow them.⁷⁰

Age is also an important factor in female migration. Migration of women is highly selective by age, as age distribution peaks at 15-24, it is slightly skewed to the left which suggest young women migrate at younger ages than men. This is applicable in both rural and urban context.⁷¹

A comprehensive examination of the causes of female migration needs to take into account not only decision- making process of individual women but also the wider contextual forces which impinge upon and shape these decisions. While structural forces on one hand, and individual decisions, on the other are connected, it is useful to distinguish macro-forces from the micro-level decisions making processes.⁷² Structural forces are particularly important in determining the migration propensity of women because they include not only economic factors but also the norms, values and cultural factors determining gender relations and gender roles.⁷³ Often, primarily family welfare issues influence decisions on migration. Families prefer to send out daughters, if there is work available for them in cities, as they tend to be more conscientious in sending back remittances than sons.

Cultural norms are considered to be the main determinants effecting the roles and status of women and ultimately effecting migration. The case of Africa is slightly different where generalization is not possible as a large section of women are engaged in circular migration for trade in urban or town markets and is most likely to engage in migration for economic reasons. In Southern and Western Asia reflections of the dominant patriarchal

⁷⁰ Katherina Ley (1981), 'Migrant Women: Is Migration a blessing or a handicap?', *International Migration*, Vol. XIX, No. 1 & 2, pp. 75-82.

⁷¹ S. Findley and Linda Willium (1991), *Women who go and women who stay, Reflections of family migration process in changing world*, Working paper No 176, Geneva: ILO, p 37.

⁷² Nancy E Riley, and Robert W. Gardner (1993), "Migration Decisions: the Role of Gender" *Internal Migration of women in Developing Countries*, New York: United Nations, pp 132-162

⁷³ Lim Lin Lean (1993), "The Structural Determinants of Female Migration", *Internal Migration of Women in Developing Countries*, New York: United Nations, pp. 207-221.

systems and protection of women through the custom of 'purdah' is seen. In India, migration of women is largely related to marriage and family related reasons. Migration patterns are influenced by availability of urban jobs for women and attitudes to female employment. Latin American migration includes equal or greater number of women. Education has been a key factor in determining new roles for women. Presently, even when women follow husbands and family to new locations, women frequently get engaged in economic activity at the destination site.

The socio- economic resource base of a family also determines the probability of out-migration. In societies where there are strong normative pressures against the independent migration of women, it is likely that only poorer families will experience sufficient economic need to violate these norms. Both family size and structure are likely to be related to sex - selectivity of migration. In rural areas in developing countries women are expected not only to provide the labour necessary for family maintenance, but also to work in productive activities. Hence female migration is more likely when there are women in the family who can undertake the necessary reproduction activities.⁷⁴

Also, community level influences play a key role in female migration. Community characteristics, such as economic integration, strength of information flows or migration network are few of the factors that effect migration. Social networks play a special role in facilitating migration since in most societies the migration of women is constrained because of fears with regard to vulnerabilities of women.⁷⁵ In India there is a strong normative pressure against migration of women for employment purposes. It is the presence of fellow villagers in place of destination makes female labour migration possible.⁷⁶ Network also has an effect at community level with its influencing norms concerning mobility. Once migration has occurred and networks established, migration

⁷⁴ S.Findley and A Diallo (1993), "Social Appearances and Economic realities of Female Migration in rural Mali", *Internal Migration Of Women in Developing Countries*, New York: United Nations, pp. 243-57.

⁷⁵ N Huang and H Ching (1983), "Female migration to Taipei, process and adaptation", *Population Geography*, Vol. 5, Jun-Dec, pp. 12-33.

⁷⁶ J. Lessinger (1990), *Work and modesty: the dilemma of women market traders in Madras*, New Delhi: Sage Publications, p 20.

might be viewed as acceptable and desirable. Men are likely to move first to establish networks, which later facilitate women to move.

Moreover for migrant women occupational choice is limited. N. Huang found that in Taiwan migrant women are mainly in sectors, which required unskilled labour.⁷⁷ L. Trager found a similar pattern in Philippines where females are mainly engaged in domestic service, while local women are mainly engaged in white collar jobs. Similarly there is a great acceptability of female mobility in Latin America which is largely due to demand for female employment in domestic service.⁷⁸

Norms concerning the family system and the roles of women within the family are especially important in determining the consequences of migration for women. For women, in some eastern and southeastern Asian countries becoming wage earners is a way of gaining autonomy.⁷⁹ Married women migrating from rural to urban areas of developing countries enhance their position as decision makers within the family as she breaks away from the joint family system.⁸⁰ Emancipating effects of rural-urban migration of women in developing countries have increased, especially in terms of their access to salaried employment and in some cases, in terms of their enhanced status within the family. Migrant women not only control economic resources but also exert influences in community level decision making.⁸¹ William⁸² in her study stated that the desire to gain control of their lives is the main motive for female to migrate to Indonesia. It is also seen as a path to break away from the traditional village setting. Engaged in work outside home and contributing to family income has eroded man's patriarchal authority in number of societies. Migration often results in women gaining more freedom but it also has a retrospective effect sometimes. Instead of upward social mobility it can also lead to

⁷⁷ Op Cit , p 22.

⁷⁸ Lillian Trager (1984), " Family strategies and migration of women: Migration to Dagupan City, Philippines", *International Migration Review*, Vol. 18, No. 4, pp. 1264-1277.

⁷⁹ Ibid, p 1269.

⁸⁰ G Hugo (1993), " Migrant women in developing countries", *Internal migration of women in Developing Countries*, New York: United Nations, pp. 47-73.

⁸¹ M. Whiteford (1978), "Women, migration and Social Change, A Colombian Case Study", *International Migration Review*, Vol. 12, No.2, pp. 236-247.

⁸² L. William (1990), *Development Demography and Family Decision Making, The Status of Women in Rural Java*, Boulder: West View Review, pp. 74-81.

downward mobility for women which is mainly due to lower status job they are employed into.⁸³ Moreover migration may have positive effects on the joint income of a married couple without necessarily improving the income of the wife.

With time women are crossing borders in large numbers as well, though mostly in segregated labour markets. Women from the Philippines and Sri Lanka for example migrate for service-oriented jobs. Domestic work is the most highly demanded occupation for women in many countries. The number of women among the international migrants is hardly less than those of men. In 1990 world-wide an estimated 57 million women were 'foreign-born', forming 48 per cent of the total 'stock' of migrants⁸⁴. Some people have argued that female migration is increasing compared to men's. This is undoubtedly true for migration for some kinds of activities. Global shift towards a more service-intensive economy and more labour-intensive manufacturing for exports have increased the demand for female labour. Female employment in garment factories in Dhaka has probably increased rural-urban migration by women, though the large majority of migrants remain men. In any case, it should not overshadow the fact that women have always contributed to household's livelihoods, and through migration also. Thus, compositions of migration streams are diverse, and are changing over time.

Female Migration in India

Information on reason for migration was not collected in India census till 1971. From 1981, the census started collecting information on reasons for migration, from the persons who reported a different place of last residence other than the place of enumeration. In 1981, the reasons for migration were classified into five broad groups- employment, education, family movement, marriage and others. The scope of data was further increased in the 1991 census, as additional categories of business and natural calamities

⁸³ P Stalker (1994), *The Work of Strangers, A Survey Of International Labour Migration*, Geneva: ILO, pp.38-44.

⁸⁴ ILO (1997), *Labour market Trends and Globalisation's Impact on them*, Bureau For workers Activities

such as flood, drought, and so on were made.⁸⁵ Migration, especially in modern times, is a major symptom of social change. Successive Indian Censuses have revealed a preponderance of women in internal migration at the ratio of two for every male migrant.

Unfortunately, apriori assumptions are made and the entire female migration in India has often been dismissed as not being genuine one and therefore unworthy of serious attention in migration studies. Thus several of the census based studies. Zachariah (1964); Ashis Bose (1965), J.F. Bulsara (1964), Mitra (1968) Libbee and Sopher (1975), G. S. Ghosal and G. Krishna (1975) and M.K. Premi suggested that the large scale spatial movement of women in India was for marriage or familial reasons. Bose⁸⁶ while presenting a picture of internal migration in India in terms of origin, direction, distance and volume of migration stream based on 1961 data, mentioned that in out-migration rate, there are no significant differences between males and females in urban areas and social factors like marriage and associated migration is the main reason for their migration. Bulsara has given similar view, after analyzing the data and reports on socio economic surveys of nine Indian Cities, where marriage is the dominant push factor in case of female migration.⁸⁷ Ghosal and Krishnan found that out of the total migrants more than two- third (67 per cent) are females which is mainly due to marriage. Under the prevailing system of patriarchal matrimonial residence, it is the wife who moves and in the process becomes a migrant.⁸⁸ Even Premi (1980) who focused his study on women migration, per se, was led to believe that female migration in India for economic reasons was quite limited. Based on secondary data of 1971 census, Premi analyzed the distribution pattern of migrant females by their marital status and duration of residence at the place of enumeration. The study revealed that the proportion of married females increases with the length of stay at the new destination (below the age of 25 and among the current migrant). Their proportion declines consistently with the increase in the

⁸⁵ P Stalker (1994), *The Work of Strangers, A Survey Of International Labour Migration*, Geneva: ILO, p 65.

⁸⁶ A. Bose (1965), *Internal Migration in India, Pakistan and Ceylon*, UN Presented at World Population Conference, Belgrade, p 27.

⁸⁷ J.F Bulsara (1964), *Problems of rapid urbanisation in India*, Bombay: Popular Prakashan, , pp 46-52 .

⁸⁸ G.S Ghosal and G Krishan (1975), "Internal Migration In India", in L. A. Koniski and R. M Protheron (eds.) *People on the move*, London: Methun and company limited, pp. 62-65.

distance of migration, reflecting the concentration of marriage field for women to the neighbouring areas only.⁸⁹ In another study, Premi after analyzing internal migration pattern in Rajasthan (1971-1981), observed that females migrate substantially in greater proportion to neighboring districts, supporting the view that female migration is not confined only to short distances i.e. moving to next village, but they are gradually traversing longer distances as the marriage field is widening. Marriage being the most important reason for female migration, accounting four-fifth of the lifetime migrant; 86.5 per cent accounts for the rural to rural stream. The second important factor is 'associational' reason covering one-tenth of the migrant. In case of urban to urban stream 'associational' reason gains more strength over marriage migration.⁹⁰ These studies are based on 1971 or earlier censuses and suffer from lack of data on exact motivation for migration.

Women in migration were regarded as daughters, wives or mothers of the chief male migrant of the household. There was no recognition of the fact that the interests of women and men belonging to the same household do not always coincide and some times are even in conflict. Most other migration studies (Biswajit Banerji (1986); Moonis Raza and Aslam Mahmood (1987) are overtly androcentric and focus on the movement of men, on a facile assumption that female migration belongs to domestic sphere rather than to the sphere of production and economy.⁹¹ Generally speaking, migration studies focusing on the household or exclusively on male migrants assume that men are decision makers in migration process and women are tied movers and therefore migration differentials discovered for male sex could hold good for female sex as well. Implicit in such an approach is that woman is a mere extension of the man. Thus, the early writings dealing with female migration in India were lopsided as it only focused on women as 'tied-movers' and paid very little attention to their role in economy.

⁸⁹ M.K. Premi (1980), "Aspects of Female Migration in India", *Economic and Political Weekly*, April, pp. 764-771.

⁹⁰ M.K. Premi (1981), "Pattern Of Internal Migration Of Females in India", *Research Abstract Quarterly* Vol. X No 1, pp. 822-834.

⁹¹ Johnson M. Samuel (1995), *Life Cycle and Female Migration: A study of the Pattern and Causes*, Delhi: B.R. Publishing Corporation, pp. 14-17.

Though there is a predominant lopsided view about female migrants as 'tied movers' in India, many authors like J. Berman (1985), M.S.A. Rao (1986), L. Kasturi (1990), A. Singh (1976), M. Swaminathan (1985), Sulabha Brahme (1990), M. V. Shobhana Varrier (2000) and others in their writings reflected a growing awareness that the position of migrant women could no longer be considered in terms of migrant's wife or daughter but must be put in terms of female migrant and she should be regarded as a person in her own right. These studies reported an increasingly number of young women joining the migration flow to cities, many of them going on their own to find work in service, manufacturing and informal sector.

Many scholars have analyzed the phenomenon of migration, but it is only since the 1970s that scholars have showed serious concern over the fact that there is gender related variations in the causes, consequences and patterns of migration. Ester Boserup was perhaps the first to anticipate several issues concerning the impact of technology on women and their migration pattern. She argued that change from traditional to modern economic system requires migration of families from rural to urban areas but it also widens the gaps between sexes in knowledge and training for jobs in the modern sector. Unable to compete for jobs with men in the modern sector in urban areas, many migrant women would suffer enforced idleness or they will take up low skill, low paid informal sector jobs. In either case, the women's family is likely to be worse off in town that it used to be in the village.⁹² The Committee on the status of women in India, in its report (Government of India: 1974) also maintained that technology, urbanization and industrialization intensified the devaluation of women. The Committee felt the need for a detailed examination of the employment of women who migrate to urban areas and those who migrate from one village to another. The Committee expressed concern that the number of women destitute in the country was on the increase and that destitution drove

⁹² Ester Boserup (1970), *Woman's Role in Economic Development*, London: George Allen and Unwin Ltd, pp. 42-47.

women from home for earning a livelihood for themselves and for their children in the nearby towns.⁹³

Perhaps taking a cue from the committee's report, a number of small intensive surveys were undertaken in India in the subsequent period, to assess the status of migrant women. K. Gupta in her findings suggested that the patterns and causes of women's migration are changing. Female migration to urban areas has increased, and the reasons shifted from marriage-related reasons to employment reasons. Women migrants originated from other smaller cities and towns and included inter-state or long-distance migrants. Many illiterate and semi-literate migrants worked in transportation, production, and service industries. Distribution of occupations among female migrants varied between cities. Cities with a high proportion of rural-origin migrants reported more migrants that worked in low-skilled, low-paid informal sector jobs. Female migrants originating from other cities usually held higher professional and technical jobs. Evidence from micro studies suggests that the economic roles of migrants varied by caste and class. There is evidence that female migrants experience discrimination in wages and type of work, but this discrimination could apply to all women workers, regardless of migration status. The increase in the proportion of females in total urban population is attributed to increased female migration. The femininity ratio of migrants in rural areas increased from 3051 in 1971 to 3460 in 1981. Analysis of 12 metropolitan cities in 1981 indicates a higher femininity ratio in these cities compared to the non-migrant population.⁹⁴

Many authors like, Jan Berman, M.S.A Rao, John Connell, Sulabha Brahme and others in their studies indicated that the main type of women's migration in the Indian context is survival migration. Berman pointed out that the urge to move is linked to the strategy of survival. He found that 58% of all seasonal migrants were women.⁹⁵ M.S. A. Rao in his

⁹³ National Committee on the Status of Women, (1975), *Status of Women In India. A Synopsis of the report Of the National Committee (1971-74)*, New Delhi: Allied Publishers, for the Indian Council of social Sciences Research, p. 10.

⁹⁴ K. Gupta (1993), "Women migrants and their economic roles in Indian metropolises", in K.B Pathak, U.P. Sinha et al. (eds.) *Dynamics of population and family welfare*, Bombay: Himalaya Publishing House, pp. 36-54.

⁹⁵ Jan Berman, (1985), *Of Peasants, Migrants and Paupers: Rural Labour circulation and Capitalist Production In Western India*, Delhi: Oxford University Press, pp. 226-239.

study of tobacco- growing areas of South India found that over 10,000 women migrated 600 to 800 kilometers to work as gardeners.⁹⁶ Pressure on land and landlessness, unemployment and survival act as factors for female migration, as pointed out in a study by Sulabha Brahme. These women represent the absolute border line between the lowest form of unskilled work available to the cities and utter destitution and survival.⁹⁷

Andrea Singh focused on the social and cultural factors underlying variation in male and female pattern of rural to urban migration among the urban poor in major cities of India. Singh brought out some of the interesting patterns and trends of rural to urban migration of women as revealed by data collected at the state level. The social and cultural factors related to caste and religion has important implication for decision to migrate. Singh argued that national data, which indicate that women migrate mainly for reasons of marriage, and for shorter distances, tend to obscure the other related factors involved in rural to urban migration of poor female in urban India. This is mainly because of their pattern of work participation. Moreover the stronger influence of Islam in North India constrained female migrant. As a result in North Indian cities there are dominance of male selective migration unlike in south India.⁹⁸

Migrant women are subjected to wage discrimination, sexual exploitation, poor working conditions, uncertainty and mainly concentrated in the unorganised sector as viewed by authors like Leela Kasturi, A. Singh, S. Sundari, M.K. Rukmani, W. Fernandes and M. V. Shobhana Varrier, S Sundari , M.K. Rukmani and others. Alferd De Souza and Andrea Singh in an exploratory study of the position of women in migrant squatter settlements (bastis) in Delhi found that women from untouchable caste and from the south have greater participation in labour force. Untouchable caste women in rural areas specialize in jobs such as dhobi or sweeper which are in great demand in city also. Besides, in the rice growing regions of the south, female labour is extensively used in agricultural operations.

⁹⁶ M.S.A. Rao (1986), (ed), *Studies in Migration. Internal and international Migration In India*, Mohohar publications, Delhi, p. 10-15

⁹⁷ Sulabha Brahme (1990), 'Economic plight of hamal women', in Veena Mazumdar (ed), *Women Workers in India. Studies in Employment and Status*, New Delhi: Chanakya Publications, pp. 42-56.

⁹⁸A. Singh, (1978), "Rural to Urban Migration of women among urban poor in India: Causes and Consequences", *Social Action*, Vol 28(4), pp. 56-63.

They argued that the background characteristics of the women such as female labour participation in the place of origin were important in explaining the work force differentials noticed among migrant women in Delhi.⁹⁹

In a study dealing with migrant women workers in fish processing industry, M.V. Shobhana Varrier noted the adverse situation in which these women work. Most women acquired skills on the job. The cheap docile labour was available at any time of the day and also available for flexible long hours of work and low wages.¹⁰⁰ In some sectors especially construction, brick kiln sugarcane cutting, fish processing family migration is prevalent as it is more economical for employer to recruit female migrants. Leela Kasturi (1981) in her survey of south Indian migrant women in New Delhi slums found that the women's decision to migrate was purely economic and related mainly to job opportunities available for women to work as domestic servants in the metropolitan economy. Though regular wage earning has empowered women's status and importance in the family yet their subordination to men continues.¹⁰¹

In urban informal occupation, especially in domestic maid sector there is increasing trend of female migration.. The studies by S Sundari and M.K. Rukmani¹⁰² et al are based on domestic maidservants in Delhi and Mumbai. The study is based on migrant workers in Mumbai slums who have migrated mainly from different parts of Maharashtra and second is case study of Tamil Migrants to Delhi. They generally take up employment as soon as they migrate and sometime become the sole earner of the family. Informal sources like relatives and friends help them in getting job. In case of domestic maid servants there are number of voluntary organization that are involved in the recruitment process. In Delhi most of the maids are from the tribal belts of Jharkhand and Chattisgarh where local priest and nuns play an active role in the recruitment process. There are

⁹⁹ A Singh and De Souza (1976), *The position of Women in Migrant Bastis in Delhi*, New Delhi: Monohar Pulication, pp. 85-98.

¹⁰⁰ M.V. Shobhana Varrier, (2001), "Women at Work. Migrant Women in Fish Processing Industry", *Economic and Political Weekly*, September 15, pp. 3554- 3562.

¹⁰¹ Leela Kasturi, (1990), "Poverty, Migration and women's Status", in Mazumdar (ed), Op. Cit, pp. 72- 83

¹⁰² S. Sundari. and M.K. Rukmani (1998), "Cost and Benefit of Female Labour Migration", *The Indian Journal of Social Work*, Vol. 59, No.3, pp. 766-789

number of private recruiting agencies in the urban area for live-in domestic maidservants. They are mainly operative through informal sources like friends and relatives. All the recruiting agencies have specific wages, working hours, leave, medical aid and other condition and the private agencies generally retain part of their wages very month.¹⁰³ W. Fernandes surveyed 10 slums in Delhi, where migrant females are mostly engaged in urban informal sector. The study highlights that though situation of migrant's family improves but migrant females do not achieve an upward mobility, both social and economic. This reason mainly attributes to their work in informal sector and lack of access to basic services.¹⁰⁴

The review of various studies related to female migration points out various forms of problems faced by migrant women labourers, like, long hours of work, unequal wage, sexual exploitation, working till late pregnancy, health hazards, etc. Moreover, female migration in India today can not simply be viewed as 'tied movers' for marriage purpose but women now migrate either in groups or with their families or with their husbands for employment reasons.

Conclusion

Individuals may migrate out of desire for a better life, or to escape poverty, political persecution, or social or family pressures. There are often a combination of factors, which may play out differently for women and men. For instance, a distinguished feature of female migration compared to male's migration is the role of marriage in mobility. The most common cause for female migration in India is considered to be marriage as it involves the movement of the bride to the parental household of her spouse. Dictated by

¹⁰³ N. Neetha, (2004), " Making of Female Bread Winner: Migration and Social Networking of Women Domestic in Delhi", *Economic and Political Weekly*, Vol 39, No. 17 April 24, pp. 1681-1688

¹⁰⁴ W. Fernandes (1991), "Urbanization, coping mechanisms and slum women's status", *Social Action*, Vol. 41(4), p. 382-396

the practice of village exogamy and caste endogamy, marriage migration is almost rural to rural in nature.¹⁰⁵

Gender roles, relations and inequalities affect who migrates and why, how the decision is made, the impacts on migrants themselves, on sending areas and on receiving areas. The referents for gender inequality are: 1) possession of and control over resources, 2) ability to make decisions and control over people, and 3) prestige in terms of respect accorded to women. These aspects of women's relative position could all have an impact on motivation to migrate. In terms of women's relative position and migration, three sets of influences operate on female migration: the macro structural context, their familial structure, and their individual characteristics over their life course. The individual migration decision-making process pertains to the autonomy to decide on migration herself.¹⁰⁶

Experience shows that migration can provide new opportunities to improve women's lives and change oppressive gender relations – even displacement as a result of conflict can lead to shifts in gendered roles and responsibilities to women's benefit. However, migration can also entrench traditional roles and inequalities and expose women to new vulnerabilities as the result of precarious legal status, exclusion and isolation.

Migration can provide a vital source of income for migrant women and their families, and earn them greater autonomy, self-confidence and social status. At the same time, women migrants, especially if they are irregular migrants, can face stigma and discrimination at every stage of the migration cycle. Before departure, women can be faced with gender-biased procedures and corrupt agents. In fact, gender discrimination, poverty and violence, can provide the impetus for women to migrate or enable women to be trafficked in the first place. During transit and at their destination women can be faced with verbal, physical and sexual abuse, poor housing and encampments, sex-segregated labour

¹⁰⁵M. J Libbee and E.D Sopher, (1975), "Marriage migration in rural India" in L.A Kosinski and R.M. Pothero (ed) *People on the Move*, London: Methuen and Co. Ltd, pp. 42-45.

¹⁰⁶ Lim LL (1988), "Effects of women's position on migration", Presented Paper in, International Union for the Scientific Study of Population Conference, Belgium, pp. 22-26.

markets, low wages, long working hours, insecure contracts and precarious legal status. And upon return to the source country they may be faced with broken families, illness and poverty.¹⁰⁷

Though migration has generally empowering impact on women themselves in terms of higher self esteem and increased economic independence nevertheless female migrants continue to be particularly vulnerable to gender based discrimination. Moreover, women migrants are mostly concentrated in the unorganised sector. The unorganised sector is marked by low wages, lack of social security, poor working conditions, lack of bargaining power, etc. This issue has been discussed elaborately in the next chapter. Stated simply, problems faced by migrant women are compounded by their both being women and migrants. Hence, the dynamics of female migration is multi dimensional and the experiences of a male and female migrant is different owing to the socio-economic-cultural set up of our society. Thus it is crucial to keep gender dimension in mind while conducting research on migration.

¹⁰⁷, Susie Jolly with Hazel Reeves (2005), *Gender and Migration, Overview Report*, Bridge Development Gender, available at: <http://www.traffickingandhiv.org/resources.asp>, accessed on March 17, 2007

CHAPTER II

WOMEN WORKERS IN THE INFORMAL SECTOR

“ People in the informal work represent the largest concentration of needs without voice, the silent majority of the world economy”. (ILO)¹⁰⁸

Introduction

In the previous chapter gender was looked through the prism of migration and various dynamics of migrant women were discussed. It also looked into various issues related to female labour migration. A huge section of workers in the informal sector consists of migrant labourers. In India, the terms ‘unorganised sector’ and ‘informal sector’ are used interchangeably in research literature.¹⁰⁹ The objective of this chapter is to analyse the linkages between gender and work with special reference to women workers engaged in informal or unorganized sector.

In India the unorganized sector is the major provider for employment and accounts for more than 92 per cent of the workforce including the agricultural workers. The unorganised non-agricultural sector of the economy, accounts for about thirty percent of total employment in the country. As per the 1991 Census Data, 96 per cent of women workers were employed in the unorganized sector. The women workforce of unorganized sector is not only an economic reality but in the Indian context, it is social and political. It is mention worthy here that the economic role that women play cannot be isolated from their overall well being and so the study of women as a category of workers is of crucial importance. Moreover, women worker’s access to labour market is also limited as they bear a double burden of doing domestic work as well as income/waged work and they are unable to compete on equal terms with men in the labour market. Fourthly, being in the

¹⁰⁸ International Labour Organisation, URL: <http://www.ilo.org>, accessed on Jan 07, 2007.

¹⁰⁹ Government of India (2002), Ministry of Labour and Employment, Report of the Second labour Commission On Labour, Chapter 7 Final A: Unorganized Sector: Second Labour Commission, available at: <http://labour.nic.in/lcomm2/2nlc-pdfs/Chap-7finalA.pdf>, accessed on May 10, 2007.

informal sector they face deplorable working condition and low level of wage and lack of social security coverage. To look into the above objectives, this chapter is divided into five sections. The first section deals with theoretical and conceptual issues related to women and work, the second section deals with various aspects of the informal sector with special emphasis on issues concerning unorganised sector in India, the third section deals with issues concerning women workers in this sector, the fourth section discusses briefly issues concerning migrant workers in the unorganised sector, the fifth section looks into social security aspect of the unorganised sector with special emphasis on social security provisions and implementations related to unorganised sector in India.

It is widely recognised by various authors like Nirmala Banerjee, Nandita Shah, Nandita Gandhi, Sujata Gothoskar, Jayati Ghosh and others that women face various kinds of social, economic, political, religious and cultural discriminations both in developed and developing countries. Women in general, especially poor women in developing countries, face many constraints in acquiring skills. The stark fact of poverty makes such investment in human capital formation a sheer impossibility. Also the multiple roles that women perform, and particularly the drudgery of housework, the hours spend in fuel and water collection by poor rural women, the multiple child births and child care as also the economically productive work they engage in, often at wages far below subsistence affords them with very little leisure time to pursue additional training to acquire skills. Also given the levels of female illiteracy and low levels of education, women are often not even aware of the benefits of skill acquisition. Adult women in poor rural and urban households overburdened with their multiple roles often delegate part of their chores to their female children. Daughters are either not sent to school, or if already enrolled, are withdrawn, causing the problem of high dropout rates in primary and post-primary education levels. Female children thus drawn are made to do household chores, taking care of younger siblings, etc. Thus right at a very early age itself, a female child is forced to forego the opportunities for human capital acquisition.

Women and Work: Conceptual Issues

No unique theoretical model can capture the diversity in the women's work situation. The existing theoretical models can be categorized into three: (i) neo-classical theories, (ii) labour market segmentation models, and (iii) feminist or radical theories¹¹⁰

(i) *Neo-classical Theories*

According to the neo-classical approach which is based on the balancing of demand and supply in a competitive capitalist economy, workers are paid according to the value of their marginal product. The male-female differences in wages and earnings are thus either due to the lower productivity of women workers or due to imperfections in the labour market. This approach suggests that the factors like family responsibilities, physical strength, education and training, hours of work, absenteeism and turnover affect the labour productivity and labour supply of women and they account for the male-female differentials in earnings in the labour market. Neo-classical theory suggests that women earn less than men because they have lower levels of human capital, like education, training and on-job experience and therefore lower labour productivity.¹¹¹ This happens because parents and women themselves are not keen to invest on women's education, training, etc. Again, due to marriage, bearing and rearing of children etc., their employment is interrupted. In such a situation employers are not willing to invest in the training of women. Consequently, women workers acquire lesser experience and training and their skills are lower which account for their lower earnings.

This theory has been criticized on certain grounds. This theory assumes that women's labour force participation is of necessity intermittent because of their child rearing role. However, unlike pregnancy and breast feeding, there is no biological reason why the child rearing should be done uniquely by the mother. Again, the assumption of the neo-

¹¹⁰ Alakh N Sharma and Seema Singh (ed) (1993), "Introduction", *Women and Work: Changing Scenario in India*, New Delhi: Indian Society Of Labour Economics and B.R. Publishing Corporation, p. 3.

¹¹¹ J.Mincer and S. Palancheck (1974), "Family Investments in Human Capital: Earnings of Women", *Journal of Political Economy*, Vol. 82, No. 2, pp. 76-111.

classical theories that men and women have equal access to job opportunities and compete on an equal basis in the labour market, ignores the sex segmentation of the labour market which cannot be explained simply by sex differences in human capital.¹¹² As a matter of fact, the gender division of labour is a multifaceted and multidimensional concept while the neo-classical theory captures only one dimension- the opportunity cost of labour in the market.

(ii) *Labour Market Segmentation Theories*

Labour market segmentation is essentially a refinement of the neo-classical theories as they both view the labour market segmented by institutional barriers. It suggests that the unequal distribution of technical progress between 'primary' and 'secondary' sectors has led to highly differentiated productivity growth, leaving the traditional sector labour force in a permanent situation of underemployment, low productivity and poverty. This process shows up in the segmentation of the labour market with, on one side, the modern sector responsible for a high proportion of total production but a relatively low proportion of total employment. While on the other hand activities of traditional type employ the majority of labour force, but with a limited contribution to the total production. This leads to a situation in which workers with equal abilities obtain different incomes, depending upon the production stratum of the enterprises in which they work.

There are many factors contributing to stratification of labour market- social, economic, institutional- varying from situation to situation. Along with other dimensions, gender also acts as a basis for discrimination against women in the labour market in many ways. Firstly, women have no equal access to employment, secondly, they often receive lower type of wage than men for the same type of jobs and thirdly, they are mainly crowded in a few insecure and lower paid jobs.

This theory has been criticized by authors like Richard Anker, Catherine Hein, etc. on the basis that it does not explain the sex segregation that occurs within the 'primary' and

¹¹² Alakh N. Sharma and Seema Singh (ed) (1993), Op. Cit., p. 4.

‘secondary’ sectors and why is it such a important dimension in labour market segregation. There are female occupations which require firm-specific training such as executive secretaries and, at the same time, there are male occupations which require relatively low skills. The basic cause for discrimination is perhaps outside the economic realm and here it is essential to take into account the social and cultural factors inherent in the society.

(iii) *Feminist or Radical Theories*

The main point of the feminist theories is that the subordinated position of women in the labour market and home are interrelated and part of an overall system in which women are subordinated to men. Marxist feminists attribute capitalism and patriarchy responsible for lower earnings of women. Both are interrelated and denote a cause and effect for each other. Under the rubric of patriarchy, the women hold inferior position in family than men. Women enter labour market only if there is no man to earn in the family or the income of men are not enough to fulfill family requirements. Low income levels compel women to join labour market. Due to absence of required skills to join high yielding jobs, women generally have to join inferior jobs. Low payment and insecure jobs keeps them subordinate to their husbands. So they usually behave as labour reserve to be pulled into or pushed out of the labour force at will.

Feminist writers like Richard Anker, Catherine Hein, etc also raised the question of sexual harassment. Another point raised by feminist writers is that ‘women’s occupations’ tend to be extensions of domestic roles, such as teaching, housing, cleaning, serving etc and just as women’s domestic work is devalued, so are these occupations and the skills. The feminists theories thus emphasis on various social and cultural roots that restrict women’s entry into the labour market, gender discrimination within the labour market as well as under valuation of their productive role. In this way feminist theorists have provided for a new dimension to understand women’s position and role in the labour market. Although this approach has been criticized as ‘polemical’, it is nevertheless a powerful tool of analyzing the realities in the labour market.

In the Indian context, three major reports on women – *Towards Equality* (1974), *Sharamshakti* (1980), *National perspective Plan for women* (1988) have assembled information about women's work, their conditions and contributions to the economy. These studies throw useful light on the women's status in the workforce, especially those concerning participation rates, occupational diversification, employment status and other related aspects. Broadly these studies indicate that (i) female labour force in India is still concentrated in farm based subsistence activities, (ii) their limited entry in non-agricultural sectors is mainly in low skill wage activities (iii) most women workers enjoy extremely limited prospects of upward mobility, and (iv) the terms of employment of most female workers are unfavourable.¹¹³

Since this study is restricted to women workers in the informal sector, with special emphasis on women workers in the Construction Sector, which will be discussed in the next chapter, this chapter looks into various aspects of informal sector including social security, social security for women workers, influence of globalization and liberalization on women workers in the informal sector, attitude and role of the state towards this segment of the economy, role and influence of trade unions towards the unorganized sector, conditions of women workers and their stake in this sector.

Informal Sector

It has been recognized by all sections of researchers and authors like Renana Jhabvala, T.S. Papola and Nirmala Banerjee, etc. that the working and labour conditions in the informal sector are deplorable and in fact, the informal sector is at a disadvantageous position deserving supportive measures. This, however, in no way reduces its significance in a populous country like ours. Informal sector has become a perennial source of employment generation and in India this sector absorbs more than 90% of the total workforce in the country. Moreover, the informal sector has established itself to be the primary source of survival to a large segment of female workforce in particular. A

¹¹³ Indira Hirway and Jeemol Unni (1990), *Employment and Occupational Diversification of Women In India*, Working Paper, Asian Regional Team for Employment Promotion, New Delhi December, p. 16.

large section of women from all over the world and more so in India are part and parcel of the informal labour market. But it is a fact that everywhere they are excluded from crucial economic activities. For example, in the agricultural sector in India women are employed in production, processing and preservation of agricultural produce and are not at all active in ploughing. In the urban areas, they are engaged in works which sometimes have no exchange value or less exchange value, as in the case of domestic servants. In this context we can refer the world economic profile. As per ILO report, women represent 50% of the world population, constitute 33% of the world labour force, contribute 60% of all working hours but controls less than 1% of the world property.¹¹⁴ Thus although women are mostly excluded from the crucial economic activities and they have inferior status but at the same time they do contribute 60% of the total working hours as the fact remains that women are mostly absorbed in informal sector activities. They are found employed in informal sector as domestic servants, sweepers, construction workers, brick-kiln workers, agricultural labourers, coolies and as self-employed workers in knitting, sewing, weaving and trading. All these works are characterised by low productivity and low wages.

Defining the Informal Sector

Keith Hart (1971) was the first to initiate the term 'informal sector' in a study of urban Ghana. He describes the informal sector as that part of the urban labour force, which falls outside the organized labour market. The study identified a number of incomes and employment generating activities in the 'un-enumerated' sector of urban settlements. In the 'un-enumerated' sector the workers serve mainly as self-employed as against the workers in the 'enumerated' sector. The new entrants to the urban labour market particularly migrants from rural areas were forced to work in the informal sector partly on account of lack of adequate opportunities in the formal sector and partly due to the worker's lack of skills and adequate experience required for the jobs in the formal sector. In his study, Hart has used the term, namely, informal income generating activities, un-

¹¹⁴ ILO Report as cited in Shanti Chhetry (1999), *Women Workers In The Informal Sector*, New Delhi: Gyan Sagar Publications, p. 13.

enumerated sector, unorganized sector, self-employed individuals and urban proletariat, more or less alternatively and interchangeably.¹¹⁵

According to ILO (1999) informal sector refers to activities typically at a low level of organization and technology, with the primary objective of generating employment and income. The activities are usually carried out without proper recognition from authorities and escape the attention of the administrative machinery responsible for enforcing laws and regulation.¹¹⁶

The informal sector workers can be broadly classified into two categories: (1) proletariat or waged workers, and (2) petty commodity producers or self-employed or own account workers.¹¹⁷ Wage employed workers are those workers who earn their living by selling their services or labour in return for wages. Construction workers, contract labourers, casual labourers, hand-cart pullers, head-loaders, riksha pullers, dhobis, cooks, cleaners are all different categories of wage workers. Uncertain employment, low wages, poverty, lack of housing, health and sanitation facilities, non-availability of any social security are some of key problems confronted by these workers. A large section of the workers in the unorganised sector obtain their earnings by undertaking petty production activities or by selling fruits, vegetables or other small commodities. For example, home-based producers, weavers, bidi makers, milk producers, garment stitchers, handicraft producers, small traders and hawkers can be put under the category of the self-employed workers. Inadequate marketing facilities, non-availability of adequate raw materials and lack of accessibility to formal credit facilities are the key problems encountered by these groups of workers. Having on fixed employer/employment these workers are casual, contractual, migrant, home based, own account workers who attempt to earn a living from whatever meagre assets and skills they possess.

¹¹⁵ K Hart (1973), "Informal Income Opportunities and Urban Employment in Ghana", *Journal of Modern African Studies*, Vol. II, No. 1, p 61-89 as cited in Siddhartha Sarkar, (2004), "Theorising in Informal Sector: Concept and Context", *Social Action*, Vol. 54, Oct-Dec, p. 371.

¹¹⁶ International Labour Organization (1999), "Employment in the Global Economy: How Training Matters", World Employment Report, Geneva: ILO, p. 12.

¹¹⁷ Navin Chandra and Surendra Pratap (2001), "Organising Informal Sector Workers" in Amitabh Kundu, and Alash N Sharma, (ed), *Informal Sector in India. Perspectives and Policies*, New Delhi: Institute for Human Development and Institute of Applied Manpower Research, p. 414.

Thus from a wider standpoint informal employment can be defined as employment created outside the recognized institutional framework, including workers without social security and other benefits received by the formal workers, and in short the informal economy is characterized by ease of entry, small scale operations, family ownership of enterprise, labour intensive and adaptive technology, lack of support and recognition from the government, competitive and unregulated product market, unprotected labour market, undisclosed income or tax evasion etc. In addition to these, other characteristics include deplorable working condition and low level of wage, low capital accumulation and reinvestment, insecure and temporary nature of employment etc.

Unorganised Sector in India

The term informal sector itself is an ILO appellation and in India the term ‘unorganized sector’ is generally used. The first National Commission on Labour (1999)¹¹⁸ defined the unorganised sector as that part of the workforce ‘who have not been able to organise in pursuit of a common objective’ because of constraints such as (a) casual nature of employment (b) ignorance and illiteracy (c) small size of establishments with low capital investment per person employed (d) scattered nature of establishments and (e) superior strength of the employer operating singly or in combination.¹¹⁹

The National Commission on Self-Employed Women, set up in 1987, under the Chairpersonship of Smt. Ela R. Bhatt, included in their terms of reference, the women workers in the unorganised sector. This report characterised the unorganised sector as one in which women ‘do arduous work as wage earners, piece-rate workers, casual labour and paid and unpaid family labour. The economic and social conditions of these women are dismal.’ It also added that in the unorganised sector there is a total lack of job security

¹¹⁸ The First National Commission on Labour was set up in 1966 and submitted its report on August, 1969, under the chairmanship of late Justice Gajendragadkar. The Commission was formed to look into various issues. Its primary issues were (i) to review the changes in conditions of labour since Independence, (ii) to report on existing conditions and legislative provisions of labour and (iii) whether these provisions serve to implement the Directive Principles of State Policy

¹¹⁹ Prakash Louis (2004), “ Editorial”, *Social Action*, Vol. 54, April- June, p. iv.

and social security benefits. The areas of exploitation are high, resulting in long hours, unsatisfactory work conditions, and occupational health hazards.¹²⁰

During the period of three decades since setting up of the First National Commission on Labour, there has been an increase in number of labour force because of the pace of industrialisation and urbanisation. After the implementation of new economic policy in 1991, changes have taken place in the economic environment of the country which have in turn brought about radical changes in the domestic industrial climate and labour market. In short, there was an overall change in the scenario of industrial relations reflected through changes in the industry and character of employment, changes in the hours of work, etc. These changes have resulted in certain uncertainties in the labour market requiring a new look into labour laws. In the light of the above position, the government in 1998 set up the Second National Commission on Labour so that a high powered body could dispassionately look into these aspects and suggest appropriate changes in the labour legislation/labour policy.¹²¹

The Second National Commission on Labour aimed to suggest an umbrella legislation for ensuring a minimum level of protection to the workers in the unorganised sector. Few important objectives of the Commission are as follows:

- To obtain recognition for all workers in the unorganised sector
- To ensure a minimum level of living with minimum level of economic security
- To assure them a minimum level of social security
- To safeguard the basic constitutional rights of workers
- To secure removal of poverty of these workers
- To promote future opportunities for children by progressive elimination of child labour

¹²⁰ Government of India (2002), Ministry of Labour and Employment, Report of the Second labour Commission On Labour, Op. Cit., pp. 597-598.

¹²¹ NCL was set up in 1998 and submitted its report on June 19, 2002 under the chairmanship of Shri Ravindra Verma. The role of the Commission was to take note of the developments that followed globalisation and liberalization and its effect on working class, industry and the State as a whole.

- To guarantee to women workers equal opportunities of employment and equal remuneration for equal work and other protections available to them under any law, in force for the time being
- To ensure membership based organizations of workers, and
- To ensure representation of workers through their organizations in local and national economic decision making

It is worth mentioning here that a very important suggestion of the Second NCL in the Unorganised Sector Workers Bill has been the constitution of the Unorganised Sector Workers (Employment and Welfare) Board in order to meet the crucial requirements of the unorganised sector.¹²²

The report of the Second Labour Commission of Labour has been criticized by Trade Unions like AITUC, CITU and others on grounds of being lopsided and nothing but tokenism. It has been pointed out that by providing for easy exit of enterprises with greater freedom to hire and fire workers, the report scales down the right of workers in small enterprises. Moreover, in place of central laws relating to industrial relations like the Industrial Disputes Act 1947, the Trade Unions Act 1926, the Industrial Employment Act 1946, and similar laws in the states, the Commission proposed a Comprehensive Law on Labour Management Relations applicable to enterprises employing 20 or more workers. The Commission suggested repealing the existing laws on wages with a new “Draft Law of Wages” to free the enterprises from the problems based on the provisions of the existing acts. Further, a general law “Hours of Work Leave and Working Conditions at the Workplace Act” is intended to replace other welfare laws and acts. The alarming point is these changes pave way for easier contractualisation of work, longer working hours and night work for women.

The dimensions and complexities of the problem in India can be better appreciated by taking into consideration the extent of the labour force in the organized and unorganized sectors. The latest NSSO survey of 1999-2000 has brought out the vast dichotomy between these two sectors into sharp focus. While as per the 1991 census, the total

¹²²Government of India (2002), Ministry of Labour and Employment, Report of the Second Labour Commission On Labour Report, Op. Cit, p. 4.

workforce was about 314 million and the organized sector accounted for only 27 million out of this workforce, the NSSO's survey of 1999-2000 has estimated that the workforce may have increased to about 397 million out of which only 28 million were in the organized sector. Thus, it can be concluded from these findings that there has been a growth of only about one million in the organized sector in comparison the growth of about 55 million in the unorganized sector.¹²³ The structure of urban workforce as per NSSO 1999-2000 data reveals that 42 percent of the total workers are self employed workers. Out of the rest 58 percent, 40 percent work as regular workers and rest 18 per cent as casual workers.

In India, the urban informal sector has proved to be a refuge for a large majority of job seekers not getting absorbed elsewhere. Since there are no barriers to entry, and capital required to start an enterprise is highly flexible and since alternative sources of employment are not around, growth of employment in India's urban informal sector has simply been phenomenal and most of the recent employment accretion has been in this segment alone.

A sizeable proportion of the workers engaged in the urban informal sector are rural migrants. With their poor educational, training and skill background, they land up in low-paying, semi-skilled or unskilled jobs, and lend themselves to a high degree of exploitation. The productivity and earning levels in most of the urban informal sector enterprises are low and many working in this sector are under employed. The working environment is poor, working hours are very long and most pre-requisites of a decent employment (paid leave, pension and bonus, medical support and health insurance, maternity leave benefits, compensation against accident, etc.) are nearly conspicuous by their absence.¹²⁴

¹²³ Source: NSSO as reproduced in the website: <http://www.nirmana.org>, accessed on May 12, 2007

¹²⁴ A.S Oberai and G.K Chadha (2001), "An Overview of Urban Informal Sector" in A.S Oberai and G.K Chadha, (eds.), *Job creation In Urban Informal Sector in India: Issues and Policy Options*, New Delhi: South Asia Multidisciplinary Advisory Team and ILO, pp. 1-16.

Until recently, government policy has given very little attention to the informal sector as the policy-makers believed it to be a transient phase which would ultimately fade away or get integrated, even if gradually, into the mainstream of the economy. It was considered that, with economic growth, the formal sector would witness a sizeable expansion and that most of the surplus labour would be absorbed by it. Nonetheless, in spite of a reasonably strong growth of 5 to 6 per cent over many years, this has not happened. On the contrary, the informal sector has continued to grow, along with worsening employment and living conditions. This has raised serious doubts about the functioning of the 'trickle-down' process. An important reason for the failure of this process is that access to opportunities, opened up by growth, is rarely equal in a society such as India, where the initial distribution of income and wealth is highly unequal. Hence in sharp contrast to the implicit faith in the 'trickle-down' thesis, once held by policy makers and development specialists, it is now widely recognized that the informal sector is a living reality that will endure itself for decades to come, and would embrace a sizeable portion of the labour force.¹²⁵ Thus the informal sector stands out as a potential provider of employment and incomes to millions of people who would otherwise lack the means of survival.

The existence of urban informal sector and its employment potential has encouraged the large scale migration of rural people to the cities. Ashish Bose has thus pointed out that the process of urbanization has been essentially a process of migration to the cities. The cities can provide employment in the informal sector to rural migrants who are largely unskilled and illiterate.¹²⁶ Majumdar agrees that the primary reasons for rural-urban migration is economic, and the rural poor migrate to the cities in search of employment rather than better employment opportunities.¹²⁷ Moreover many employers engage migrant workers because it permits them to extend the working hours as well as keep wages and earnings at low levels, especially in jobs that entail relatively low skills and mundane and repetitive operations. Again for urban informal sector, by and large,

¹²⁵ Ibid, Page 4.

¹²⁶ A. N. Bose, (1970). *The Informal Sector in the Calcutta Metropolitan Economy*, Geneva: ILO, p. 11.

¹²⁷ Dipak Majumdar, (1977), "Notes on the Urban Informal Sector" in Subiah Kanappan (ed.) *Urban Labour Market Behaviour in Developing Countries*, New Delhi: International Institute of Labour Studies, p. 35.

regulatory controls are fewer and largely ineffective. Productivity levels are extremely low, working conditions are frequently appalling and the abuse of child and women workers is common. In many cases, minimum wages are not paid, there is little or no recognition of the principles of occupational and gender equality in either earnings or hiring practices, and the use of child labour is still widely prevalent. Here it is significant to note that women particularly are confined to unorganised sector and over 96 percent of women are in this sector.

Women workers in the unorganised sector

Women face the responsibility of dealing with the care economy therefore their involvement in the market economy is limited and from time to time curtailed. Women usually face a double day work. On an average, they normally work for four to five hours a day at home, fulfilling their traditional domestic responsibilities in addition to their economic activity. This leads to an unequal sharing of workload between sexes; it also imposes, *ceteris paribus*, limitations on the ability of women to compete on equal terms with men in the labour market. Hence the involvement of women in the market economy as the full time or part time workers, or to be completely out of it, mainly depends on their on their opinion *vis-a-vis* the care economy.

The working women bear a double burden of doing domestic work as well as income/waged work but the patriarchal perceptions reduce the importance of their economic role resulting in women being considered as a secondary labour force whose income is simply a complement to the family unit. Women's work remain under-recognised, their capacities and talents as a human resource remain under-utilised and our society is yet to recognise them as economic participants and contributors, equal to their male counterparts, if not more.

Except in women-preferred industries and jobs, employers are often reluctant to employ women. Not only are they not prepared to incur the expenses of crèches and maternity benefits, they are often prejudiced and feel that women are less efficient and productive

than men. At the same time, the social security schemes are non-existent or, when they exist, are insignificant, ill-conceived, delayed or simply not implemented for the unorganised sector women workers. Moreover, most women in the informal sector are not organised in trade unions. In the informal sector, it is plainly the insecurity of their tenure and their total dependence on their jobs that makes them wary of trade union activities. Sexual exploitation of women by employers, contractors, middle men is a serious issue related to working women. For those who are married and have children, the lack of sufficient day care centers, crèches etc. is another major problem. In many cases, women workers have to give up their jobs for want of child care facilities.¹²⁸

Gender based discrimination at work is an enduring and universal phenomenon. This discrimination is mostly acute in the unorganized or informal sector where labour laws are openly flouted. Swapna Mukhopadhyay estimating the female employment in the unorganised sector noted that the incidence of women workers is much higher in part-time employment in both Non- directory Manufacturing establishments (NDME) and Own-account Manufacturing establishments (OAME) enterprises in both rural and urban areas. While their reproductive roles and responsibilities shape women's labour supply behaviour, it is significant that within the hired category in larger units in NDMEs, the incidence of part-time women workers is very high. Thus Mukhopadhyay observes that contrary to the general perception that women are being absorbed in large numbers in hired wage work, they are being hired only on part-time basis. These patterns of contractual arrangements suggest that even within the informal sector, women are only getting a bad deal. Mukhopadhyay explains that this tendency could be the manifestation of a growing demand for job-specific sweat labour in small manufacturing establishments for which the employers are not willing to provide full-time or secure employment, especially since women from poor families are willing to provide their labour on a part-time basis for low and exploitative wages.¹²⁹

¹²⁸ Amarjeet Kaur (2001), "India's Urban Informal Sector and Workers: Role of Social Partners" in A.S. Oberai and G.K. Chadha, *Job creation In Urban Informal Sector in India: Issues and Policy Options*, New Delhi: South Asia Multidisciplinary Advisory Team and ILO, p. 435-446.

¹²⁹ Swapna Mukhopadhyay, (1999), "Locating Women within the Informal Sector Hierarchies", in T. S. Papola and Sharma (eds.) *Gender and Employment in India*, New Delhi: Indian Society of Labour Economics and Vikas Publishing House, p. 206-220.

The gender-based discrimination in the labour market is reflected in the male-female wage differentials across all industry divisions. National Service Scheme (NSS) data shows that at an aggregate level, women workers in India received 79.8% of the wages paid to men workers in 1993-94. This ratio is more weighted against women workers at the lower end of the literacy spectrum. Non-literate women workers received 57.8% of the wages paid to non-literate male workers in 1993-94. Construction work, which mostly involves manual labour, shows a high level of wage disparity at the lower literacy categories (where most of the workers are employed). Non-literate women in the construction received 46% of the wages paid to the men workers in this category in 1993-94.¹³⁰

According to the NSS 50th round (1993-94) survey, the number of rural workers in the country is estimated to be 291.5 million of whom 104.29 million are women. Most of the rural workers, especially those in agriculture and small rural enterprises and services, are informal sector workers, and it can be assumed that all of the estimated 104 million women workers are in the informal sector. Urban workers are estimated to be 82.4 million, of whom 17.3 million are women workers. The status-distribution of the female workers by usual status reveals that 56.8%(1993-94) of the women workers are self-employed and 37% are casual workers, adding to a total of 93.8% in both the statuses. The proportion of female workforce increased from 30.6% in 1972-73 to 37% in 1993-94, while that of self-employed decreased from 63.1% to 56.8% in the two decades. Moreover among urban females there is an increase in the proportion of both regular wage workers and casual workers while the proportion of self-employed has decreased.¹³¹ While urban work participation rates among women are in general lower than that of rural women, there is also a significant underestimation of urban women workers.

¹³⁰ Deshpande, Lalit and Deshpande, Sudha (2006), "Characteristics of Workers in the Informal Non-Agricultural Sector and Vulnerability Relevance For Policy Formulation". Paper presented in National Workshop on Employment and Social Security For Unorganised Sector Workers, Organised by Institute of Human Development, New Delhi, June 22-23,2006, p. 1-6.

¹³¹ Pravin Virasia (1996), "Structure of the Indian Workforce: 1961-1994", *The Indian Journal of Labour Economics*, Vol. 39, No.4, Oct-Dec, pp. 737-740

In certain sectors women are concentrated mostly in low skilled and low- paying jobs. For example, in the building and construction industry, women workers are engaged only in unskilled occupations. No women workers are engaged in skilled or semi-skilled occupations as masons, electricians, carpenters, foreman, fitters, *bhistis*, floor grinders, sinkers etc. They are only employed in unskilled and low paying jobs as labourer, helpers or coolies. With the introduction of new labour replacing machinery it is assumed that there will be reduction in employment opportunities, particularly for women because they are only engaged in manual work.¹³² Amitabh Kundu observed that the share of the construction workers declined in the rural areas in the post 1987-88 period while in the urban areas there was an increasing trend. The share of female construction workers in urban areas increased from 3.7% in 1987-88 to 4.1% in 1993-94, while it decreased from 2.7% to 0.9% in rural areas during the same period (NSS estimate). He further noted that the two sectors where the proportion of workers has moved up systematically were (i) wholesale and retail trade, and (ii) community and other services. Here too the increases are only with respect to male workers while the female worker's share is constant in the NSS estimates, although Census estimates over a longer period of 1981-1991 show an increase.¹³³ Thus, the characteristic features of the structure of the female workforce in the nineties are an increasing feminisation of the urban workforce on account of an increased WPR for urban women, a feminisation of agriculture on account of an increased share of women workers in the primary sector, rigidities and a declining share for women workers in rural non-farm employment, decrease in secondary sector employment, and an increase in tertiary sector employment for women largely in community and other services.

A look into the census data reveals that work participation rates for women in India are much lower than that of men. Though the work participation rate (WPR) for women has shown better growth than men as per the Census data 2001, WPR for women is still far behind the WPR for men (25.8% for women compared to 52% for men as per 2001

¹³² Ibid p. 416.

¹³³ Amitabh Kundu (1999), " Trends and Pattern of Female Employment: A case of Organised Informalisation", in Papola and Sharma (eds.) *Gender and Employment in India*, New Delhi: Indian Society of Labour Economics and Vikas Publishing House, p. 116-23.

Census). The increase in female WPR is mainly due to an increase in proportion of female rural marginal workers. While the census data shows a growth in WPR from 19.7 % (1981) to 25.9% (1999-2000). The increase in WPR for women in the Census 2001 could be because of better capture of women's world.¹³⁴

It is generally seen that the income insecurity based on poverty lines is higher among urban than rural workers irrespective of status of pp.employment. It is highest (56%) among urban women casual workers. Moreover, female wage is generally 60% of male wages and this is true for all states in India.¹³⁵ Women are more likely to be in temporary and part time employment relative to men, irrespective of employment status. Proportionately far more women than men sought additional work to supplement their income and also alternative work as the present work was not remunerative enough. Moreover, it is well known that women on account of both the social expectations and reproductive roles, and responsibilities do have a tendency to withdraw from the labour force and are not likely to be aspiring job-seekers on the labour market for a long time. However, in recent years the decline in the rate of urban unemployment for females is much lower than the corresponding decline for males.

Impact of liberalization on women workers

The flexible labour policies in the wake of liberalization and deregulation pursued in India since early 1980s which has been given logical extension in the form of New Economic Policy (NEP) has significantly affected the labour situation vis-à-vis women as argued by authors like Renana Jhabvala, Jayati Ghosh, Madhura Swaminathan, Nandita Shah, Nandita Gandhi, Sudha Deshpande and others. According to Nandita Shah and Nandita Gandhi, the impact of this new order is a process of feminization of labour force.

¹³⁴Anu Saxena (2004), "Women Workers in the Unorganised Sector: Inequity and Discrimination", *Social Action*. Vol. 54, Oct-Dec, p. 411-422.

¹³⁵Lalit Deshpande, and Sudha Deshpande (2006), "Charecteristics of Workers in the Informal Non-Agricultural Sector and Vulnerabiity Relevance For Policy Formulation". Paper presented in National Workshop on Employment and Social Security For Unorganised Sector Workers, Institute of Human Development, New Delhi, June 22-23,2006, p. 3.

Feminization of labour has been used to mean increase in female participation rate relative to men; the substitution of men by women who take over jobs traditionally done by men; the increase in women's participation in invisible work, that is, family labour and house working; the changing character of industrial work on the basis of new technology and managerial strategies whereby work is decentralized, low paid, irregular, with part time or temporary labour contracts.¹³⁶

Madhura Swaminathan points out three ways in which the NEP affects women, specific to India. Firstly, stabilization and structural adjustment policies worsen conditions of poverty, unemployment and deprivation among the working people and the poor, and, as such, women who are part of the working class and among society's poor are affected adversely by these policies. If there are more women than men among the poor, then more women are affected than men. Secondly, when income poverty and the conditions of life in households worsen, women generally bear the disproportionate share of the burden of new deprivation. In the context of widespread discriminations against women and girls cut backs in the public distribution of food, inflation in the prices of basic necessities, cut backs in health care, cut backs in general social security programmes and in different kinds of income support programmes affects women with disproportionate severity. Thirdly, some features of stabilization and structural adjustment programme affect women directly. Recession in those industries or sectors of the economy where women predominate in the work-force affect women workers directly.

According to Renana Jhabvala three main problem areas that emerge as a result of the impact of global and national forces on women in the informal economy are: (i) a lag in the productivity and wages of the unskilled labour as a result of global and national technical progress; (ii) an increased vulnerability and insecurity in the new market and trade-oriented world, despite significant benefits of these same trends; and (iii) a decrease in the bargaining power of unskilled workers. She also pointed out that in India, there is a division of workers in highly unequal 'skill' levels. At the upper end are workers with a

¹³⁶Nandita Shah, Sujata, Gothoskar, Nandita Gandhi and Amrita Chhachhi (1994), "Structural Adjustment, Feminization of Labour Force and Organizational Strategies", *Economic and Political Weekly*, April 30, p. WS 39-48.

range of sophisticated skills who, especially after liberalization, have many new opportunities. At the lower level, workers tend to learn their skills from each other or from within families, and have a level of education which permits them little leeway in terms of employment. Moreover, women workers tend to be crowded into the lowest rungs of the unskilled workers.¹³⁷ Thus the impact of economic reforms on women's employment suggests that although women are getting more jobs, they are by and large employed in low skill jobs, usually non-unionized, and experience adverse working conditions like, low wages and long working hours.

Migrant workers in the unorganised sector

Migration of human beings in pursuit of better employment, better wages and better quality of life is a well accepted social and economic phenomenon. However, migration leading to exploitation and culminating in human misery and deprivation of the irreducible barest minimum to every worker as a human being is entitled to, definitely need to be looked at with a crucial eye. Here it also important to note that a large section of the informal sector workforce is poor and a large section of them consists of migrant workers.

The main cause of migration is lack of employment in the home state. In India, there are a large number of migrants from Bihar, Orissa, Uttar Pradesh, parts of Madhya Pradesh, Rajasthan and Kerala to other parts of the country. Studies of migrant labour have shown that those who fail to get employment or get very low wages in their own area migrate to other states in the hope of getting a better job. The local labour is normally paid higher wages than migrant labour, but those who go for specialized job, the wages are paid according to nature of work as normally the local labour do not compete in these fields. Generally the migrant labour tend to depress the level of wages in the place of migration.

Estimates, based on the 1999-2000 NSS Survey on Employment-Unemployment, show that of the poorest 40% of the workers (in terms of household consumption expenditure),

¹³⁷ Renana Jhabvala (2003), "Liberalization and Women", *Seminar*, November, p. 34-39.

more than a quarter (26.4 per cent in urban areas and 27.8 per cent in rural areas) are migrants. Migrant labourers form an overwhelming proportion of workers in urban sectors such as construction, head loading, mechanized and non-mechanized transportation, diamond polishing, the powerloom sector, and domestic work, and in rural sectors such as brick manufacture, quarrying and mining, and fish processing.¹³⁸

Despite the large share of migrant workers in most sectors and industries, and among the poor and the most vulnerable sections of workers in society, there is insufficient focus on migrant workers and their problems. Further, the link between the nature of migration and the status of migrants, on the one hand, and the achievement of development goals, on the other, is insufficiently explored. One of the reasons for this is the tremendous heterogeneity of migration streams. Migration flows can be characterised in terms of the nature of origin\destination, distance, duration and periodically, involvement of types of individuals\groups, and the nature of this involvement. An important distinction usually made in the literature is between permanent\ semi-permanent migrant workers and their families (usually preponderant in the rural-urban stream) and seasonal or circular migrants (both rural-rural and rural-urban). This distinction is quite crucial. Seasonal migrants are often more vulnerable, the labour markets in which migrants are often more imperfect, fragmented and segmented; they can lay claim to fewer entitlements, and they have fewer internal resources (both social and economic) to fall back upon. In general, almost all poor migrants, who usually belong to low social status groups, face multiple disadvantages in almost all types of migration streams.

There are several conditions that demarcate poor migrant workers from non-migrant workers in the informal sector. The most important feature of migration, especially when it takes the form of 'survival' migration, is that it weakens the entitlement and public claims of household members who are left behind, while at the destination, migrant workers lack basic citizenship rights and even those who have migrated permanently to urban areas have to undertake a protracted struggle to lay claim on basic civic amenities.

¹³⁸ Ravi Srivastava (2006), "Migrant Workers and Basic Entitlements: Issues in Implementing Comprehensive Social Security", *India Migration Newsletter*, Vol.1, No.2, July, p. 1-3.

As far as seasonal migrant workers are concerned, their rights and claims on public resources remain minimal, under all circumstances.

Moreover, migrant workers face more adverse conditions in the labour market, and find it even more difficult to achieve an upward movement due to labour market segmentation. Again, migrant workers and their families oscillate between rural and urban areas, sometimes within a single state, and other times between states. Poor migrant workers, particularly seasonal migrants, have weaker social networks and fewer internal resources to fall back upon. This compels them to draw upon the resources of contractors and other middlemen, thereby reinforcing their adverse labour market participation. Thus, for migrants, the basic issue is one of establishing citizenship claims, and claims on public resources, at par with other workers.

Moreover, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act¹³⁹ practically does not help workers. The worker is expected to complain to the labour machinery of his state which has no control over the industry in the state where he is working. The provision providing for shelter, transport and drinking water is not implemented. Migrant workers are normally paid lower than the rates prescribed under Minimum Wages Act (1948)¹⁴⁰. The Equal Remuneration Act, 1976¹⁴¹ is normally not implemented. Mostly even while notifying the wage rates, women workers are fixed lower than male workers by giving a different designation for the same work.¹⁴²

¹³⁹ This Act was enacted in 1979 and it became a law in 1979 and was brought into force from 1980. Few Salient features of the Act are: (i) all principal employers of establishments employing five or more interstate migrant workmen should get themselves registered and obtain certificates of registration, (ii) employment of inter-state migrant workmen without Registration is prohibited, (iii) Obligation of the contractors, for instance, paying displacement allowance, journey allowance, regular wage payment, provision of suitable working conditions, provision of suitable residential accommodation, etc is also mentioned in the Act.

¹⁴⁰ The main purpose of the Act is to ensure regular and prompt payment of wages and to prevent the exploitation of workers by providing arbitrary fines and deduction from their wages.

¹⁴¹ This Act provides for equal remuneration for same work or work of similar nature to both men and women workers and seeks to prevent discrimination on grounds of sex in terms of payment for the work done. This Act also seeks to fulfill the Constitutional objective laid down under Article 39 of the Constitution which provides for equal pay for equal work

¹⁴² H. Mahadevan (2004), "Unorganised Sector Workers and their Livelihood Issues", *Social Action*, Vol. 54, Oct-Dec, p. 438-450.

The plight of women and young girls who are migrant is extremely tragic. The fate of women and children accompanying migrant workers is deplorable. In the absence of any worthwhile accommodation, they have to put up in make-shift structures. No safe drinking water is available, sanitation facility is totally absent, leading to their falling victims of water born diseases, on the one hand, and rise in vulnerability of women in all spheres, on the other hand.

Distress and subsistence induced migration, which is usually the case with migrant workers engaged in the informal sector, puts them at the mercy of principal employer. The contractors/subcontractors, as also their middlemen, make them vulnerable to exploitation, especially when no organizational support is present to protect their interests. The migrant workers contribute into the economic prosperity of the state to which they migrate but the recipient states have generally been insensitive to their problems. There is a common feature that many cases of injuries caused due to accidents, sometimes even resulting in death or disablement, are not reported and workmen's compensation in case of those accidents is not deposited and paid. In the case of the inter-state migrant workmen and their family members, it is very difficult to deal with the problems they face because of distance from their origin and place of work, unfamiliarity with local language, customs, geography, topography, local court procedures etc. In the absence of their unionization, the protection of their rights and safeguarding of their interests become very difficult. Their children are deprived of access to educational opportunities on account of absence of educational infrastructure, and language problems and, in many cases, local schools not accepting them. Driven by acute poverty, and the critical need to add to the meager earning of the household, the parents often have to subject their children to work.¹⁴³

¹⁴³ Gopal K. Iyer (ed) (2004), "Introduction", *Distressed Migrant Labour in India. Key Human Rights Issues*, New Delhi: Kanishka Publishing, p. 2-10.

Social Security in the Unorganised Sector

One of the key areas that is talked about with a lot of concern while discussing the unorganized sector is the issue of social security. This is because a large portion of the unorganized sector employment opportunities is generated in the urban or semi-urban areas and not surprisingly a majority of this workforce is economically marginalized. High incidence of poverty among these groups exposed to difficult and hazardous working conditions, non-existent social security or health benefit schemes other than poorly functioning state-provided medical facilities, and etc., is quite common. This section will deal with the aspect of social security in the unorganized sector and what social securities are applicable to the women workers in the sector, how much do they actually get or rather do they get anything in reality, attempt will be made to find out the lacunae in this regard.

The Preamble to the Constitution of the International Labour Organization (ILO) begins with the following words: “Universal and lasting peace can be established only if it is based on social justice”. The International Labour Organization (ILO) first proposed a comprehensive definition of social security as the protection measures which society provides for its would otherwise be caused by the stoppages or substantial reduction of earnings resulting from sickness, maternity, employment injury, unemployment, disability, old-age death, provision of medical care and subsidies for families with children.¹⁴⁴ Most annotators agree that ILO definition is inadequate for developing countries and the components of social security listed in the definition are based on the experiences of developing countries and a number of alternative definitions have been put forth to overcome the lacunae of the ILO definition. As R. Jhabvala, argues most of the work is intermittent, insecure, and yields too little to cover the costs of social security. Moreover many of the components of social security are just not available to the workers at affordable prices.

¹⁴⁴International Labour Organisation, Scope for Social Security System, available at: http://www.ilo.org/public/english/dialogue/actrav/projects/tc00_01.htm, accessed on April 12, 2007.

The International Labour organization faced with a low level of coverage of statutory systems has developed a new strategy for improving and extending social security coverage. This consists of three forms of action:

(i) Extension based on classical social security mechanism; social insurance, universal benefits and systems of social assistance programmes

(ii) The promotion of and support for the development of decentralised systems deriving from local initiatives, in particular micro insurance ;

(iii) The design of linkages and bridges between decentralized systems and other forms of social protection and public initiatives.¹⁴⁵

In a way social security is a guarantee by the whole community to all its members, of the maintenance to their standard of living, or at least of tolerable living conditions, by means of redistribution of income, based on national solidarity. It is a kind of collective measure or activities designed to ensure that member of society meet their basic needs (such as adequate nutrition, shelter, health care and clean water supply) and are protected from contingencies (such as illness, disability, death, unemployment and old-age) so that they are enabled to maintain a standard of living consistent with social norms.

Dreze and Sen defines social security essentially as an objective pursued through public means rather than as a narrowly set of particular strategies. The wider connotation of social security has also been termed as socio-economic security since it comprises measures that aim at improving social capabilities and enhances average income level of the general population.¹⁴⁶ Dreze and Sen distinguish two contrasting approaches for raising the living standards. One approach is to promote economic growth in order to improve private and public incomes. This is termed as 'growth-mediated security'. Another alternative is 'support -led security'. In this approach, wide-ranging public

¹⁴⁵ R.K.A Subrahmanya, " Social Security For the Unorganised Sector- Initiatives at the National Level", available at: www.nirmana.org, accessed on May 02, 2007.

¹⁴⁶ E. Ahmad, J. Dreze, and A. Sen, *Social Security in Developing Countries*, Oxford: Clarendon Press as cited in, Siddhartha Sarkar. (2004), " Extending social security coverage to the informal sector in India", *Social Change*, Vol. 34, No. 4, Dec p. 112-130.

support is given in areas such as employment provision, income re-distribution, healthcare, education and social assistance in order to improve distribution without waiting for a transformation in the level of general affluence.¹⁴⁷

It is well known that the neglect of social opportunities due to lack of adequate progress in social security in the developing countries, like India, has a detrimental affect on the economic and social development in these countries. Unfortunately, the policy towards social security is marked by the singular lack of appreciation of its broader connotations and its importance for human development. In the developing countries large proportions of the population are engaged in self-employment and in informal activities, daily wage earners, casual labourers, etc. It is difficult to cover these individuals under formal schemes of unemployment benefits, insurance and other benefits.

Social Security for Unorganised Sector in India

The Directive Principles Social Policy refer to the state responsibility in ensuring social security, social insurance, and welfare of labour, invalidity and old age pensions as well as maternity benefits. The provision of social security is a joint responsibility of the Union and state governments as the subject falls under the Concurrent List. Various laws have been passed since independence to provide a number of protective measures that benefit mainly the organized sector workers include legislation governing the payment of provident fund, gratuity, maternity benefits, employment injury, survivor benefits and retirement pensions. The provision of protective social security for the bulk of workers in unorganized sector and for the self employed has been negligible.

In the Indian context, 'social security' is a comprehensive approach designed to prevent deprivation, assure the individual of a basic minimum income for himself and his dependents and to protect the individual from any uncertainties. The state bears the

¹⁴⁷ Jean Dreze and A. Sen, *Hunger and public Action*, Clarendon Press, Oxford as cited in Mahendra Dev S, "Growth-mediated and Support-led Social Security in the Unorganised Sector in India", Paper presented in National Workshop on Employment and Social Security For Unorganised Sector Workers, Organised by Institute of Human Development, New Delhi, June 22-23,2006.

primary responsibility for developing an appropriate system for providing protection and assistance to its workforce. Social Security is increasingly viewed as an integral part of the development process. It helps to create a more positive attitude to the challenge of globalization and the consequent structural and technological changes. Social Security benefits in India are 'need-based' i.e. the component of social assistance is more important in the publicly-managed schemes.

Existing legislations and Unorganised Sector Workers In India

There are certain legislations which are meant to benefit the unorganised sector workers. But a deeper look into them reveals certain shortcomings. The Factories Act, 1948 is applicable only to manufacturing units organised as factories and its provisions do not apply to the workers in the unorganised sector. The Industrial Disputes Act 1947 is applicable to establishments with more than 100 workers. The Minimum Wages Act, 1948 is not applicable to the self-employed workers and 60% of the workforce in the unorganised sector is self-employed and home-based and thus remain outside the purview of the Minimum Wages Act. It was enacted for fixing, reviewing and revising the minimum wage rate in the scheduled employment where workers are engaged in the unorganised sector. The Payment of Wages Act, 1936 is applicable to self employed workers. With regard to the Workmen's Compensation Act, 1923, the method of claiming compensation for disability is so long and torturous that one rarely gets a compensation to which one is entitled. The Inter-State Migrant Workmen Act, 1979, requires first to establish that the workman was recruited from another state through a contractor. The Contract Labour (Regulation and Abolition) Act, 1970, seeks to regulate the employment of contract labour in certain establishments and to provide for its abolition under certain circumstances and is not applicable to a contractor who employs less than 20 workers which often leads to manipulations by employers and contractors. The Beedi & Cigar Workers (Conditions of Employment) Act, 1966, provides for the welfare of Beedi and Cigar establishments, and regulates the conditions of their work and related matters. The Act provides for licensing of all industrial premises where beedi or cigar or both are made. This Act is applicable only if there is an employer-employee

relationship. The principal social security laws enacted in India are The Employees' State Insurance Act, 1948, The Employees' Provident Funds & Miscellaneous Provisions Act, 1952 The Workmen's Compensation Act, 1923 (WC Act), The Maternity Benefit Act, 1961, The Payment of Gratuity Act, 1972, etc. Unfortunately, in the informal sector none of these social security laws are properly implemented.

One of the recent legislation that is worth mentioning here is 'The Building and other Construction Worker's (Regulation of Employment and Conditions of Service) Act', 1996. This Act provides for regulation of employment and conditions of service, safety and health and welfare measures for the construction workers by setting up a Welfare Fund at the State level to be financed by contribution made by beneficiaries, levy on cess on all construction works at rates between 1 to 2 percent of the construction cost incurred by an employer and non-mandatory grants/loans by the State/ Central Governments. It is applicable to establishments employing ten or more workers and for workers who put in 90 days continuous work. This Act also has not been implemented properly Hence the prevailing laws neither safeguard the rights nor provide security to the workers in unorganised sector. Thus more than 90% of India's workforce do not enjoy the minimum protection and security that they need.

From the above discussion it is clear that any form of social protection does not cover most workers in the informal sector. They neither enjoy social security (retirement benefits, pensions, health insurance, etc) nor do they benefit from any programmes related to safety at work. Use of dangerous tools, handling of hazardous substances, exposure to transmittable diseases, lack of ergonomically correct equipment and furniture, poor lighting and ventilation etc. are all common workers in the informal sector. Aside from issues of equity and human rights, lack of social protection is closely linked to low productivity in the informal sector. Working days lost due to poor health, accident or injuries combined with related medical costs are a major contributor to poverty in this sector.

In India one of the gravest shortcomings of labour welfare has been that while as many as 90 per cent of the workers are in the unorganized sector, most of the welfare laws have not been applicable to them. In some cases this happened because large sections of the unorganized sector workers were outside the purview of these laws, and in other cases in practice the laws could not be applied to unorganized sector workers. Among the most vulnerable of informal workers are informal women workers, as they consistently earn less than their male counterparts and often have to work on an irregular and seasonal basis due to both, lack of regular work as well as their gender- assigned responsibilities.

The bigger challenge is the delivery of the programme of social security and proper implementation of labour laws. Generally workers do not see much benefit from joining a social security or welfare fund programme and there is a looming ignorance among them about these programmes. So the institutions or departments that are to deliver this programme must be decentralized, as the micro credit programmes have become, in order to reach the remote and poor workers. The finance to secure this programme is the next major challenge. Another lesson that comes from the best practice welfare fund models is the concept of a tripartite mechanism for raising finance. So besides the State, the employers and the employees all contribute to the fund to finance the social security provisions. The tripartite body would also be used to oversee the delivery mechanism. The employers association, major trade unions and government have their representatives in this body, and that helps to ensure that the workers are identified correctly and receive the benefits due to them. However, this is easier to implement when the welfare fund is for a specific sector of workers, such as bidi workers. When one is talking about a universal scheme the representation of employers and workers has to be thought out.¹⁴⁸

Regarding gender-based discrimination at work it is worth mentioning here that despite the enactment of the Equal Remuneration Act, 1976 and its subsequent amendment in 1987, the practice of paying lower wages to women for “same work or work of similar nature” is still rampant. It has been suggested that the Act should be amended so that the

¹⁴⁸ Unni, Jeemol, “ Reaching the Unreachable: Social Security for informal Workers”, available at, www.labourfile.org , accessed on May 10, 2007

phrase “same work or work of similar nature” should be replaced by the phrase ‘work of equal value’. In this context, the Shramshakti report of 1998 pointed out that measuring value of work and equating them is a far more difficult task than identifying ‘same work or work of similar nature’. There is a tendency to categorise tasks generally done by women as being of a slightly inferior nature, warranting lower rates of wages. To avoid this, the Shramshakti report recommended that it would be advantageous if a group of activities in an industrial occupation are broad-banded into one category, on the basis of inquiries and studies, so that the present situation is remedied.¹⁴⁹

The piece rate system is an institutionalized mechanism to pay lower wages to women. So this system has been a method of paying lower wages to women without contravening the provisions of the Equal Remuneration Act as a large number of women workers are paid wages under this system. While the time rate system follows the Minimum Wages Act, there are no such regulations for the piece rate system. Therefore, women put in long hours of work to earn a pittance, may be a fraction of what they would have earned under the time rate minimum wage. The National Commission on Labour in its report on women and child workers has recommended that the Act must be amended to remove the incompatibility between the piece rate and time rate system of fixing wages.¹⁵⁰

The Minimum Wages Act, 1948 is also very relevant for women workers because it is primarily designed for the protection of workers in the unorganised sector, where majority of women work. While the Act provides a mechanism for fixing and revising minimum rates of wages, it does not give any guidelines as to the basis on which the minimum wages are to be fixed or revised. The Shramshakti Report recommended that in fixing minimum wages, the basic minimum needs of workers and his/her family for sustenance should be kept in view so that the wage prescribed is a just wage.¹⁵¹ Thus, though India has a large number of labour laws, they tend to ignore women’s experiences

¹⁴⁹ National Commission on Self- Employed Women and Women in the Informal Sector, (1998), Shramshakti, New Delhi: Government of India, p.108.

¹⁵⁰ National Commission on Labour (2001). *Report of the Group on Women workers and Child Labour*, Part I, New Delhi: Government of India, pp 99 & 102.

¹⁵¹ Anu Saxena (2004), “ Women Workers in the Unorganised Sector: Inequity and Discrimination”, *Social Action*, Vol. 54 , July-Sep, p 411-417.

and their outlook tends to be paternalistic. While provisions of a number of these acts needs to be amended in order to make them gender sensitive, the enforcement of these acts also needs to be stepped up, particularly in the unorganised sector.

The informal work force in India is very large and segmented. Thus any number of programmes addressed to this sector will still only address a small segment of this work force. In the last few years, there has been a focus on two specific programmes for workers in the informal sector: the Employment Guarantee Act and Social Security Bill for Unorganised Sector Workers. The Employment Guarantee Scheme is a self-targeting programme and reaches the bottom segment of this work force. Protective social security can reach a wider segment of informal workers.

It is unfortunate that the role of the state in the provision of social security has been diminishing. However, it remains the most important institutional mechanism to deliver social protection. Though the nature and role of the state has changed over time but its basic responsibility towards provision of certain minimum needs cannot be brushed aside. There have been various shifts in policy towards women in the last 60 years from the concept of 'welfare' in the seventies, to 'development' in the eighties and now 'empowerment' since the nineties.

The government employment programmes affecting women workers can be divided into three categories: (i) Wage employment programmes (ii) Self-employment programmes and (iii) Programmes exclusively for women. Wage employment programmes include such as Jawahar Rozgar Yojana (JRY) and Employment Assurance Scheme. Under the JRY, 30 per cent of the employment opportunities are reserved for women. However, this target has never been met. It has been reported that in several states the average wages per man days paid to female unskilled workers is less than what is paid to male unskilled workers. This is a disturbing feature of JRY since it is government-funded scheme and is expected to adhere to the Equal Remuneration Act.¹⁵²

¹⁵²Anu Saxena, (2004), Op. Cit, p 420-422

Some of the important self-employment programmes initiated by the government are the Integrated Rural Development Programme (IRDP), Development of Women and Children in Rural Areas (DWRCA) and Training of Youth for Self-Employment (TRYSEM). IRDP is one of the largest self-employment programme. It has been stipulated that at least 40 percent of the beneficiaries should be women, with priority being given to women headed households. Most of the time the target of 40 percent of beneficiaries being women are not met.

Development programmes launched by the government exclusively for women include the Rashtriya Mahila Kosh (RKM), Swayamsiddha, Support for Training and Employment Programme for Women (STEP) and Setting up of Employment-cum-Income Generation-cum Production Units (NORAD). The performance of the development programmes launched by the government has been poor due to several reasons. One of the main reasons is lack of effective planning and coordination not only between the central and state governments but also between various ministries and departments of the central government and also with field level implementing agencies. Another reason for poor performance of these programmes is the lack of awareness amongst targeted groups about the schemes. Hence the development programmes need to be more flexible for providing sustainable employment to women. There is also a need for greater involvement of panchayats, voluntary organizations and the community at large in development tasks.

Besides the state and the market there is a third form of institutional mechanism that also plays a role in delivering social protection- the civil society. This takes the form of individuals, social networks and non-governmental and member-based organization.

One of the gravest weak points for workers in the unorganised sector is that they are not organised as they don't have an effective Trade Union and thereby lack bargaining power. In the organised sector where there is a clear employer and employee relations, the Trade Unions can be formed and the interest of the workers defended. Although attempts have been made by social activists, NGOs and even some trade unions to

organise unorganised workers. The problems faced are really different from those that were faced in organizing workers in large industries. Workers could be contracted at a single place at the factory gate or head quarters, but the unorganised labour being scattered organising them becomes a difficult task.

Some of the major problems faced in organizing urban organised labourers are as follows:

- Absence of clear employer-employee relations.
- Small and scattered nature of the production units.
- Workers working under different work environments making standardization of working conditions practically impossible.
- Absence of clear cut occupational classifications.
- Lack of education or poor skills and training of workers.
- Poor resource base of the workers leading to their inability to contribute to membership of the labour unions. The unions also find non-paying members as a disincentive for any sustained efforts.
- Dependence of kinship, caste or regional ties with the employer.
- Non- recognition of home based workers as workers within the definitions of various acts.
- Insecurity of jobs and threats to termination by employers in case workers involve themselves in union activity.
- Lack of enough political or social power to influence state policies.¹⁵³

In view of the large variety among the unorganised urban workers, the fact that clearly emerges from various experiments carried out to organise them, is that there is no unique method of organising the unorganised. Each case will have to be treated in a specific manner since the problems of organising a particular category, for instance, head loaders, workers in small factories, washer men, quarries, timber workers, workers in wholesale

¹⁵³ Ruddar Dutt (ed) (1997), "Introduction", *Organising the Unorganised Workers*, New Delhi: Vikas Publishing House Pvt. Ltd, p.1-28.

or retail shops, are different due to nature of employment and the level of awareness and education of the workers. Hence organising this sector requires a lot of persistence. This has been demonstrated by several experiments, notably that of Self Employed Women's Association (SEWA) which has been able to get itself registered as a trade union even when it deals with home-based workers who would not be covered under the Trade Union Act of 1926 which presumes in the case of a worker a formal and specific employer-employee relationship. This can be noted as a major breakthrough in the unionization of unorganised workers.

CHAPTER III

CONSTRUCTION INDUSTRY AND WOMEN WORKERS

Introduction

The construction industry is an essential contributor to the process of development and therefore an integral part of a country's infrastructure. It includes hospitals, schools, townships, offices, houses and other buildings; urban infrastructure (including water supply, sewerage, drainage); highways, roads, ports, railways, airports; power systems; irrigation and agriculture systems; telecommunications etc. Covering as it does such a wide spectrum, construction becomes the basic input for socio-economic development. Besides, the construction industry generates substantial employment and provides a growth impetus to other sectors through backward and forward linkages. While discussing the backward linkages of construction industry, the ILO (Employment Policy and Job Creation in and through the Construction Industry, 1987) has concluded that in the economies of industrialised countries, as a very approximate rule of the thumb, for every job created in the construction industry, a further job will materialise in the building material, trade, transport or service sector. The construction industry's forward linkages are their contribution for the provision of basic infrastructure that leads, directly or indirectly, to the creation of permanent employment for a large number of people. It is therefore a vital industry that is essential for the healthy growth of the economy. A large basket of unskilled labour caters to the Construction Sector and this explains why a large number of migratory workers are in this sector. This sector is also associated with the phenomenon of rural-urban continuum with workers migrating to metropolitan cities from the rural areas.

In this chapter the socio-economic dimensions of the construction industry in India and the dynamics of women workers engaged in this sector has been examined. For this purpose of this research, a field study was conducted in Delhi to study the socio-economic dynamics of women workers engaged in the construction industry in Delhi.

This chapter is divided into five sections. The first section deals with construction industry in India, the second section focuses on the construction industry in Delhi and the third section deals with various issues concerning the construction industry. In this section, characteristics of the industry, working conditions, impact of technology and issues related specifically to women workers have been examined. The fourth section gives an account of legal provisions applicable to the industry. In the next section, various studies conducted in this sector have been examined and finally, in the last section, the field study that was conducted for this research has been discussed.

The construction industry in India

The construction industry in India contributes to the growth of the economy in two main areas. Firstly, it has backward linkages to other growth inductive sectors like building material sector. Secondly, it makes a substantial contribution to the Gross Domestic Product, and to the National Capital Formation.¹⁵⁴ The construction sector is one of the largest employers in the country. In 1999-2000, it employed 17.62 million workers, a rise of 6 million over 1993-94.¹⁵⁵ These workers are one of the most vulnerable segments of the unorganised labour in India. Their work is of temporary nature, the relationship between employer and the employee is temporary, working hours are uncertain.¹⁵⁶

In the context of liberalization, of the Indian economy and flow of domestic and foreign investment in various infrastructure projects in a big way has resulted in a boom of construction activity in the country and the boom is expected to rise in the years to come. Foreign Direct Investment (FDI) is expected to touch 150 Billion US dollars in next ten years.¹⁵⁷ With the present emphasis on creating physical infrastructure, the construction

¹⁵⁴ Theo van der Loop (1996), *Industrial Dynamics and Fragmented Labour Markets: Construction Firms and Labourers In India*, New Delhi: Sage Publications, pp. 54-59.

¹⁵⁵ Government of India, Planning Commission, *The Report of the Tenth Five Year Plan*, available at: <http://planningcommission.nic.in/plans/planrel/fiveyr/welcome.html> accessed on June 02, 2007, p. 847-848.

¹⁵⁶ Office of Labour Commissioner, Government of Delhi Available at: http://labour.delhigovt.nic.in/act/details_acts/buliding_other_construction/building/intro.html, accessed on June 6, 2007.

¹⁵⁷ G.K. Kulkarni (2007), "Construction industry: More needs to be done", *Indian Journal Of Occupational and Environmental Medicine*, Volume 11, Issue 1, pp: 1-2

industry is given a lot of importance in the Tenth Five Year Plan (2002-2007).¹⁵⁸ The construction industry, which is a labor intensive, generates demand for skilled and semi-skilled labor force. Though the all India figure of construction workers in various industrial categories has fluctuated over the years, there has been an increase in their numbers since late 80s, as the available NSSO rounds suggest. The 1991 census also indicates a rising trend for construction labour during 1971-91.¹⁵⁹ The employment in construction sector is expected to touch 40 Million by the end of the year 2007. This work force shall comprise 55 % of unskilled labor, 27 % skilled labor and rest the technical and support staff. The expansion of the sector is further characterised by new openings, in favour of both private and foreign capital and technology, and a considerable reduction in public investment.¹⁶⁰

According to Construction Industry Development Council (CIDC)¹⁶¹, the private construction sector is gaining important role in the process of nation building. Requirements of substantial funds, latest technology and more efficient working systems have suddenly assumed importance. Developments of roads and highways, railways, docks and harbours, power plants, petrochemical plants and several other areas have now become the domain of private sector. Several projects on Build, Own and Operate (BOO) or Build, Operate and Transfer (BOT) basis in the aforementioned areas are being executed by the private sector, apart from 100 per cent ownership basis. It is worthwhile to note that a majority of such projects are being executed by joint venture business bodies where partners of multi-country origin are involved. Housing and Real Estate

¹⁵⁸ Government of India (2007), Planning Commission, The Report of the Tenth Five Year Plan, Op. Cit, p. 847.

¹⁵⁹ J. John & Mukul Sharma, 'Construction Workers in India', Available at: www.labourfile.org accessed on June 03, 2007.

¹⁶⁰ G.K. Kulkarni, (2007), "Construction industry: More needs to be done", Indian Journal Of Occupational and Environmental Medicine, Volume 11, Issue 1, pp: 1-2.

¹⁶¹ The Planning Commission, Government of India and the Indian construction industry have set up construction Industry Development Council (CIDC), jointly. It was incorporated as a Registered Society in March 1996.

Development, however is an area which does not permit foreign participation, though Indian private construction sector is quite actively involved.¹⁶²

Presently in the context of the formulation of the Eleventh Five-Year Plan (2007-2012) it has been decided to set up a working group on construction to study the present Indian construction industry, keeping in view the focus on creation of a world-class infrastructure and rebuilding rural India- Bharat Nirman. The Plan also intends to focus on R & D activities in the construction sector and suggest measures for greater use of modern technology and equipment and speedy adaptation of new methods. It also plans to evaluate the role of construction sector in generating employment, keeping in view the qualitative and quantitative changes which have occurred in the recent past and to suggest measures for qualitative upgradation and more remunerative employment in the construction industry.¹⁶³

The Construction Industry in Delhi

The National Capital Territory of Delhi, being the epicenter of northern India's economy and the country's capital, is also the hub of substantial construction activity. According to the National Sample Survey (NSS 55th Round) in its survey of the " Informal Sector in India 1999-2000", there are estimated 33,876 construction enterprises in Delhi. Of these, 32,215 are Own Account Enterprises (OAEs) and 1661 are construction Establishments. OAEs are those enterprises which are run by household labour usually without any hired worker employed on a fairly regular basis. Construction Establishments are those enterprises which employ at least one hired worker on a fairly regular basis. The NSS 55th Round estimated that on the basis of the household survey approach, there are 159,630 construction workers in proprietary and partnership enterprises in Delhi. According to the Directorate of Economics, Government of Delhi, there are 231,571 construction workers in the organised sector. A combination estimate of the organised

¹⁶² P.R. Swaroop,(1997) "The Third Construction Conference", Hong Kong, CICD, pp-97-98 as cited in: J John, "Birds on the Winding Scaffolding: Construction Workers in India", Labour File, available at: <http://www.labourfile.org/ArticleMore1.aspx?Nid=221>, accessed on June, 03, 2007.

¹⁶³ Notification of Planning Commission, Government of India dated 27th March 2006. Available at: http://www.cidc.in/download/notification_construction.pdf accessed on June 01, 2007.

and the unorganised sector reveals that about one million workers are engaged in this sector of which 10 per cent are women. This sector is completely dominated by migrant workers.¹⁶⁴

In Delhi, the construction workers are mostly migrant labourers from Bihar, Orissa and Rajasthan, Uttar Pradesh and Madhya Pradesh. Poverty and misery in villages force them to migrate to townships in search of a means of livelihood. Without any proper training or experience, these landless agricultural labourers instantly take to construction work in the cities. In the absence of an alternative accommodation, in, a majority of them live at the construction site itself. Most of them are either semi-skilled or unskilled. Contractors rarely build temporary sheds for workers and even these sheds lack basic amenities and have no proper sanitary or lighting facilities.¹⁶⁵

With regard to Delhi it is important to note that in 2010, four years from now, it will play host to the Commonwealth Games, with tens of thousands of visitors descending upon the city. To prepare itself for this, the city is planning a major overhaul of its urban infrastructure as well as its sporting facilities. This infrastructural development is also a part of the blue print of Delhi Master Plan 2021. Events, like Commonwealth Games, happen in a city once in a decade or maybe even less, (The last large event held in Delhi was the 1982 Asian Games) and have the ability to transform it. The world over, cities vie with each other to host “hallmark” events such as the Olympics, World Cup’s etc. It is seen by many as a sure way of shooting the host city into the limelight, resulting in an ‘economic windfall’¹⁶⁶. It gives these host cities the impetus to improve domestic facilities and infrastructure. The nomination of a city as organizer impacts the physical (construction projects) to the intangible (local self-esteem or international impact) gains. As Matheson and Baade point out, there are very good reasons for why developing

¹⁶⁴ Mukal, Sharma, “ Beyond Bricks and Stones: Mobile Creches in Delhi”, Labour File, available at <http://www.labourfile.org/ArticleMore1.aspx?Nid=218> accessed on May 18, 2007.

¹⁶⁵ Available at: www.labourfile.org accessed on June 03, 2007.

¹⁶⁶ Baade, R and Matheson, V. (2002), Bidding for the Olympics: Fool’s Gold? Transatlantic Sport: The Comparative Economics of North American and European Sports, Edward Elgar Publishing, London ,pp-127-151, As cited in Vinayak Uppal (2006), “The Impact of The Commonwealth Games 2010 on urban Development of Delhi. An analysis with a historical perspective from worldwide experiences & 1982 Asian Games”, CCS Working Paper No. 162, Centre for Civil Society.

nations are more adversely impacted by such events. Some of the causes are: high infrastructure development costs, under utilization of facilities post event, high opportunity cost of capital and unable to attract large numbers of spectators¹⁶⁷

This preparation for the Commonwealth Games clearly reminds of the Asian Games of 1982, where there has gross violation of construction workers rights who were involved in this project. This issue taken up by People's Union for Democratic Union (PUDR), formed the subject of a case (People's Union for Democratic Rights v. Union of India (Asiad Workers' Case,1982) that gave birth to a new process of jurisprudence in Independent Indian – Public Interest Litigation (PIL) - on behalf of those that are voiceless. The PIL highlighted violation of various labour laws in relation to workmen employed in the construction work connected with the Asian Games like Minimum wages Act, 1948, Equal Remuneration Act. The employment of Children Act, 1938 and 1970, Interstate Migrant workman (Regulation of Employment and conditions of Service) Act,1970 and contract Labour (Regulation and Abolition) Act, 1970, etc.¹⁶⁸ Construction for the commonwealth Games will start by late 2007; 2008 and 2009 and it can just be hoped that conditions of work and the due rights of workers would be taken care.

Construction Industry: Issues of concern

The construction industry is mobile. Indian construction industry is very large and is important to various sectors of the economy. The Construction industry now has an apex national authority on a full-time basis in the Construction Industry Development Council (CIDC). It was set up jointly by the Planning Commission, Government of India and the leading organisations in the construction field 'to bring together on a single platform all organisations concerned with construction. It was incorporated as a Registered Society in March, 1996. The CIDC intends to, (1) engender quality, speed economy and efficiency in all types of construction activity, (2) to be competent and competitive in domestic and

¹⁶⁷R Baade and Matheson, V (2003), "Mega-Sporting Events in Developing Nations: Playing the Way to Prosperity?", available at: <http://www.williams.edu/Economics/wp/mathesonprosperity.pdf>, accessed on June 10, 2007.

¹⁶⁸ The Supreme Court Of India, The Judgment Information System, Available at: <http://www.judis.nic.in/> accessed on May 28, 2007.

international markets and (3) to be responsive to the economic, technical, environmental and social changes and public policies. Though in theory, the CIDC is expected to consider the interest of construction workers, no organisation of construction workers is listed as a member.¹⁶⁹

The construction industry is divided into three major segments. First, construction of buildings contractors, or general contractors, build residential, industrial, commercial, and other buildings; second, heavy and civil engineering construction contractors build sewers, roads, highways, bridges, tunnels, and other projects; third, specialty trade contractors are engaged in specialized activities such as carpentry, painting, plumbing, and electrical work. Construction usually is done or coordinated by general contractors, who specialize in one type of construction such as residential or commercial building. They take full responsibility for the complete job, except for specified portions of the work that may be omitted from the general contract. Although general contractors may do a portion of the work with their own crews, they often subcontract most of the work to heavy construction or specialty trade contractors.¹⁷⁰

Characteristics of the Construction Industry

- It is the only industry where the product remains static and the production unit is dynamic. This means that the constructed structure remains static and the whole unit involved in construction process moves to the new site.. Therefore, the construction activity is considered highly mobile and flexible. This characteristic has a profound impact on how labour is organised in the industry - highly fragmented, mobile and flexible.
- The construction process is of a complex nature and functions in multilayers and multiphases. Each layer or phase involves a different set of skilled and unskilled workers.
- Construction work ranges from the highly capital-intensive to the highly labour-intensive activities. In high-technology and capital-intensive projects, building

¹⁶⁹ Source: URL: <http://www.cidc.in/>, accessed on May, 28 2007.

¹⁷⁰ Source: http://construction.indianetzone.com/1/nature_construction.htm., accessed on June 15, 2007.

materials may be produced off-site in factory conditions, while in the labour-intensive building projects, the building materials are usually produced on the site

- The industry is labour sensitive, but the principal employer remains totally invisible to a labourer on the site. The whole process of employment ensures that the labourers are hired for a short duration and is hardly aware who the main employer is.
- Construction activities are undertaken through a process of contracting system, where at one end are registered contractors who acquire a contract through open, selected or negotiated tenders followed by a multitude of complex sub-contracting of the various components of the activity. In India, as elsewhere in the world, there are a few large construction firms followed by a large number of small-scale sub-contracting firms or enterprises at the lower end of the scale. This is all the more true in building construction and civil engineering.
- Sub-contracting has many variants, among them are capacity-contracting, specialist trade contracting and labour-only contracting. Theo van der Loop sees capacity- contracting as when a contractor gives away part of the work to another building firm to meet the demand fluctuations. Specialisation sub-contracting are those sub-contracted to groups specialised in a particular activity. Different parts of work could be sub-contracted to various groups, for examples stone workers, concrete pouring groups, centering workers or carpenters. Labour-only contracting is only where workers are contracted by agents. In the context of the absence of any regulatory mechanism, the entry into the lower end at the construction industry and exit from it is very easy.¹⁷¹
- The industry is charecterised by lack of training facilities. The vast majority of workers, mostly women, remain unskilled with hardly any scope of skill improvement and those who acquire skills use a method of informal apprenticeship with other skilled workers

¹⁷¹ Vaijayanta Anand (1998), " Advocating for the Rights of Construction Workers: Nirman's Experience", The Indian Journal Of Social Work, Volume 59, Issue 3, July, pp. 848-849.

Technology in the construction industry

Construction industry is a labour intensive industry. In recent years a lot of technology has been introduced in this sector. According to the Tenth Five Year Plan (2002-2007) use of low-grade technology in the construction sector leads to low value addition and low productivity, apart from poor or sub-standard quality of construction and time overruns in projects. The non-availability of quality construction tools is the main reason for this. Besides, the construction sector also lacks information about new technology. The poor state of technology adopted by the construction sector adversely affects its performance. Thus the Tenth Plan focuses on the need to enhance productivity through appropriate mechanisation to meet the physical targets set in the Plans. There is a clear case for encouraging mechanisation to build up the sector's capacity to deliver the critical infrastructure needed for economic development.¹⁷²

The introduction of new technologies may lead to a situation where lesser number of workers is absorbed in an otherwise labour-intensive industry. It may also lead to the displacement of workers. Therefore it is crucial to keep a balance. The technology that reduce the element of drudgery in construction work thereby improving the efficiency and productivity per worker and at the same time do not entail substantial displacement of labour would pave a long way in improving the growth of construction sector as well as the conditions of workers.

Workforce of construction industry

Construction industry is labour-intensive and one of the major economic activities in India after agriculture. The main advantage of the construction sector in employment generation lies in the fact that it (i) absorbs rural labour and unskilled workers (in addition to semi-skilled and some skilled); (ii) provides opportunity for seasonal employment thereby supplementing workers' income from farming; and (iii) permits large-scale participation of women workers.¹⁷³ The work force in construction sector is

¹⁷² Government of India, Planning Commission, Report of The Tenth Five Year Plan (2002-2007), Op. Cit p.848.

¹⁷³ Government of India, Planning Commission, Report of The Tenth Five Year Plan (2002-2007), Op. Cit, p. 850.

most vulnerable because employment is permanently temporary, the employer and employee relationship is very fragile and most of the time short-lived. The work also has inherent risk to life and serious injuries due to lack of safety measures. There is also lack of health and welfare facilities and the workers have to work for long working hours. Mr. K.K. Madhole, former president of MES Builders Association of India and Founder patron of Builders Federation of Delhi, opines that, "As the construction work is of a temporary nature, the labour employed on the works is also of a temporary and casual nature. Labourers working in this sector come from villages and are agricultural labourers, who work on a construction site to augment their income by working during lean periods in agriculture. It is not necessary that the same labourers are to return to the same work, when they return after sowing in harvesting season. In view of the purely temporary nature of employment and the choice of the labourers to work at a particular work site suiting his convenience, there can be no regulation of employment of a construction worker."¹⁷⁴

The most important mode of recruitment of workers is through the institution of petty and labour supply contractors - Jamadar, Mukhadam or Maistri, as it is variously called in different parts of India. The Jamadar is responsible for bringing labour when required, retains and controls it during the contractual period, takes it away when the job is over and brings it back when needed again. The Jamadar serves, thus as the guarantor of contractor's money, ensures workers' employment and constitutes a vital link between the two. The Jamadars or Maistris may be one among the workers, increasing the chances of the interplay of aspects like ethnicity, caste or religion in influencing the recruitment of workers. In any circumstance the Jamadar/ Maistri system has proved to be most disadvantageous to the workers. In most cases they are the labour-only contractors. This is an instrument by which the workers are ripped of all rights, flexibility reinforced, make the employer anonymous, laws made inapplicable and their sense of insecurity and dependence increased. Another form of contractor-recruited workers are site labourers who are available at the work site 24 hours. They are totally rootless in the area of their

¹⁷⁴ Mr. K.K.Madhole (1992) 'Welfare of Construction Workers: How to Achieve the Objective', 'Report on National Seminar on Welfare Construction Workers' as cited in J. John, " Birds on the Winding Scaffolding: Construction Workers in India", Labour File, available at: <http://www.labourfile.org/articleMore1.aspx?Nid=221> , accessed on June 03, 2007

work. Deprived of any bargaining right and completely at the mercy of the contractors, they generally have to work for long hours for very low wages. They also move from project-site to project-site as and when directed by the contractor. This state of construction workers is understood from the point of view of J. Kanakiah, Central Deputy Labour Commissioner, Ministry of Labour, Government of India, gives a vivid account of construction workers in India:“ The construction labour mainly employed through contractors remain casual from the day he starts working till the day he finally leaves the job. Thus, he is born casual and dies casual without any sort of regular employment in his entire career...He joins as unskilled worker, and retires as unskilled worker without any promotion of whatsoever nature. There is no law to regulate service conditions, annual leave, safety provisions and social security benefits. Working and living conditions are also depressing”.¹⁷⁵

Women workers in the construction sector

Women are part and parcel of the labor force of the most menial and often dangerous occupations in India. According to the 1993 census, 6.5 million people are employed in construction, 15% of which are women who are employed mostly as unskilled laborers to carry concrete and bricks.¹⁷⁶

Construction industry discriminates against women workers in more than one way. Most importantly, they are invariably unskilled. They are mostly head-load workers, who carry bricks, cement, sand and water from one place to the other, sometimes over great heights along precariously balanced wooden beams or structures. This exposes them to high risks of accidents as well as physical and mental strain. They are also involved in cleaning up, concreting and earth work. In construction industry unskilled men, as helpers, also do head-load, concreting and earth work, but women are usually paid less than men for equal work. It may be more correct to say that the industry does not allow its women workers to

¹⁷⁵ J. Kanakiah (1992) ‘Proposed Law for the Workers Engaged in Construction Industry’, ‘National Seminar on Welfare of Construction Workers’, as cited in: J. John, “ Birds on the Winding Scaffolding: Construction Workers in India”, Labour File, available at:

<http://www.labourfile.org/articleMore1.aspx?Nid=221> , accessed on June 03, 2007.

¹⁷⁶ Qamar Rahman (1996) “The Anguish of India”, Environmental Health Perspectives, Vol.104, No.3, March, Available at: <http://www.ehponline.org> visited on May, 15 2007

acquire skills. Consequently, women begin at the lower rung of the job hierarchy and remain there till the end of their working lives. They can never aspire to be good painters, masons or carpenters.¹⁷⁷ It is a clear manifestation of sexual bias in the construction industry that while a male unskilled worker can acquire skills over a period of time, a female unskilled worker remains unskilled even after her retirement.

Women are also exposed to other discriminations at the work site. Maternity Benefit Act is applicable to construction workers. But, women workers in construction industry cannot think of the three-month paid maternity leave. They cannot avail of free medical check-up or child birth facilities from the ESI or government hospitals. Usually, they work till the time of delivery, and rejoin immediately after. In the absence of any childcare facility, women carry their babies to the work site, exposing them to high risks. As children grow up with their parents at the work site, they become child labourers in the construction industry. Women and children form two important segments that provide cheap labour to construction industry. Unfortunately, The problems of women worker is still not addressed adequately both by law makers and the employer.

Working conditions in the construction industry

Despite the fact that many labour legislations, like, The Contract Labour (Regulation and Abolition) Act, 1970, The Minimum Wages Act, 1948, The Workmen's Compensation Act, 1923, The Payment of wages Act, 1936, Building and Other Construction Workers Act, 1996, etc, are applicable to the construction industry, the working conditions of workers engaged in this industry are highly unsatisfactory and the welfare amenities actually visible to them are just negligible. Women construction workers are the worst sufferers, as their employment is regarded as secondary to that of male workers. Moreover, it is seen that the construction activity in the country over the past two decades has corresponded to a shrinking share of workers in terms of both wages and social security. Construction workers, a very large and heterogeneous group, work in widely different geographic and social conditions. The characteristics of the industry, coupled

¹⁷⁷ Mukul Sharma and J. John, "A Toil Never Ends: Gender bias in Construction Industry", Labour File, available at: <http://www.labourfile.org/ArticleMore1.aspx?Nid=214>, accessed on June 04, 2007

with a high degree of casualisation and contractualisation, make the construction workers one of the most severely exploited, unrecognised and unorganised sectors of workforce.

Employment is permanently temporary, frequently changing employer and most projects require living in work camps away from one's home and family. There is no recreational facilities, lack of access to education for children, poor sanitary facilities and lack of safe drinking water. These features of construction work, as well as heavy workload, possibility of work place violence or community violence and limited social support are the factors associated with increase stress in the work force. The associated addictions with alcohol, tobacco and smoking contribute to illness and suffering.

Construction work is dangerous. Construction labor form 7.5% of the world labor force and contributes to 16.4% of fatal global occupational accidents. Safety is one of the most dynamic areas of the construction business. In India, in 2002, cases of work-related injury and illness were 7.1 per 100 full-time construction workers, which is significantly higher than the 5.3 rates for the entire private sector. Workers who do roofing, siding, and sheet metal work experienced the highest injury rates. To avoid injury, employees are supposed to wear safety clothing, such as gloves and hardhats, and sometimes devices to protect their eyes, mouth, or hearing.¹⁷⁸ Unfortunately, in a lot of construction sites it is visible that workers are working without any protection. Health and safety most neglected sector and accident and occupational disease statistic not accurately available. Construction workers are exposed to a wide variety of health hazards at work. The hazards for construction workers are many like, chemical hazards such as dusts, fume, mists, vapors or gases. The biggest risk the construction work force is silicosis and asbestosis; workers are at risk of malaria, dengue, animal attacks and histoplasmosis (a lung infection caused by a common soil fungus) and other diseases due to poor sanitation and unsafe drinking water. Also physical hazards and mechanical injuries and outcome, like injuries, exposure

¹⁷⁸ URL: http://construction.indianetzone.com/1/nature_construction.htm. Accessed on June 15, 2007

to noise and vibration, extreme heat or cold, work in windy, rainy, snowy or foggy weather also affect the workers badly.¹⁷⁹

Labour laws that are applicable to construction industry

Workmen Compensation Act 1923

The Act is applicable to the workmen employed in the building and construction industry. The object of the Act is to impose an obligation upon employers to pay compensation to workers for accidents arising out of and in the course of employment, resulting in death or total or partial disablement for a period exceeding three days. Compensation is also payable for some occupational diseases contracted by workmen during the course of their occupations.

The Minimum Wages Act, 1948

Besides providing for fixing and revising minimum rates of wages in scheduled employments, the Act makes comprehensive provisions on subjects likely weekly day of rest, number of hours of work constituting a normal working day, night shifts, extra wages for overtime, mode of computation of the cash value of wages, time and conditions of payment of wages, etc. The Act is applicable to all the construction works irrespective of the employment thereon.

The Payment of Wages Act, 1936

The Act was made applicable to workers employed in building and construction industry on 1 April 1958. The main purpose of the Act is to ensure regular and prompt payment of wages and to prevent the exploitation of workers by providing arbitrary fines and deduction from their wages.

The Employees' Provident Fund and Miscellaneous Provisions Act, 1952

The provisions of the Act were extended to the establishments in building and construction industry from 31 October 1980. However, the benefits of the Act have gone

¹⁷⁹ G.K. Kulkarni, (2007), "Construction industry: More needs to be done", Indian Journal Of Occupational and Environmental Medicine, Volume 11, Issue 1, pp: 1-2

mostly to the regular administrative staff of the establishments. The workers engaged at the worksites have not benefited from this social security enactment.

The Payment of Gratuity Act, 1972

The Act is applicable to only those establishments employing ten or more workers in the building and construction industry which are also covered by any other State or Central law, i.e., Shops and Establishments Act, the Payment of Wages Act, 1936, etc. However, mostly the office staff of the establishment is covered under the Act, as the workers are casual and do not complete the stipulated period of five years' service.

The Maternity Benefit Act, 1961

The object of maternity leave and benefit is to protect the dignity of motherhood by providing for the full and healthy maintenance of women and her child when she is not working. The Act provides for 12 weeks wages during maternity as well as paid leave in certain other related contingencies. Subject to the provisions of this Act, every woman shall be entitled to, and her employer shall be liable for, the payment of maternity benefit at the rate of the average daily wage for the period of her actual absence immediately preceding and including the day of her delivery and for the six weeks immediately following that day.¹⁸⁰

Inter-state Migrant Workmen Act, 1979

In the system of employment of inter-state migrant labour migrant labour is recruited from various parts of a particular state through contractors or agents for work outside that state in large construction and other projects. This system generally lends itself to various abuses. Once the worker comes under the clutches of the contractor or agent, he takes him to far-off places on payment of railway fare only. Generally no working hours used to be fixed for these workers and they were made to work on all the days in a week under extremely harsh conditions. The provisions of the already available labour laws were not observed with regard to these workers.

¹⁸⁰ Source: Office of labour Commissioner, Governemnt of NCT of Delhi, Available at: http://labour.delhigovt.nic.in/act/details_acts/maternitybenefit/maternity_act/intro.html, accessed on June, 16, 2007

In this Act there is provision for payment of displacement allowance equivalent to 50% of monthly wages or Rs.75/- whichever is higher and also there is provision for suitable residential accommodation, medical facilities and protective clothing as prescribed.¹⁸¹ The wage rates, holidays, hours of work and other conditions of service of an inter-State migrant workman shall, in a case where such workman performs in any establishment, the same or similar kind of work as is being performed by any other workman in that establishment, be the same as those applicable to such other workman; and in any other case, be such as may be prescribed by the appropriate Government. An inter-State migrant workman shall in no case be paid less than the wages fixed under the Minimum Wages Act, 1948. Wages payable to an inter-State migrant workman/under this section shall be paid in 'cash' and not in any other manner/form.¹⁸²

Building & Other Construction Workers Regulation of Employment and Conditions of Service Act, 1996 and Building & Other Construction Workers' Welfare Cess Act, 1996

Although the provisions of various Labour Laws i.e., Minimum Wages Act 1948, Contract Labour (Regulation & Abolition) Act 1970 and Inter-State Migrant Workmen (Regulation of Employment & Conditions of Services) Act 1979 etc., are applicable to the building and other construction workers, a need was felt for a comprehensive Central Legislation for this category of workers. Therefore, two central legislations were enacted in 1996 (Building & Other Construction Workers Regulation of Employment and Conditions of Service Act, 1996 and Building & Other Construction Workers' Welfare Cess Act, 1996). These laws seek to provide for regulation of employment and conditions of service of building and other construction workers such as safety, health and welfare measures in every establishment, which employs ten or more workers. The Act provides for the levy and collection of a cess on the cost of construction incurred by employers.

¹⁸¹ Source: Directorate General Labour Welfare, Ministry of Labour and Employment, Government of India, Inter- State Migrant Workmen Act, 1979, available at: <http://labour.nic.in/dglw/ismws.html>, accessed on June 6, 2007

¹⁸² Office of labour Commissioner, Government of NCT of Delhi, available at: http://labour.delhigovt.nic.in/act/details_acts/interstatemignatwirkmen/inter_state/part_5.html, accessed on June 6, 2007

Under the Act 1% cess shall be collected from every employer where the cost of construction is more than Rs. 10 lakhs.¹⁸³ The Act also provides for setting up of State Welfare Boards and registration of workers as beneficiaries, to carry out the functions assigned to it under the Act. The Act also provides for other welfare amenities like temporary accommodation at or near work sites, creches, canteen, first aid and washing facilities. It also makes a provision for constitution of safety committees in every establishment employing 500 or more workers with equal representation from workers and employers in addition to appointment of safety officers qualified in the field. The collection of funds and administration of the Welfare Boards is the responsibility of concerned State Governments.¹⁸⁴

During last six year only State and UTs Governments of Pondichery, Delhi, Madhya Pradesh and Gujarat have started action on the implementation of the two Acts in their States/ U.T. In Delhi Rules have been notified and Board constituted but the registration have just begun. In Pondichery Welfare Board has been constituted, registration of workers began in April, 2003 and provision of accident relief and natural death assistance implemented. In Gujarat the Board is yet to be formed. In Kerala the Welfare Board has been constituted under a state Law. In Tamil Nadu, the welfare Board for Construction Workers was constituted under Tamil Nadu Manual Workers Act in 1995 and cess of .3% being collected form all constructions excluding those of the Central Government. Registration, provision of benefits such as assistance for fatal accidents, natural death, maternity, marriage, education of children's are implemented. The struggle is on for implementation of pension, ESI, housing, regulation of employment and wages, compulsory registration by the Board.¹⁸⁵

From the description of above laws it is clear that in paper there are a whole lot of legal provisions that are applicable to the construction industry. The Indian Constitution guarantees equality of opportunity in matters relating to employment and directs the State

¹⁸³ Office of Labour Commissioner, Government of NCT of Delhi, available at: http://labour.delhigovt.nic.in/act/details_acts/buliding_other_construction/index.html, accessed on June 6, 2007

¹⁸⁴ M Roopa, "Protect Construction Workers", Labour File, available at: <http://www.labourfile.org/ArticleMore1.aspx?Nid=167>, accessed on June 04, 2007

¹⁸⁵ <http://www.nirmana.org/article.htm>

to secure equal rights to an adequate means of livelihood, equal pay for equal work, and just and humane conditions of work. Our labour laws concerning women reflect the attitude of protection and welfare through provisions of maternity benefits, crèches and restriction on types of work that are considered unsuitable for health. Though some actions in this direction have made some impact in the organised sector, but in the vast unorganised sector no impact of these measures has been felt in conditions of work, wages, or opportunities.

Review of Studies on construction industry: A Critical Perspective

The United Nations Development Programme and International Labour Organisation had conducted a study of construction workers pertaining to the National Capital Territory of Delhi (NCTD). In this study, on the basis of the Master Plan of Delhi, the city was divided into 5 zones: North, South, Central, West and East Delhi and 11 construction sites were selected in the aforementioned 5 zones of Delhi. The study was extensive and came up with certain interesting observations. The study emphasized that the migrants attracted to the construction sector in Delhi invariably come from the economically weaker sections of society. Poverty and unemployment came across as the 'key' reasons for migration. The construction workers in Delhi are generally "migratory birds" being the first generation migrants. They migrate to Delhi largely on account of poverty and unemployment. They are generally characterised by "*cumulative deprivations*" stemming from low educational standard, poor skill level at the time of entry into the job market and weak economic background. They come largely from the economically backward states – in terms of per capita income - of Bihar, Uttar Pradesh (UP), Madhya Pradesh (MP), West Bengal, Orissa and Rajasthan. A majority of them hail from the Hindi heartland comprising of Bihar, UP, MP and Rajasthan.

Since construction workers come from different parts of the country they tend to cluster together in terms of residence and community networks. Given their poor economic background and low educational standard, construction workers suffer from a weak bargaining power vis-à-vis their employers with reference to both wages and terms of

services in relation to their employers. In relation to community or religious background, a preponderant majority (83.9%) of the construction workers were Hindus.

Examining the sex profile of the construction workers, the study shows that only 8.3% of the respondent labour force consists of female workers. The over-riding majority of the construction workers (91.7%) are males. Within the category of female construction workers 89.3 % are unskilled and only about 10.7% are skilled (3.6%) or semi-skilled (7.1%). About 75 respondents reported maltreatment of women workers and out of these, 8% referred to the Main Contractors, 40% to Sub-Contractors and 32% to Labour Agents as the perpetrators of the said treatment. About 9% of the respondents reported maltreatment of women workers by the main contractors, sub-contractors or Labour Agents In terms of the nature of mal-treatment, 56% reported the use of abusive language, 14.6% reported sexual harassment, 12.2% reported lower wages and 8.5% of the respondents reported delay in payment of wages.

The Economic Dimension of construction workers in Delhi is structured around a trinity of critical parameters: modest wages for skilled labour ranging between Rs. 80 to Rs 170 for over 80% of the workers, Rs.50 to Rs. 100 for over 84% of the semi-skilled workers and between Rs50 and Rs 80 for over 95% of the unskilled workers. The nature of working conditions determines the quality of life which construction workers lead since a significant percentage of the total construction workers spend upto 10 hours 'working' on the site and the remaining portion of the day 'staying' at the same site. Taking a holistic view, it is quite clear that the quality of social protection provided in the Construction Sector is quite weak.¹⁸⁶

Another interesting study focused on the level of awareness among of the women construction workers in the twin cities of Hyderabad and Secunderabad, India.¹⁸⁷ The study looked into the level of awareness of the women construction workers of their

¹⁸⁶ Harjit. S. Anand, "Report on Construction Sector Workers, Street Corner Markets, Micro-Enterprises & a Demonstrative Initiative in Delhi", Support for Policy & Programme Development (SPPD) Project, United Nations Development Programme and International Labour Organisation, Available at: www.ilo.org/dyn/infoecon/docs/445/F1909131607/IE%20and%20way%20forward%202.pdf accessed on May 15, 2007

¹⁸⁷ Anna, Mathew (2005), "Awareness of social issues among Indian women construction workers", International Social Work, Vol. 48, Issue. 1 Sage Publications, pp: 99-107

traditional role in the family and the likelihood of being aware of a new set of opportunities in the city in relation to their age and the number of years of work experience in the construction industry. Findings in the study revealed that a majority of the women workers were aware of social issues, like sexual immorality, excessive drinking leading to ill health, gambling ruining a family, etc. The study showed high receptivity of women workers between age group 22-33 years to understanding social norms and practices. A study looked into 82 construction sites in Pune¹⁸⁸. It looked in to living and working conditions of the workers in these sites. It revealed a very sad picture and utter failure of labour rights and legislations in the construction sector. Another study covered One thousand construction workers at five different construction sites in and around Mangalore.¹⁸⁹

The workers were screened for dermatological complaints. 467 migrant laborers with various dermatoses were assessed. This study also focuses on the living and working conditions of workers but through the prism of health hazards. The unhygienic working conditions at the construction site, the trauma sustained during work and environmental factors such as a hot and humid climate were seen as main reasons behind this high incidence of bacterial infections. The pattern of dermatoses found was viewed as an expressive of poverty, ignorance, overcrowding, poor hygiene and exposure to common irritants and sensitizes in the construction industry.

There is another study that also dealt with health experiences of migrant female construction workers in North India.¹⁹⁰ The study addressing the following four broad categories of issues: what do these women think about their health in general? Where do these women go for treatment when they are ill? What are their perceptions about the utilization of trained medical personnel or hospitals for childbirth? Does migration

¹⁸⁸ Dileep Kumar M, "Problems of construction Labours: a Quantitative Reaserch", available at : <http://www.indinanmba.com/Faculty> , accessed on April 30, 2006

¹⁸⁹ Kuruvila Maria, Dubey S, Gahalaut Pratik, (2006), "Pattern of skin diseases among migrant construction workers in Mangalore", Indian Journal of Dermatology, Venereology and Leprology, Vol 2. Issue. 2, pp: 129-132, available at: <http://www.ijdvl.com> visited on May, 27.2007

¹⁹⁰ Santosh Jatrana (2004), "Living on site: Health experiences of migrant female construction workers in North India", Migration and Health in Asia , Vol. 13 (1), p. 61-88, available at; <http://www.smc.org.ph/>, visited on April 12, 2007

improve women's health and their utilization of health facilities and if yes, does duration of stay in an urban area matter? Based on focus group discussions by (FGDs), the results suggest that while the health status of these women have improved after migration, they have not started using modern health facilities either for childbirth or general illnesses. The study recommends that in order to understand the impact of migration on migrant women working in the informal sector, we need to address the broader social environment within which their health behavior occurs. We also need to look at the geographical dimension of exposure to urban lifestyles and ideas besides exposure over time (i.e., whether longer or shorter duration of stay in urban areas) and age (i.e., whether they migrated at younger ages or older ages).

Field Study

With a view to understand various dynamics of women construction workers in a more holistic manner, I conducted a small field study as part of this dissertation. New Delhi is the national capital and also a booming ground for the construction industry. Four years from now, Delhi will host to the Commonwealth Games and to prepare for this, the city is planning a major overhaul for its urban infrastructure. The preparation in this direction is already in progress and the city is attracting a large number of migrant workers in this regard. In this context, Delhi becomes an interesting area to study. The total fieldwork was carried for over 20 days and various construction sites in Delhi were visited for this purpose.

Target group

The study focused on skilled, semi-skilled and unskilled workers related to the construction sector. Within the skilled and semi-skilled categories, two types of workers were only interviewed: masons and supporting semi-skilled workers and plumbers and supporting semi-skilled workers. Other two types of skilled workers electricians/wiremen and supporting workers & carpenters and supporting workers who are also engaged in the construction sector were not interviewed for this study.

Methodology

As the study is not based on a representative sample, the findings are illustrative rather than conclusive of the situation prevailing in the construction industry. The sample size is of 60 construction workers (30 men workers and 30 female workers) and the survey is based on random sampling and participation observation method. Other stakeholders like labour officers, labour in-charge, manager (labour), manager (commercial) of various sites were also interviewed. People engaged in different organisations like 'Mobile Creches' and 'Nirmana' were also interviewed to get a clear picture about the construction workers in Delhi.

Key findings of the study

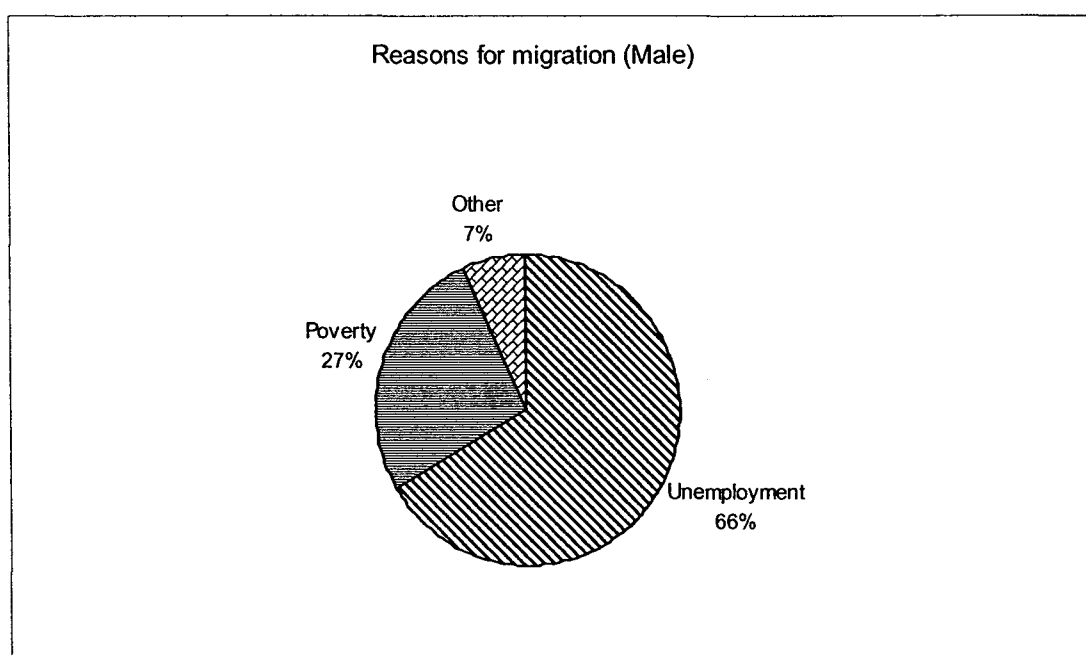
The construction workers in Delhi, like most of the other parts of India, are migrant workers. There is a very small almost negligible amount of local workers. Even these workers are also migrants and staying in slums for about ten years. In the matter of wages or living conditions they are at the same level as migrant workers who comes from villages. They mainly work as daily wage earners and are found waiting at various labour *chawks* from where the sub-contractors generally pick them up. The focus of this study is to study the migrant workers who are also the major labour force in this sector. These workers generally come from the economically weaker sections of society from states like Rajasthan, Uttar Pradesh, Bihar, Chhattisgarh, West Bengal and Orissa. Not only are they economically weak, they also belong to lower castes.

Reasons behind migration

The migrant construction workers in Delhi are mostly seasonal migrants. They are either landless labourers or own very small amount of land in their native villages. During the harvest season they go back to their native places to work as agricultural workers or work in their own land. The study shows that most male respondents identified unemployment (66%) as the main reason behind migration, followed by poverty (27%). In case of women workers, respondents replied that they have migrated both for marriage and work (60%). This is an interesting finding in this study. Women workers are associate migrants who come with their husbands or family to work in the cities. They replied that marriage

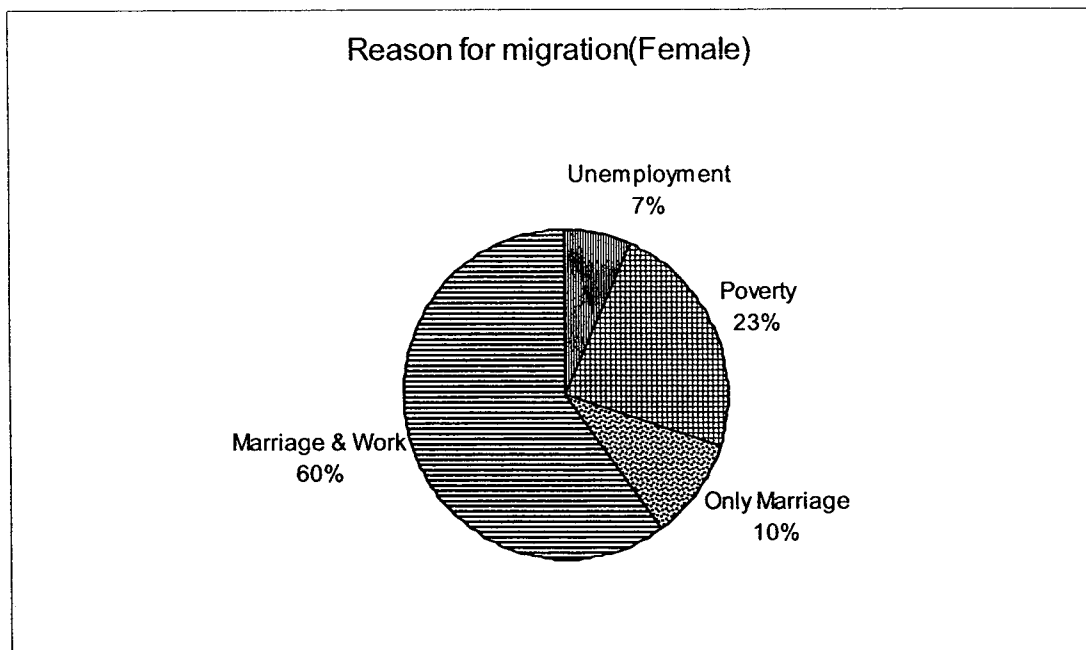
is not their only reason for migration, because they could have stayed behind in the villages. Since they are poor people they need to work and hence they come to cities to work. Hence there is a blend of economic and social criterion for their reasons behind migration. This point is substantiated by other women respondents who pointed out poverty (23%) as the cause for their migration, followed by unemployment (7%). At the same time it may be noted here that some women workers also cited marriage (10%) as the sole reason for their migration. (Refer Chart I and II)

Chart I: Reasons for migration (Male Construction workers)



N.B: The corresponding table (Table I) is shown in Appendix I section.

Chart II: Reasons for migration (Female Construction workers)



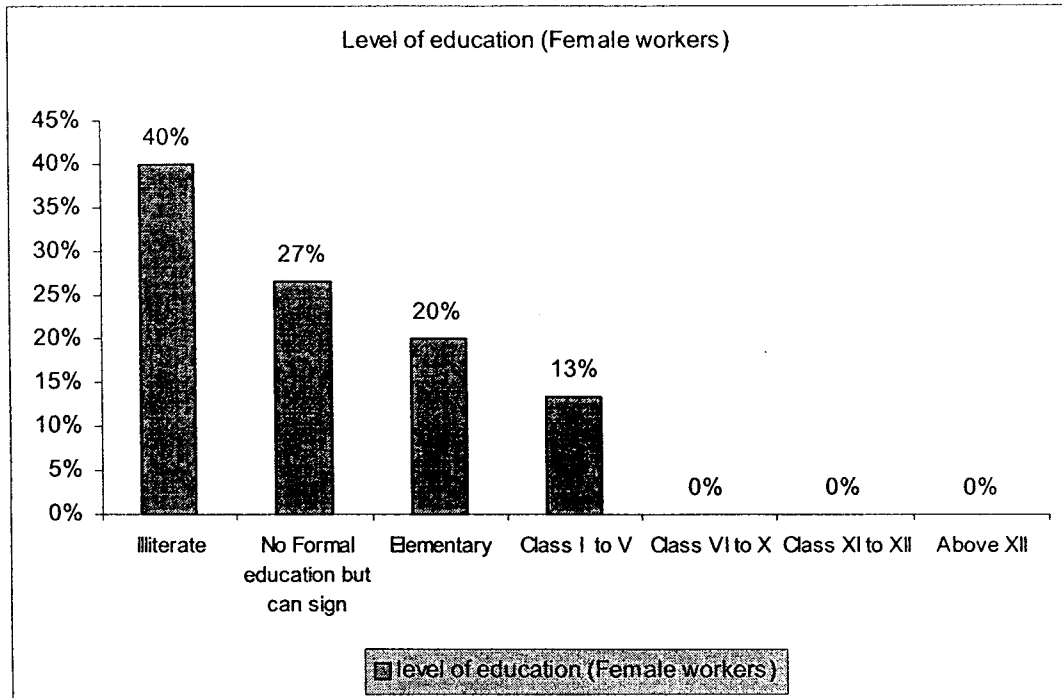
N.B: The corresponding table (Table II) is shown in Appendix I section.

The migration process of these workers has been facilitated by various touring Labour agents, local 'Jamadars' (labour agents), 'Mistris' or Contractors from their native villages. Thus, labour market intermediaries play a significant role in the procurement of labour in this sector.

Level of Education

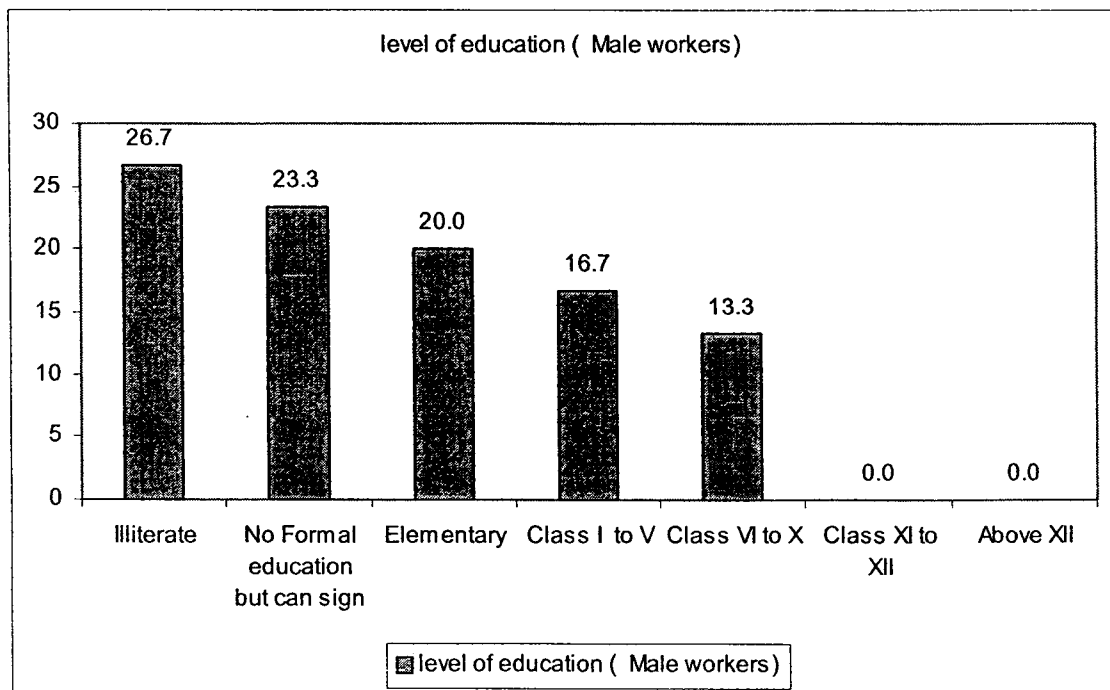
On the literacy front, the study shows that 40% of the women workers are illiterate and only about 26.67% of the respondents can sign and only 20% have some elementary knowledge of education. Moreover, only 13.33% have studied upto the primary level. The male workers are relatively more literate than their counterparts. Here, 26.66% respondents are illiterates, 23.33% replied that they can sign and 20% have some elementary education. 16.66% of the respondents have studied till the level of primary education and 13.33% have studied till the secondary standard of education. The low literacy level is indicative of the nature of human capital involved in this sector. (Refer to Chart No III & IV). The study also reflects extremely low literacy level among female workers compared to the men workers.

Chart III: Level of education of female



N.B: The corresponding table (Table III) is shown in Appendix I section

Chart IV: Level of education of male construction workers



N.B: The corresponding table (Table IV) is shown in Appendix I section

Nature of work

The construction sector is associated with a high degree of casualisation of the labour force. In relation to job status most workers are of “temporary” variety. The temporary workers are paid on fortnightly or monthly basis whereas extra hands taken once in a while are referred to as “casual workers” and paid a daily basis. The concept of “permanent” employment is totally absent among workers, both men and women, in this sector. All women workers do “unskilled” work of lifting stones, bricks, cements, etc. Their main work is to carry load and so they are considered as “helpers” in the work. Men workers are into all kinds of work, skilled, semi-skilled and high skilled. They work as helpers, masons, assistant masons, bartenders, welders, mechanics etc.

No workers have received any official training for their work and have developed the skill while working in this sector for years. The process is to start as helpers, they slowly graduate into assistant mason then chief mason and so on. None of the workers have received any skill upgradation training from the employers or state or NGO etc. From this study it comes out that all the women workers were performing unskilled jobs even though majority of them had long years of experience in the construction sector. Thus while there is upward mobility for men workers, there is no way of upward mobility in the type of work for the women workers.

Moreover with the advent of new technologies and machines in this sector, a lot of shifting and lifting of materials are done with machines now. New machines like China Tower crane (to shift material from one place to another), JCB (for lifting, filling, excavation, etc), Tower crane (this machine is attached to a tractor also used for shifting of material), mixer (for mixing material), etc. are now been in the big construction sites. Thus these sites have either negligible or nil women workers. Thus women workers presently are only found in small and medium level construction sites.

Wage Structure

The wage structure in this sector is extremely exploitative and very low. Along with this they are engaged in long working hours. On an average the workers work for 10 to 12

hours in a day. They also don't get any pay for doing overtime. On an average the women workers get between Rs. 60 to Rs. 80 as they are only engaged as "helpers". The male workers who are engaged as helpers get around Rs. 70 to 90. Here also there is a difference in pay even for the same type of work. The assistant workers who are semi-skilled get around Rs. 100- Rs. 110. Only the chief masons and other high skilled workers like welders, etc get around Rs. 110 to Rs. 130.

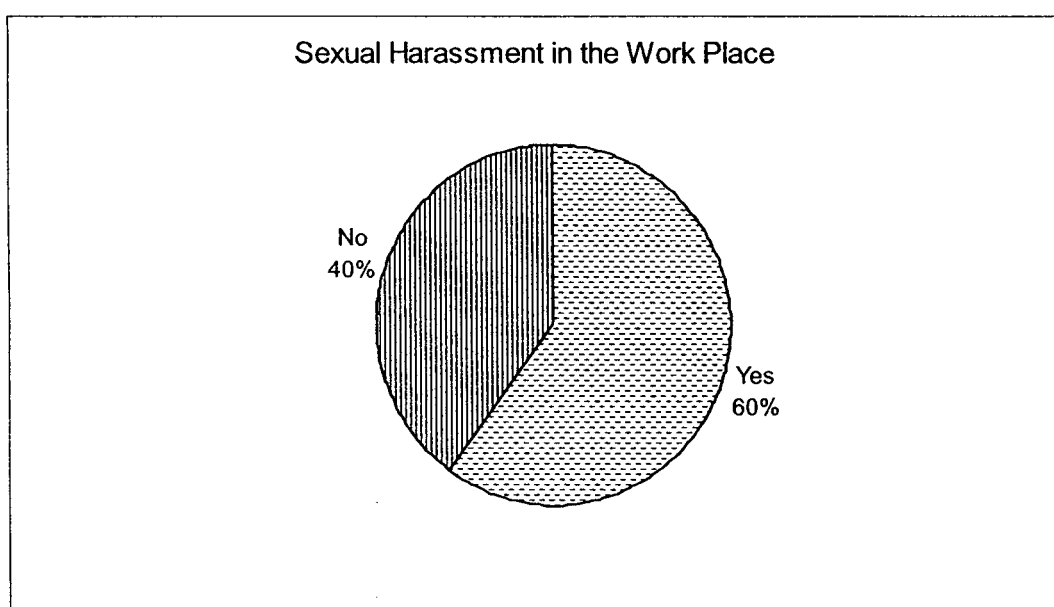
The substantive dependence of construction workers on labour agents and contractors for retaining their jobs is a reason for poor wage structure in this sector. The situation is further complicated by the migratory status of the preponderant majority of the construction workers in Delhi and their need to remit money to other family members in their native places. All these restrict the capacity of the construction workers to bargain effectively for either higher wages or for better conditions of service.

Conditions of work

The workers have to work for long hours in adverse conditions. The safety measures taken in this accident prone industry is also negligible. Medium and small construction firms do not follow any kind of safety guidelines. The workers do not get any safety gadgets. In the big firms workers are seen wearing helmets and safety belts. All the respondents in the small and medium construction sites replied that they don't get any kind of social security coverage. Even the big firms they do not receive any social security benefit apart from accident benefits. Generally the tendency in all types of construction firm is to provide for the basic first aid. Respondents replied that even if they get accident benefits, the process is hugely delayed and often paid a meager amount. They don't have any concept of paid holiday and if they face with any accident or injury and are unable to work, they don't receive any wages for those days. There is no Trade Union and so they also lack collective bargaining power. The women workers are not given any maternity benefits. Some of them carry on working almost till the last days of delivery and rejoin work soon after, obviously risking their own and their children's health.

Women workers also responded they face certain amount of sexual harassment in the work place. Among the women respondents 60% replied that they face sexual harassment in the work place. They face both verbal and physical abuse and the perpetrators are mostly co-workers, *thekedars* or sub-contractors. While talking with the women workers it was understood that are looked down upon and often face harassment in the work place.

Chart V: Percentage of sexual harassment in the work place faced by women workers.



N.B: The corresponding table (Table V) is shown in Appendix I section.

Living conditions

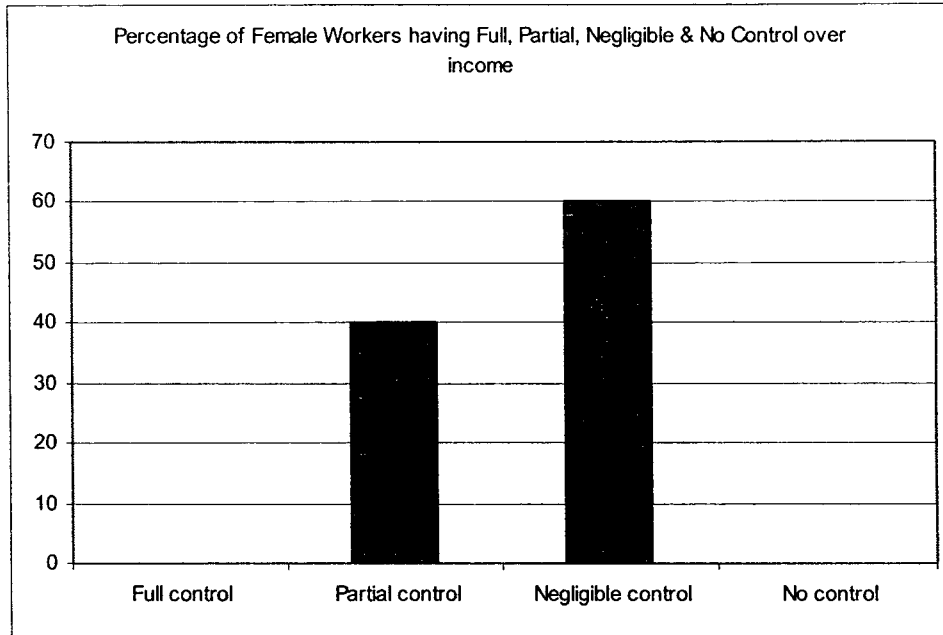
The workers are migrants and recruited on neither contractual or a daily basis. They live adjacent to the working sites in ten sheet or rubber sheet shed temporary make shift arrangements. Provision of electricity is not there in most of these sites. The sanitation and hygiene conditions are extremely poor. Toilets of sub standard quality are provided in some sites and there are no separate toilets for men or women. In majority of the sites no provision of toilet facilities are provided. They also face the problem of drinking water.

Issues related to women workers

Regarding women workers one important dimension that have already been discussed is that they are mostly engaged as unskilled workers and therefore get very poor wage. They get less than the male workers for similar kind of work and have no provision of upward mobility in the job ladder. Wage discrimination is the result of this restrictive confinement of women to limited types of work. Talking with the women workers as well as with various labour- in charge n labour agents certain disturbing facts comes across. In the big construction sites they follow an unwritten policy of not recruiting women. "We do not employ women at our construction sites because better facilities (toilet, creche and security) should be provided to them", said a senior officer of a construction site. The reply was received while questioned regarding the policy followed in employing women workers in the construction industry.

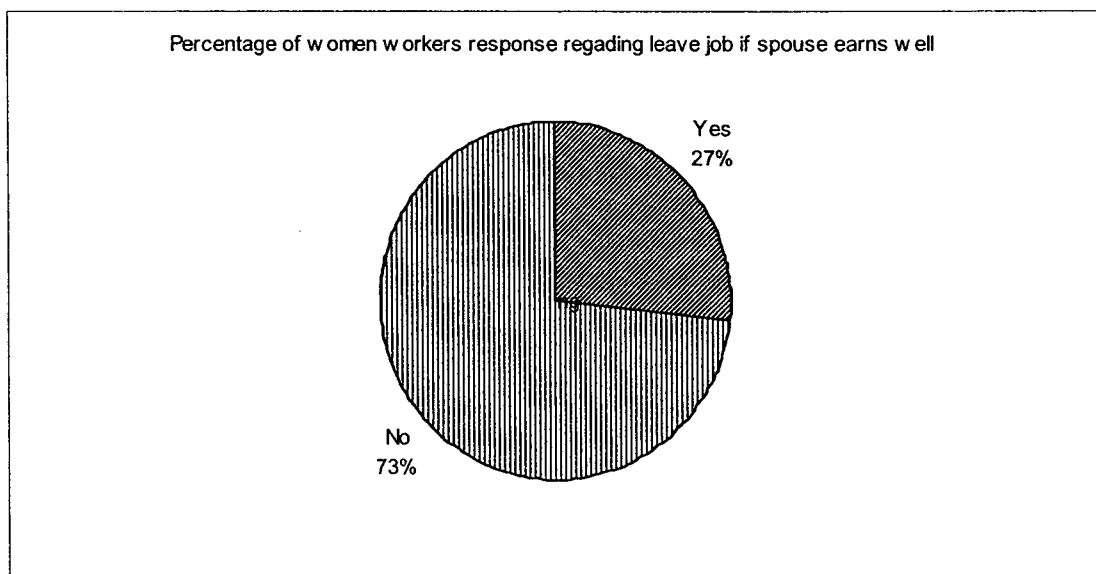
The women workers in the course of interview remarked several times that they did more work because they worked in the house as well as at the construction sites and that their husbands did not help in the household work. This is attributable to the attitude of the spouses that household work was the primary responsibility of the woman and that gender-division of labour was normal. Even while they are earning units they hardly have full control over their own income while the male workers unanimously responded that they have full control over their income. 40% women have partial control (which has been taken as above 50%) and 60% have negligible control over their income.(Refer Chart VI given below) But no respondent replied that they have no control over their income. It reveals that they have some amount of economic autonomy in the household. This point is further substantiated by the replies of women respondents in which 73% women respondents replied that they would not leave their jobs even if their spouse earns enough for the household in contrast to 27% who replied in positive. (Refer Chart No. VII). Poverty is often looked upon as the main reason of employment for women belonging to economically backward classes. The study shows that majority of women do not want to let go of certain amount of economic independence that they enjoy. They also feel this helps them to have certain amount of decision-making power in the household.

Chart VI: The type of control over income of the women workers



N.B: The corresponding table (Table VI) is shown in Appendix I section

Chart VII: Percentage of workers response regarding leaving jobs if the spouse earns well



N.B: The corresponding table (Table VII) is shown in Appendix I section

Observation

The study shows that the working and living conditions of the workers in the construction industry are extremely poor. No labour laws are implemented. Migrant workers recruited on contractual and daily basis have negligible bargaining power resulting in exploitative wage structure. They have to work under adverse conditions and live in inhuman and unhygienic conditions. Moreover there is bias against women workers in this sector. They are engaged in tedious and strenuous work and are not even paid minimum wages. They get recruited as unskilled labour and also retire as the same. Moreover, they don't get crèche facility in their workplace and often forced to leave work when the children are young. Children are also seen playing and moving around in these highly accident-prone sites while their mothers work. Employers are also weary to take women workers as they have to provide special facilities like separate toilets, crèches for them. Security of women workers is also sited as one of the reasons for which they are avoided from being recruited.

Conclusion

In the construction industry, obscurity of employment and the absence of any employer-employee relationship make enforcement of labour laws ineffective. This is in spite of the existence of a multiplicity of law enforcing agencies. This is also true of safety regulations. Building and construction industry remains one of the most hazardous occupations. In construction industry, there exists a communication gap between those who design and those who execute. Even in cases where provisions for safety have been done in the original design, in the actual implementation these codes are wantonly violated. A safety culture needs to be developed as an integral part of the work culture of an organization. There is urgent need to bring legislative stability to employment status, risk reduction by onsite safety management and imparting training and skill development as demanded by the type of construction sector, health protection and promotion through preventive vaccination and family welfare programs. Certain initiatives in this line are being taken in some parts of the country. In Tamil Nadu and Kerala Welfare Board for construction workers have been formed. The Confederation of Indian Industry (CII) and MARG Constructions Ltd have joined hands to train 5,000 unskilled workers for the

construction industry in Tamil Nadu.¹⁹¹ With the advent of new technologies training and skill upgradation is of utmost important in the construction industry. Construction industry is huge sector and provides employment to large scale of workers, therefore the employers and the state need to look into the needs and requirement of this bulk of workers, who are double exploited for being migrants as well workers in the unorganised sector.

¹⁹¹ URL: <http://www.nerve.in/news>. accessed on June 11, 2007

CONCLUSION

This study is an inquiry into how gender dimensions effect labour migration. To study this aspect closely, I focused on the construction industry as the site for my research and a field study, in this regard, was conducted in Delhi. My main argument is that the increasing attention received by gender dimensions of migration in recent times is an indication of the changing profile of women's mobility. There is also a growing recognition that existing 'gender-blind' frameworks are erroneous, calling for mainstreaming of gender concerns in all spheres of human and economic development. In the present scenario, it is important to emphasize on economic mobility of female migration. With the changing social scenario, women are not just 'tied movers' moving with families. There is a growing trend for autonomous migration among women labourers. Moreover, even when women are migrating with their husbands or families as 'associate' migrants, they could not be only considered as 'tied movers'. They are being engaged as workforce in the destination area and hence need to be treated as economic units. I also argue for the need to make changes in the security and welfare measures to expand the citizenship rights (legal, social and political) of the migrants in the unorganized sector.

To prepare itself according to the blue print of Delhi Master Plan, 2021 as well as for the Commonwealth Games in 2010, the national capital is planning a major refurbishment of its infrastructure. In this context, Delhi becomes an interesting area to study. The primary objective of the study was to unpack the linkages between gender, migration and work. The study focused on the women workers engaged in the unorganised sector. Construction industry absorbs a huge quantity of unorganised labour force. In India more than eight million workers are engaged in this sector.¹⁹² Migrant workers form a large section of the work force in the construction industry.

In most parts of the developing world, internal migration has become one of the major issues of concern for policy-makers and researchers. The reason behind this is rapid

¹⁹² Office of Labour Commissioner, Government of Delhi, available at, http://labour.delhigovt.nic.in/act/details_acts/buliding_other_construction/building/intro.html, accessed on June 6, 2007

urbanization, growth of mega cities, urban overcrowding and pressure on social infrastructure resulting in a huge influx in urban migration. At the same time, low agricultural incomes, agricultural unemployment and under-employment are vital reasons for migrations towards places with more job opportunities. A large section of migrants live in slums in the cities under conditions of acute poverty. They lack any permanent source of income, live in unhygienic conditions and often have no option to go back to their roots. Thus they constitute an extremely vulnerable section of urban population.

Through the three chapters in this study, several aspects concerning migration, for instance, legislative issues, citizenship rights, labour issues, gender issues, etc. have been studied. Migration has been looked through the lenses of gender dimension and from the perspective of migrant labourers concentrated in the unorganised sector. In the Indian context, concentration of women workforce in the unorganised sector is not an economic reality, but social and political as well. The economic role that women play cannot be isolated from their overall well being and hence it is crucial to study women as a category of workers.

In the first chapter, various issues related with the migration of women workers have been considered. The gender-related differences in the migratory process necessitate specific analysis of female migration. Family welfare issues often influence decisions on female migration. Community level influence and social networks also play an important role in facilitating female migration since in most societies migration of women is constrained because of fears regarding vulnerabilities concerning women. Strong social networks make migration acceptable and reliable. Age is also a vital factor in female migration as the profiles of migratory females tend to be skewed towards young age groups.

In the Indian context, for a long time marriage was understood as perhaps the sole reason for female migration. But recent micro level studies, as discussed in details in the first chapter, indicate high levels of rural urban migration among females for reasons of

employment. Unlike earlier years, when selective male migration was predominant, the latest trend is one of family migration where both male and female migrants move together. Also a growing trend of autonomous female migration, where women generally migrate in groups in search of employment in the destination areas, was observed. This trend is an outcome of the massive growth of the informal sector where large scale of women are being absorbed. Here it is important to note that these women are mainly engaged in low paid jobs in the unorganised sector. They are mostly concentrated in the service sector, including domestic work, entertainment industry, etc. In case of family migration, women are seen to get engaged in sectors like brick kiln, construction, etc. The numbers of female associational migrants have also increased over the years. This proves that less number of women are being 'left behind' and women are gaining mobility in movement. So female migration in India today cannot simply be seen as 'tied movers' due to marriage but because of the economic dimension where women are migrating alone or along with their families.

The second chapter, analyses the linkages between gender and work with special reference to women workers engaged in the informal sector. Such a substantial contribution bears testimony to the importance of this sector in the Indian economy. As per the 1991 Census data, 96% of the women workers are concentrated in the unorganised sector.

Women workers in the unorganised sector face problems of long working hours, no minimum wage, unequal wage, sexual exploitation, working till late pregnancy, health hazards, lack of crucial social security measures such as maternity benefit, pensions, provision of childcare, etc. In the case of unorganised sector it is seen that the labour laws are not properly implemented. Gender based discrimination in work is predominant, despite the Equal Remuneration Act being applicable to this sector. It is also seen that women are paid lower wages than men for 'same work or work of similar nature'. The low enumeration to women migrants is linked to the low recognition of their work and is intermeshed with the problems related to the unorganised sector. Large gender disparities in wages, particularly in casual labour, are not only due to difference in

education and skill, but also a result of gender bias. Moreover, financial compulsions of contribution to the family income along with the domestic chores compels women to take up flexible work, which necessarily confines them to low paid works in this sector.

The legislation regarding migrant workers fail because regulatory authorities are overstretched, the state places migrants at a lower priority and they also lack support from the civil society. There is no labour law that exclusively addresses the rights of the migrant women workers in the country. The Inter State Migrant Workmen Act, 1979, which was enacted for inter state migrant workers has failed to be effective. Social security coverage have also not reached because of lack of stable employer-employee relationship and the culture of recruitment through middle men, resulting in surging of responsibilities on the part of the principal employers. One of the biggest drawbacks in the unorganized sector is the absence of an effective Trade Union and resulting in lack of bargaining power. The biggest challenge in this sector is the delivery of social securities and proper implementation of labour laws.

The third chapter looks into socio-economic dimensions of the construction industry and the dynamics of women workers engaged in this sector. The workforce in this sector is extremely vulnerable because employment is always temporary and the employer-employee relationship is very fragile and mostly short-lived. The work has an inherent risk of fatal and serious accident. The greatest loophole in this sector is that the labourers are recruited with contractors and sub-contractors. These contractors act as the 'middle-men' between principal employers and the labourers. They hire migrant workers on a contract basis with very minimal pay, extract money from the workers as commission for providing jobs and do not take any responsibility for their well being.

Women workers are placed in the lowest rung in this sector. They are mostly head- load workers for which they carry bricks, cement, sand, water etc. over great heights. They are also involved in concreting and earth work. They are therefore exposed to high risks of accidents as well as a lot of physical strain. It is interesting to note here that unskilled men doing similar work are paid more than the female counterparts. The most important

factor regarding women workers in the construction industry is the fact that they begin at the lowest rung of the job hierarchy and remain there till the end of their working lives. While there is a provision of male skilled workers to acquire skill over a period of time, the scope is absent for the female workers. This is because there is no provision of formal training and the work is learned from senior skilled workers, who are invariably male workers, and do not consider teaching the female counterparts.

As a part of this research, a field study has been conducted in Delhi to examine various issues related to women construction workers. The workers are mostly seasonal migrants who are either landless workers or with minimal amount of land holdings. During the harvest and festival seasons they migrate back to their villages. Unemployment was cited as the primary reason for migration for male workers. An interesting finding was revealed, concerning the reasons for women workers migration. Barely 10 percent of them cited marriage as the sole reason for migration. 60 percent of the women workers mentioned both marriage and employment as the primary reason behind their migration. Hence there is a blend of economic and social criterion for their reasons behind migration. This point was further substantiated by other women respondents who mentioned poverty (23 percent) followed by unemployment (7 percent) as the reason behind their migration. Literacy rates between male and female respondents were found to be very poor, but the female illiteracy was higher than the male workers. The women workers are mostly engaged in small and medium sized construction sites where both working and living conditions are deplorable. Many employers are often reluctant to employ women as it would cost them to provide extra facilities like separate toilets, crèche facilities for children etc. However the employers who employ them do not provide them these facilities in most cases. Hence women workers are forced to work in adverse conditions. Moreover, 60 percent women respondents cited that they face sexual exploitation and harassment in the workplace. It was also found that the female workers were solely responsible for their domestic duties. Thus, the female workers are faced with double burden of household responsibilities as well as waged work. An important dimension revealed in the study is the fact that 73 percent of the women were unwilling to leave their jobs given a hypothetical case that their spouses earn sufficient to run the

family. Though none of the women responded of having full control of their income, they responded that they enjoy partial control over their income. They also mentioned that economic independence has given them certain amount of decision-making power in the household.

Examining various dimensions of gender, migration and work in this study, certain issues came into focus. Firstly, the economic factors behind female migration have increased over the years. There is a trend towards autonomous female migration. It is also significant to note that the associational female migrants have also increased over the years, but this should not merely be looked as 'tied movers'. The reason behind this is the fact that although women move with their husbands or families, they are absorbed as economic units in the destination areas. Often search for work is their main motive behind migration, even if they come along with families. This increase in the economic criterion for migration has given mobility to women and less number of women are now 'left behind' in the migration process. Secondly, a large number of women workers absorbed in the unorganised sector work under adverse working and living conditions. Legal measures are not implemented and social security coverage is not provided to them. Thirdly, women's increased involvement in paid work has not significantly reduced their share of unpaid work in the households. Fourthly, with special reference to the construction sector, it is seen that women workers are concentrated at the lowest level and there is no scope for skill upgradation for them. Unlike their male counterparts, who slowly move up in the job hierarchy from unskilled to semi-skilled to high-skilled level, female workers are deprived of this opportunity.

Thus, the study shows that migrant workers in general and women migrant workers in particular are a highly exploited section and a lot need to be done to improve their situation. The state, employer, trade union, NGOs as well as the civil society should take up initiatives to regulate this sector.

Firstly, the state should ensure proper implementation of laws and social security measures. The Welfare Boards need to be established in every state and where it is

already existent, a proper functioning of the Boards are required. Additionally, proper registrations of workers are also required. Moreover, the requirements of women migrant workers need special attention due to their vulnerability to sexual and economic exploitation. Women's needs should be specially taken care of in areas concerning labour market participation, access to information, hygienic living conditions, proper working conditions and protection from sexual harassment.

Secondly, the Trade Unions should take up the cause of the migrant workers at a serious level to improve their bargaining power. Certain noteworthy initiatives taken in this direction, could be enumerated as follows: Nirman Mazdoor Panchayat Sangham in Delhi and Tamil Nadu, Karnataka State Construction Workers' Central Union in Karnataka and Tamil Nadu Kattida Thozilalar Sangham in Tamil Nadu are some autonomous trade union movement initiatives that has been taken up to uplift the cause of the construction workers. Another significant mode of intervention has been through co-operative societies of construction workers. Apna Nirman Mazdoor Co-operative Society, Delhi and Shramik Vikas Shram Samvida Samity Ltd., Kanpur are two such co-operatives working with the construction workers.

Thirdly, Delhi being the host of the Commonwealth Games to be held in 2010, it is important to take into account the interest and well being of the huge majority of migrant workers who would be engaged for this purpose. This would require serious attention as in the past when Asian Games (1982) was organised in Delhi, there was gross violation of workers rights. People's Union for Democratic Union had filed a PIL (Asiad Workers' Case, 1982) on behalf on the migrant construction workers and gross violation of labour laws and denial of labour rights got highlighted through this PIL. Few international initiatives and campaign for safe guard of construction workers rights is worth mentioning here. An international campaign led by Building and Wood Workers International¹⁹³, South African affiliates and the Labour Research Service in partnership with European and global trade unions and NGOs, is planning to mobilize football fans

¹⁹³ South African affiliates of the BWI leads workers' rights groups launch campaign for Decent Work in football in the lead up to 2010 World Cup, Building and Wood Workers International, available at, <http://www.bwint.org/default.asp?index=565&Language=EN>, accessed on June 07, 2007

worldwide to put pressure on FIFA, the South African government and the companies contracted to build the ten stadiums for staging of the FIFA world cup 2010, to initiate agreements with the workers employed to ensure safety at the worksite, a decent wage, adequate social protection and other standards consistent with decent working conditions as well as respect for the right of workers to collectively bargain and join a union. In another case, a group of organizations under the banner 'The Impact of Olympics on Community Coalition'¹⁹⁴ will act as an independent body that will monitor employment and training issues surrounding the development of the 2010 Vancouver/Whistler Olympic and Para-Olympic Games and also ensure that the Vancouver Organizing Committee for the Olympic Games (OCOG) keeps the promises made by the Vancouver 2010 Bid Corporation, such as providing reasonable wages and decent working conditions for workers producing games related goods and services before and during the winter games, creating training/short and long term employment opportunities for inner city residents and to encourage a net increase in employment. Initiatives in these directions can be taken up for the Commonwealth Games 2010.

Lastly, the employer, state and voluntary organisations must provide skill upgradation training for those engaged in the unorganised sector. For instance, the construction industry is now becoming highly mechanized. Hence the unskilled and semi-skilled workers engaged in this sector should be trained so that they don't lose jobs due to mechanization of the sector. Special emphasis needs to be given to the women workers as they fall under the unskilled category with very little scope of improvement. Skill development will also help them to improve their working conditions, as they can avoid strenuous work of carrying heavy load. Thus protective social security and welfare measures together would help the workers to improve their conditions and ensure justice to them.

¹⁹⁴ 'Recommendations made by the Impact of the Olympics on Community Coalition to the Vancouver 2010 Bid Corporation and its Member Partners' (2002), Impact of the Olympics on Community Coalition, August, available at, <http://www.olympicsforall.ca/download/IOCC%20Recommendations%20-%20August%202002.pdf>, accessed on June 09, 2007

BIBLIOGRAPHY

Government Publication

Government of India (2002), Ministry of Labour and Employment, *Report of the Second National Commission of Labour*, Chapter-XI, Women and Children, New Delhi.

URL: <http://labour.nic.in/lcomm2/2nlc-pdfs/Chap-9partA.pdf>

Government of India (2002), Ministry of Labour and Employment, *Report of the Second Labour Commission*, Chapter-7 Final A: Unorganized Sector, New Delhi.

URL: <http://labour.nic.in/lcomm2/2nlc-pdfs/Chap-7finalA.pdf>

Government of India (2002), Ministry of labour and Employment, *Report of the Second Labour Commission*, Chapter 7 Final B: Unorganized sector, New Delhi

URL: <http://labour.nic.in/lcomm2/2nlc-pdfs/Chap-7finalB.pdf>

National Commission on Labour (2001), *Report of the Group on Women Workers and Child Labour*, Part I, New Delhi: Government of India

Government of India, Census Report (1999), *Migration Tables*, D-series, Census Office, New Delhi,

Government of India, Planning Commission, *Report of the Tenth Five Year Plan*, (2002-2007), New Delhi

URL: <http://planningcommission.nic.in/plans/planrel/fiveyr/welcome.html>

Government of India, *Notification of Planning Commission*, March 27, 2006

URL: http://www.cidc.in/download/notification_construction.pdf

National Sample Survey Organisation (1997), *Employment and Unemployment Situation In India, 1993-94*, NSS 50th Round, NSSO, New Delhi

National Sample Survey Organisation (2001), *Employment and Unemployment Situation In India, 1999-2000*, NSS 55th Round, NSSO, New Delhi

Reports of International Organisation

UNDP (1995), *The Human Development Report*, New York

URL: <http://hdr.undp.org/reports/global/1995/en/> (Accessed: May 17, 2007)

United Nations (2004), *Report of the Consultative Meeting on "Migration and Mobility and How This Movement Affects Women*, New York.

International Labour Organization, (1999), "Employment in the Global Economy: How Training Matters", *World Employment Report*, Geneva: ILO

Reports of Non- Governmental Organisation

Centre For Education and Communication (2003), *Report of the workshop on: Unprotected Migrant Workers in the NCR of Delhi*, Centre For Education and Communication Publication, New Delhi

Mobile Creches (2006), *Report of Labour Mobility and Rights of Children: A Consultation*, Mobile Creches Publication, New Delhi

SEWA (2000), *Labouring Brick by Brick: A Study of Construction Workers*, Self Employed Women's Association, Ahmedabad

Interviews

Mr. Subhash Bhatnagar, (National Coordinator of the National Campaign Committee for Construction Labour), Project Office, 484, Millennium Apartment, C- Block, Sector 18, Rohini, May 25, 2007

Mr. Vinod Uppal, (General Manager, Ahluwalia Contracts India Limited), Site Office of Ahluwalia Constructs India Ltd, Saket, New Delhi, May 30, 2007

Mr. Mohanlal Bansilal, (Facilitator, Mobile Creches), Mobile Creches Office, Kirbi Place, New Delhi, June 06, 2007

Newspaper and Journals

Ghosh, Jayati (2005), "Migration and Public Policy", *Frontline*, Vol. 22, Issue 10, (07.05.2007)

Sethi, Aman (2005), "In a buyer's market", *Frontline*, Volume 22, Issue 24, (05.11.2005)

Sharma, Vibha (2004), "Enforce law on construction workers", *The Tribune*, Chandigarh, (27.10 2004)

Srivastava, Ravi (2006), "Migrant Workers and Basic Entitlements: Issues in Implementing Comprehensive Social Security", *India Migration Newsletter*, Vol.1, No.2

Books

Anker, Richard and Catherine Hein (ed.) (1986), *Sex Inequalities In Urban Employment in the Third World*, London: Macmillan

Berman, Jan (1985), *Of Peasants, Migrants and Paupers: Rural Labour Circulation and Capitalist Production in West India*, Delhi: Oxford University Press

Bhattacharya, Sabyasachi and Jan Lucassen (ed) (2005), *Workers in the Informal Sector. Studies in Labour History 1800-2000*, New Delhi: Macmillian India Ltd.

Bogue, D J. (1978), " Migration: Internal and International", in D. J. Bougue (ed) *Principles of Demography*, New York: John Wiley and Sons

Butler, J. (1999), *Gender Trouble: Feminism and the Subversion of Identity*, New York: Routledge

Chandra, Navin and Surendra Pratap (2001), " Organising Informal Sector Workers", in Amitabh Kundu and Alakh N. Sharma (eds.), *Informal Sector in India: Perspectives and Policies*, New Delhi: Institute of Human Development and Institute of Applied Manpower Research

Cherian J. and K.V. Prasad (1995), *Women, Work and Inequality: The Reality of Gender*, New Delhi: National Labour Institute

Chhetry, Shanti (1999), *Women Workers In The Informal Sector*, New Delhi: Gyan Sagar Publications

Deshpande, Sudha and Lalit K. Deshpande (1999), " Gender- based Discrimination in the Urban Labour Market", T.S. Papola, and Alakh N. Sharma (eds.) (1999), *Gender and Employment In India*, New Delhi: Indian Society of Labour Economics in association with Vikas Publishing House Pvt. Ltd

Deshpande, Sudha (2001), " Impact of emerging Labour Market on women and Their Households: A Tale of Three Slums in Mumbai", in Amitabh Kundu and Alakh N. Sharma (eds.) (2001), *Informal Sector in India. Perspectives and Policies*, New Delhi: Institute of Human Development and Institute of Applied Manpower Research

Dutt, Ruddar (ed.) (1997), *Organising the Unorganising Workers*, New Delhi: Vikas Publishing House

Findley S and A Diallo (1993), "Social appearances and economic realities of female migration in rural Mali" in *Internal Migration Of Women in Developing Countries*, New York: United Nations

Fox, Mary Frank and Starlene Hesse Biber (1984), *Women At Work*, California: Mayfield Publishing Company

Geetha, V. (2002), *Gender*, Kolkata: Stree

Ghosh, Jayati (2001), "Urban Indian Women in informal Employment: Macro Trends in the Nineties", in Amitabh Kundu and Alakh N. Sharma (eds.), *Informal Sector in India. Perspectives and Policies*, New Delhi: Institute of Human Development and Institute of Applied Manpower Research

Gulati, L. (1994), "Women in the Urban Industrial Labour Force in India" in M.K. Rao (ed.), *Growth of Urban Informal Sector and Economic Development*, Vol. 1, New Delhi: Chanakya Publications

Hansenne, M. (1991), "The Dilemma of the Informal Sector", Geneva: International Labour Organisation

Hobson, Barbara, et al. (2002), *Contested Concepts in Gender and Social Politics*, Cheltenham, UK: Edward Elgar Publishing

Hugo G. (1993), "Migrant women in developing countries", in *Internal migration of Women in Developing Countries*, New York: United Nations

Iyer, Gopal K. (ed) (2004), *Distressed Migrant Labour In India, Key Human Rights Issues*, New Delhi: Kanishka Publishers

-----, (ed.) (2003), *Migrant Labour and Human Rights in India*, New Delhi: Kanishka Publications

Kasturi, L. (1990), "Poverty, Migration and Women's status" in V. Mazumdar (ed.), *Women Workers in India*, New Delhi: Chanakya Publications

Kundu, Amitabh and Alakh N. Sharma (eds.) (2001), *Informal Sector in India: Perspectives and Policies*, New Delhi: Institute of Human Development and Institute of Applied Manpower Research

Kundu, Amitabh (2001), "Informal Sector in India's Urban Economy: Macro Trends and Policy Perspectives", in A.S. Oberai, and G. K. Chadha (eds.) (2001) *Job Creation in Urban Informal Sector in India: Issues and Policy Options*, New Delhi: South Asia Multidisciplinary team and International Labour Organisation

Kulshreshtha, A. C. and Gulab Singh (2001), "Informal Sector in India: Its coverage and Contributions", in Amitabh Kundu and Alakh N. Sharma (eds.) (2001), *Informal Sector in India. Perspectives and Policies*, New Delhi: Institute of Human Development and Institute of Applied Manpower Research

Kulkarni, G.K. (2007), "Construction industry: More needs to be done", *Indian Journal Of Occupational and Environmental Medicine*, Volume 11, Issue 1

Kaur, Amarjeet (2001), "India's Urban Informal Sector and Workers: Role of Social Partners" in A.S. Oberai and G.K Chadha, *Job creation In Urban Informal Sector in India: Issues and Policy Options*, New Delhi: South Asia Multidisciplinary Advisory Team and ILO

Lee, S C (1996), "Issues in Research on Women International Migration and Labour" in G. Battistella and P Paganoni (ed) *Asian Women in Migration*, Quezon City,: Scalabrini Migration Centre

Lessinger, J. (1990), *Work and Modesty: the Dilemma of Women Market Traders in Madras*, New Delhi: Sage Publications

Lim, Lin Lean (1993), " The Structural Determinants of Female Migration", in *Internal Migration of Women in Developing Countries*, United Nations, New York, 1993

Loop, Theo Van Der (1996), *Industrial Dynamics and Fragmented Labour Markets*, New Delhi: Sage Publications

Menon-Sen, K. (2001), *Gender. Governance and the 'Feminisation of Poverty': The Indian Experience*, India: UNDP.

Mohanty, Jyotirmaya (1996), *Emerging Industrial Centers and Impact on Migration: A Study in Orissa*, New Delhi: Classical Publishing Company

Mukhopadhaya, Swapna (1999), " Locating Women within Informal Sector Hierarchies", in T. S. Papola, and Alakh N. Sharma (eds.), *Gender and Employment In India*, New Delhi: Indian Society of Labour Economics in association with Vikas Publishing House Pvt. Ltd

Oberai, A.S. and G. K. Chadha (eds.) (2001) *Job Creation in Urban Informal Sector in India: Issues and Policy Options*, New Delhi: South Asia Multidisciplinary team and International Labour Organisation

Oberai, A.S. and H. K. Manmohan Singh (1983), *Causes and Consequences of Internal Migration. A Study in the Indian Punjab*, New Delhi: Oxford University Press

Papola, T.S. (1981), *Urban Informal Sector in a Developing Economy*, New Delhi: Vikas Publishing House

Papola, T.S.and Alakh N. Sharma (eds.) (1999), *Gender and Employment In India*, New Delhi: Indian Society of Labour Economics in association with Vikas Publishing House Pvt Ltd

Sankaran, T. S. (2001), " Social Security for Workers in Unorganised Sector", in Amitabh Kundu and Alakh N. Sharma (eds.) (2001), *Informal Sector in India. Perspectives and Policies*, New Delhi: Institute of Human Development and Institute of Applied Manpower Research

Samuel, Johnson M. (1995), *Life Cycle and Female Migration: A study of the Pattern and Causes*, Delhi: B.R. Publishing Corporation

Sharma, Alakh N. and Seema Singh (eds.) (1993), *Women and Work. Changing Scenario in India*, New Delhi: Indian Society of Labour Economics and B.R. Publishing Corporation

Shashi Kumar, S. K. (2004), " Theories of Internal Migration: A Critique", in Gopal K. Iyer (ed) (2004), *Distressed Migrant Labour In India, Key Human Rights Issues*, New Delhi: Kanishka Publishers

Sills, David L. (ed) (1972), *International Encyclopedia of the Social Science*, Vol. 9, New York & London: The Macmillan Company and The Free Press & Collier-Macmillan Publishers

Singh, Kamaljit (1991), *Internal Migration in a Developing Economy*, New Delhi: National Book Organisation

Stalker P. (1994), *The Work of Strangers, A Survey Of International Labour Migration*, Geneva: ILO

Suryanarayanan, S.S. (2004), *Labour Laws, Contractual Parameters and Conditions of Construction Workers: A Study In Chennai*, Noida: V. V. Giri National Labour Institute

Rao, Aruna, et al. (1999), *Gender at Work, Organisational Change for Equality*, West Hartford: Kumarian Press

Riley, Nancy E, and Robert W. Gardner (1993), "Migration decisions: the role of gender" in *Internal Migration of women in Developing Countries*, New York: United Nations

United Nations (1993), *Internal Migration of Women in Developing Countries*, New York: United Nations

----- (1995), *International Migration Policies and the Status of Female Migration*, New York: United Nations

Torado, M. (1976) , *International Migration in Developing Countries*, Geneva: ILO

United Nations (1999), *World Survey on the Role of Women in Development: Globalization, Gender and Work*, New York: DESA, United Nations

Verma, A. P. et al. (1994), *Women Labour in India*, Noida: V. V. Giri National Labour Institute

William L. (1990), *Development Demography and Family Decision Making, The Status of Women in Rural Java*, Boulder: West View Review

Willis, Katie and Yeoh, Brenda (2000), *Gender and Migration*, Northampton, MA: An Elgar Reference Collection

Articles

Anand, Vaijayanta (1998), “ Advocating for the Rights of Construction Workers: Nirman’s Experience”, *The Indian Journal Of Social Work*, Volume 59, Issue 3, July

Anna, Mathew (2005), “ Awareness of social issues among Indian women construction workers”, *International Social Work*, Vol. 48, No. 1, January

Bhattacharya, Prabir (1998), “The Informal Sector and Rural to Urban Migration: some Indian Evidence”, *Economic and Political Weekly* 33 (21), 23-29 May

Chen, Martha Alter (2003), “ Rethinking the Informal Economy”, *Seminar*, Vol.531, November

Dasgupta, Sukti (2003), “Growth, Informality and Insecurity”, *Seminar*, Vol.531, November

Deshingkar, Priya (2006), “Taking the Distress Out of Migration in India”, *India Migration Newsletter*, April

Deshpande, Sudha (1992), “ Structural Adjustment and Feminization”, *Indian Journal of Labour Economics*, Vol. 35, No. 4

Dorga, Bharat (2005), “ Social Security for Unorganised Workers”, *Mainstream*, Vol. 43, No. 20, May 7

Dumon, W A. (1981), “The Situation of migrant women workers”, *International Migration*, Vol. XIX No 1

Fernandes, Walter (1991), “ Urbanisation, coping Mechanisms and Slum Women’s Status”, *Social Action*, Vol. 41, No. 4, Oct- Dec

Harries, Nigel (2003), “ Migration of Labour. Constructing Transnational Arrangements”, *Economic and Political Weekly*, October 18

Hart, K. (1973), “ Informal Income Opportunities and urban employment In Ghana”, *Journal of modern African Studies*, Vol. II, No.1

- Huang N and Ching H. (1983), "Female migration to Taipei, Process and Adaptation", *Population Geography*, Vol. 5
- Hugo G. (1982), "Circular Migration in Indonesia", *Population and Development Review*, Vol. 18
- Jhabvala, Renana (2003), "Liberalization and Women", *Seminar*, Vol. 531, November
- Kalpagam, U. (1987), "Women, Informal sector and Perspectives on Struggles", *Social Scientist*, Vol. 15, No. 6, June
- Karba, Kamal Nayan (2003), "The Unorganised Sector in India: some Issues Bearing on the Search For Alternatives", *Social Scientist*, Vol.31, no11/12, Nov-Dec
- Kulshreshtha, A.C. and G. Singh (1999), "Gross Domestic Product and Employment in the Informal Sector of the Indian Economy," *The Indian Journal of Labour Economics*, Vol.42, No.2
- Kumari, Hema T.A. and U. Tataji, "Seasonal Migration of Women workers: Process, patterns and Consequences", *The Indian Journal of Social Work*, Vol. 59, Issue 3, July
- Lingam, Lakshmi (1998), "Locating Women in Migration Studies: An Overview", *The Indian Journal Of Social Work*, Vol. 59, Issue 2, April
- Louis, Prakash (2004), "Editorial", *Social Action*, Vol. 54, April- June
- Madhavan, H. (2004), "Unorganised Sector Workers and Their Livelihood Issues", *Social Action*, Vol. 54, Oct-Dec
- Mathew, Anna (2005), "Awareness of social issues among Indian women construction workers", *International Social Work*, Vol. 48, Issue1
- Mehta, M. (1985), "Urban Informal Sector: Concepts, Indian Evidence and Policy Implications", *Economic and Political Weekly*, Vol. XX, No. 8
- Mincer, J. and S. Palanchek (1974), "Family Investments in Human Capital: Earnings of Women", *Journal of Political Economy*, Vol. 82, No. 2
- Morokvasic, M. (1984), "Birds of passage are also women", *International Migration Review*, vol. 18, No. 4.
- Neetha N. (2004), "Making Female Breadwinners. Migration and Social Networking of Women Domestic in Delhi", *Economic and Political Weekly*, April 24
- Pandey, Divya (1998), "Migrant Labour, Employment and Gender Dimensions", *The Indian Journal of Social Work*, Vol. 59, Issue 3, July

- Rustagi, Preet (2006), "An Extract from Women in the Context Of Migration: Addressing Vulnerabilities and Policy Issues", *India Migration Newsletter*, Vol. 1, No 2, July
- Sarkar, Siddhartha (2004), "Theorising in Informal Sector: Concept and Context", *Social Action*, Vol. 54, Oct-Dec
- , (2004), "Extending social security coverage to the informal sector", *Social Change*, Vol. 34, No. 4, December
- Saini, Debi S. (2005), "Some Issues in Working of Social Security laws in India", *The Indian Journal of Labour Economics*, Vol. 48, NO. 4
- Saxena, Anu (2004), "Women Workers in the Unorganised Sector: Inequity and Discrimination", *Social Action*, Vol. 54, Oct-Dec
- Shah, Nandita, Sujata, Gothoskar, Nandita Gandhi and Amrita Chhachhi (1994), "Structural Adjustment, Feminization of Labour Force and Organizational Strategies", *Economic and Political Weekly*, Vol. 29, No.18, April 30
- Shanti, K. (1991), "Issues Relating to economic Migration of Females", *Indian Journal of Labour Economics*, Vol. 34, No. 4
- Shyam Sundar, K. R. (2003), "Organising the Unorganised", *Seminar*, Vol. 531, November
- Singh, A. M. (1978), "Rural Urban Migration of women among the Urban Poor in India: Causes and Consequences", *Social Action*, vol. 28, No. 4
- Singh, D.P. (1998), "Female Migration In India", *The Indian Journal of Social Work*, Volume 52, Issue 2, April
- Standing Guy (1978), "Aspiration wages, Migration and Urban Unemployment", *Journal of Development Studies*, Vol. 14
- Standing, G. (1999), "Global Feminization through Flexible Labor: A Theme Revisited", *World Development*, Vol. 27, No. 3, March.
- Sundari, S. (2005), "Migration as a Livelihood Strategy", *Economic and Political Weekly*, May28- June 4
- Sundari, S. and M.K. Rukmini (1998), "Costs and Benefits of Female Labour Migration", *The Indian Journal of Social Work*, Vol. 59, Issue 3
- Trager, Lilian (1984), "Family strategies and migration of women: Migration to Dagupan City", *International Migration Review*, Vol. 18, No 68

Unni, Jeemol and Uma Rani (2003), "Gender, Informality and Poverty", *Seminar*, Vol. 531 November

Verma, N.M.P. (2002), "Missing Relevance of Social Security in Informal Sector under the Liberalised era", *Indian Journal Of Public Administration*", Vol. 48, No. 1, Jan-March

Virasia, Pravin (1996), "Structure of the Indian Workforce: 1961-1994", *The Indian Journal of Labour Economics*, Vol. 39, No.4, Oct-Dec

Whiteford M. (1978), "Women, migration and Social Change, A Colombian Case Study", *International Migration Review*, Vol. 12

Working Papers and Conference Papers

Chandra, Navin (2006), "*Indian Labour legislation and Informal Sector Workers*", Paper presented in at The National workshop on Employment and Social Security for Unorganised Workers, Institute of Human Development, June 22-23, 2006, New Delhi

Deshpande, Lalit and Deshpande, Sudha (2006), "*Charecteristics of Workers in the Informal Non-Agricultural Sector and Vulnerabiity Relevance For Policy Formulation*". Paper presented in National Workshop on Employment and Social Security For Unorganised Sector Workers, Institute of Human Development, June 22-23,2006, New Delhi

Findley S and Linda Willium (1991), "*Women who go and Women who stay, Reflections of Family Migration Process in Changing World*", Working paper No 176, Geneva: ILO

Hirway, Indira and Jeemol Unni (1990), "*Employment and Occupational Diversification of Women In India*", Working Paper, Asian Regional Team for Employment Promotion, New Delhi December

Nazneen Kanji and Kalyani Menon Sen (2001), "*What does feminisation of labour mean for sustainable livelihoods*", Working Paper, International Institute for Environment and Development, available at: http://www.ring-alliance.org/ring_pdf/bp_gender_ftxt.pdf, (Accessed May 15, 2007)

Mahendra, Dev S (2006), "*Growth-mediated and Support-led Social Security in the Unorganised Sector in India*", Paper presented in National Workshop on Employment and Social Security For Unorganised Sector Workers, Organised by Institute of Human Development, New Delhi, June 22-23,2006

Richard L Wolfel (2002), "*Migration in the New World Order: Structuration Theory and its contribution to Explanations of Migration*" Paper presented at the 2002 NESTVAL

Conference, New Bedford, MA.
URL: <http://www.siue.edu/GEOGRAPHY/ONLINE/Wolfel05.pdf> (Accessed March 10, 2007)

Srivastava, Ravi and S.K. Sasikumar (2003), “*An Overview of migration in India, its impacts and key issues*”, Paper presented at The Regional Conference on Migration, Development and Pro-Poor Policies in Asia, June, 2003, Dhaka, Bangladesh

Sharma, Alakh N. (2006), “*Recent Trends in the Labour Markets and Issue of Employment Security*”, Paper presented in at The National workshop on Employment and Social Security for Unorganised Workers, Institute of Human Development, June 22-23, 2006, New Delhi

Uppal, Vinayak (2006), “*The Impact of The Commonwealth Games 2010 on urban Development of Delhi. An analysis with a historical perspective from worldwide experiences & 1982 Asian Games*”, CCS Working Paper No. 162, Centre for Civil Society, New Delhi

Internet Sources

Baade, R and Matheson, V (2003), “Mega-Sporting Events in Developing Nations: Playing the Way to Prosperity?”, URL: <http://www.williams.edu/Economics/wp/mathesonprosperity.pdf>, (Accessed June 10, 2007)

Directorate General Labour Welfare, Ministry of Labour and Employment, Government of India, Inter- State Migrant Workmen Act, 1979
URL: <http://labour.nic.in/dglw/ismws.html>, (Accessed June 6, 2007)

Rahman, Qamar (1996), “The Anguish of India”, *Environmental Health Perspectives*, Vol.104, No.3, March, URL: <http://www.ehponline.org> (Accessed May, 15 2007)

Roopa, M., “Protect Construction Workers”, *Labour File*
URL: <http://www.labourfile.org/ArticleMore1.aspx?Nid=167>, (Accessed June 04, 2007)

International Labour Organisation, URL: <http://www.ilo.org>, accessed on Jan 07, 2007

International Labour Organisation, Scope for Social Security System
URL: http://www.ilo.org/public/english/dialogue/actrav/projects/tc00_01.htm, (Accessed April 12, 2007)

Jatrana, Santosh (2004), “Living on site: Health experiences of migrant female construction workers in North India”, *Migration and Health in Asia*, Vol. 13 (1)
URL: <http://www.smc.org.ph/>, (Accessed April 12, 2007)

John, J. and Mukul Sharma, 'Construction Workers in India', *Labour File*
URL:www.labourfile.org (Accessed June 03, 2007)

John, J., "Birds on the Winding Scaffolding: Construction Workers in India", *Labour File*, URL: <http://www.labourfile.org/ArticleMore1.aspx?Nid=221>, (Accessed June, 03, 2007)

Mukul, Sharma, " Beyond Bricks and Stones: Mobile Creches in Delhi", *Labour File*,
URL: <http://www.labourfile.org/ArticleMore1.aspx?Nid=218> (Accessed May 18, 2007)

The Supreme Court Of India, The Judgment Information System
URL:<http://www.judis.nic.in/> (Accessed May 28, 2007)

APPENDIX I

Table I:

Reasons for migration (Male)	Number of Respondents
Unemployment	20
Poverty	8
Natural calamity	0
Only Marriage	0
Marriage & Work	0
Other	2

Table II:

Reason for migration (Female)	Number of Respondents
Unemployment	2
Poverty	7
Natural calamity	0
Only Marriage	3
Marriage & Work	18
Other	0

Table III:

Level of education (Female workers)	Number of respondents	Percentage
Illiterate	12	40
No Formal education but can sign	8	27
Elementary	6	20
Class I to V	4	13
Class VI to X	0	0
Class XI to XII	0	0
Above XII	0	0
	0	0

Table IV:

Level of education (Male workers)	Number of respondent	Percentage
Illiterate	8	26.66
No Formal education but can sign	7	23.33
Elementary	6	20
Class I to V	5	16.66
Class VI to X	4	13.33
Class XI to XII	0	0
Above XII	0	0

Table V:

Sexual Harassment in the Work Place	Number of respondent	Percentage
Yes	18	60
No	12	40

Table VI:

Type of control over income	Number of respondents	Percentage
Full control	0	0
Partial control	12	40
Negligible control	18	60
No control	0	0

Table VII:

Leave job if spouse earns well	Number of respondents	Percentage
Yes	8	27
No	22	73

APPENDIX- II

Gender Dimension in Labour Migration: A Study of Women Workers in
the Construction Industry in Delhi,
Center for Political Studies, School of Social Sciences, JNU.

Interview Schedule

Personal Details:

1. **Name:** _____
2. **Age:** _____
3. **Sex:** Male Female
4. **Caste:** General ST SC OBC Other , specify _____
5. **Religion:** Hindu Muslim Christian Sikh
6. **Marital Status:** Single Married Separated Annulled
7. **Place of origin:** Village/ Town: _____
District: _____
State: _____
8. a. **How have you shifted?** Alone with family with husband contractor
 Sub-contractor other , specify _____
b. **Who/ What facilitated your migration process?** _____
c. **What is the reason behind your migration?** Unemployment Poverty
Natural calamity Only Marriage Marriage and Work Any other ,
Specify _____
d. **Have you shifted permanently?** Yes No Don't Know

e. If yes: Why? _____

f. If no: How often do you go back / when do you intend to go back? _____

Professional Details:

9. What is your level of education? Illiterate Literate: no formal education but can sign elementary Class I-V VI-X XI-XII Above XII

10. Is it advantageous to be literate to work in this sector? Yes No

Don't know

11 a. What kind of work do you do? Breaking stones digging stones Mortar mixing Carrying load mason assembling of construction materials lifting of stones, bricks and cement Other , Specify _____

b. How have you learned the skill for this job? _____

c. Have you got any skill up gradation training? Yes No

d. If yes: From whom? State Employer NGO other , Specify _____

e. Do you think that the introduction of new technology has limited or increased your job opportunities? Limited Increased

f. If limited: Why? _____

IF increased: Why? _____

12. Is there any gender segregation about the type of work in this sector?

Yes No Don't know

13 a. What is your wage? Below 50 50-80 80-100 100-150

150-200 Above 200

- b. **On what basis do you get your wages?** Daily Weekly Monthly
 Contact for a period Other , specify _____
14. **Are you aware of minimum Wage Act?** Yes No
15. **What is the status of your work?** Permanent Temporary Daily wage
 earner contract for a period Casual labourer
16. **Are you sole bread earner of your family?** Yes No
17. **From when have you started working in this sector?** _____
18. **For how many hours do you work in a day?** Below 5 5-10
 10-15 Above 15
19. a. **Do you get any social security coverage?** Yes No
 b. **If yes: What kind?** Maternity benefit pension benefit provident fund
 sickness/illness benefit accident benefit others , specify _____
20. a. **Have you ever faced any kind of sexual harassment in the workplace?**
 Yes No
 b. **If yes: By whom?** Co-workers employer contractors thekedars
 Any other , specify _____
21. a. **Do you have trade union?** Yes No
 b. **If yes: Are you a member of it?** Yes No
 c. **If yes: How are you benefited from this unionization?** _____

22. **Are you stratified with the conditions of work?** Yes No

23. a. What problems do you face? _____

b. Do you get the facilities of mobile crèches? Yes No

c. If yes from whom? _____

d. Do you get housing facility from the employer? Yes No

e. Where Do you stay here? _____

f. What problems do you face? _____

24. Does your spouse share household work with you? Yes No

25. Do you have control over your income? Yes No

26. What type of control? Full control (100%) Partial control (up to 50%)

Negligible control (less than 50%) No control

27. a. Will you leave job, if your spouse earns enough for the household?

Yes No

b. If Yes, why? _____

If No, Why? _____

28. a. Do you want to stick to this sector? Yes No

b. If yes: Why _____

If No: Why _____

29. What is the age range of the people working in this sector? _____

30. Do you a ration card? Yes No

31. Do you have voter's card? Yes No

Extra notes: