

DHAS GRAMIN VIKAS KENDRA

ALIRAJPUR, MADHYA PRADESH

Annual Report 2010-11

- 1. Summary :** The Dhas Gramin Vikas Kendra through its trade union wing, Khedut Mazdoor Chetna Sangath, has implemented various development interventions in Alirajpur District of Madhya Pradesh over the period from April 2010 to March 2011 financially supported by the Sir Dorabji Tata Trust and Edelgive Foundation. The important outputs of the intervention were seminars, training workshops, surveys, research documents and mass rallies held on the issue of migration, identity cards for the migrant labourers and a Hindi version of the Inter-State Migrant Workers Act. The most important outcome of the project was the increase in employment generated and payments made under the National Rural Employment Guarantee Scheme followed by the awareness among the labourers about their rights leading to a greater attention being given by the Madhya Pradesh Government to their plight.

The project efficiency was quite high as the issue of migration was brought to the forefront of discussion at the village level, at the level of the district administration and also in the media. Apart from this by generating upwards of 600000 extra human days through the MGNREGS by helping people who had earlier never done so to fill application forms demanding employment, an extra income of Rupees Six Crores has been generated for the people which is 30 times the total grant for the project. There were also cases of those who had already worked in the MGNREGS but their payments had been held up. Over the three years the efforts of the organisation resulted in over Rs 1 Crore of such payments being made.

Legal case work was also done. The case in the Supreme Court regarding compensation to be given to workers who had been disabled or had died due to silicosis contracted from working in stone crusher units in Gujarat. The Supreme Court passed an order that the National Human Rights Commission (NHRC) declare a compensation package for the victims. The NHRC accordingly declared two compensation packages, one for the deceased's kin to be paid by the Government of Gujarat and one for the disabled to be given by the Government of Madhya Pradesh. The Gujarat Government has flatly refused to comply with the recommendations of the NHRC while the Madhya Pradesh Government has only partially complied with it. So the matter will now go to the Supreme Court again. Apart from this compensation has been negotiated informally with private employers for migrant workers who died while working for them. Legal action could not be taken because the victims were not prepared to go through the long and arduous process of fighting cases in far away courts to get better compensation.

The legal and mass organizational interventions have been very effective as they have raised awareness levels all round and forced the district administration to take action. Given the severe lack of livelihoods of the Bhil adivasis the interventions have been extremely relevant too and brought about an increase in the well being of the people. The stage is now well set for establishing migrant facilitation centres in the destination areas in Gujarat for pressurising the Gujarat Government to provide better facilities to the tribal labourers.

- 2. Background of Project :** Alirajpur district is situated in the southwest corner of Madhya Pradesh (21.3 - 22.55 N & 73.3 - 75.01 E, Ht above MSL - 317m) bordering

the Vadodara district of Gujarat. It is predominantly inhabited (86%) by Bhil adivasi marginal and small farmers and has no industrialisation. The large forest area is stocked mostly by degraded forests. Due to this lack of sufficient incomes from their primary occupation of agriculture, the lack of adequate forest resources and the absence of alternative livelihoods from industries the people have to migrate to Gujarat and other areas to make ends meet. The district administration does not provide the support that it is mandated to do under the provisions of the Inter State Migrant Workers Act. Thus the migrants mostly have to work under disadvantageous conditions in Gujarat. The various characteristics of Alirajpur district are as below -

- a. Total Area - 3011 sqkm, Agricultural Land - 1701 sqkm, Non-agricultural Land - 692 sqkm, Forest Land - 425 sqkm, Waste Land - 193 sqkm
- b. Minimum Temperature-8⁰C, Maximum Temperature-43⁰C, Rainfall-1100mm
- c. Irrigated Area - 13.8%, Area under Maize - 19%, Area under Sorghum - 9%, Area under Wheat - 5%, Area under Rice - 5% Area under Gram - 4%, Area under Redgram - 2%, Area under Blackgram - 22%, Area under Cotton - 2%, Area under Groundnut - 10% and Area under Soyabean - 1%.
- d. Population (2001) - 522804, Decadal Growth Rate - 26.5% Sex Ratio - 998, Scheduled Castes - 5.6%, Scheduled Tribes - 87.1%, Literates - 28.5%, Rural Population - 92%, Working Population - 53.8%, Agricultural Livelihood-90%
- e. Marginal Farmers - 38% of farmers and 11% of agricultural land.
Small Farmers - 30% of farmers and 24% of agricultural land.
Semi-medium Farmers - 22% of farmers and 32% of agricultural land.
Medium Farmers - 9% of farmers and 28% of agricultural land.
Large Farmers - 1% of farmers and 5% of agricultural land.

The objectives of the project are to improve the employment opportunities and the working and living conditions both in the source areas and also at the points of migration, to determine the status of the people through surveys, capacity building, legal and policy intervention.

3. Program Findings : The major findings of the programme with respect to the objectives, project design and implementation, outputs and dissemination and capacity building are as follows -

- i. Objectives** - The intervention in the migration destination areas was not possible because surveys revealed that this required institutional presence in Gujarat. Unfortunately the overall project had not made provisions for institutional presence in the South Gujarat and West Gujarat areas where migrants from Alirajpur go for work. Attempts to get institutions already working in these areas to take up migrant support work too did not bear fruit. The intervention in the source areas through the generation of employment under the Mahatma Gandhi National Rural Employment Guarantee Schemes was extremely satisfactory. Village workshops were organised continuously and in the course of these it came to light that payments for work done by the villagers under the MGNREGS in earlier years were still pending. The Sangathan organised these villagers to make mass representations to the administration in Sondwa Block and as a consequence 3050 labourers received their backlog wages of about Rs 1 Crore 4 Lakhs. These actions were widely covered in the local press and caused considerable embarrassment to the administration. In one village Anjanwara the people had to be paid unemployment allowance as the administration failed to provide them with employment. The

process of application for work was then started so as to ensure that many more works were opened and people who had not worked earlier were inducted. An interesting incident happened in this connection. When the people of Kansalwai village went and submitted their work demand forms to the Sarpanch he shouted at them for doing so saying they were unnecessarily burdening him with more responsibilities. After that the next time a Sangathan activist went to the village the Sarpanch accosted him and after scolding him took away the keys of his motorcycle. The activist, not to be outdone, threatened the Sarpanch that if he did not return the keys then he would ensure that the latter could not enter Alirajpur again. This made the Sarpanch backtrack and return the keys. Though exact estimates are not available more than 600000 humandays of employment have been created in over fifty villages due to the intervention of the Sangathan leading to the payment of over Rupees Six Crore to people who have worked under the scheme for the first time. The impact of the work done can be gauged from the fact that Khemla the coordinator of the project was once accosted in the Block office in Sondwa by the staff there for bringing so many people to demand jobs. Not to be deterred he has not only continued the process but has also made the people of the Khuder hamlet of Sakarja Panchayat file a complaint demanding unemployment allowance for not being given employment in 2010-11 despite having made applications under the scheme.

- ii. Project Design and Implementation** - The intervention was mainly designed around the village level meetings that were to be held regularly. It is these meetings that threw up the problems with regard to MGNREGS implementation which then led to very good mass remedial action. They also revealed the extent to which the local leadership in the Panchayats and the bureaucracy is averse to implementing the MGNREGS and the provisions of the Inter State Migrant Workers' Act (ISMW).

The second aspect of the project design was the conduct of surveys to determine the actual situation prevailing among the migrants in both the source and destination areas. These too were successfully completed and have provided crucial data on the basis of which further action can be taken.

The third aspect of the project design was to conduct capacity building workshops of the project activists and also of the people. The six capacity building workshops held over the project period led to the following major conclusions -

- a.** A reliable institutionalised support system has to be developed in the migration destinations for taking advantage of the provisions of the ISMWA and other beneficial laws and policies by putting pressure on the Government of Gujarat.
- b.** The Madhya Pradesh Government has to be pressurised to implement the provisions of the ISMWA especially by providing support at the panchayat level and by setting up a labour court in Alirajpur.
- c.** The Khedut Mazdoor Chetna Sangath has to intensify its lobbying with the political parties for amendment of the ISMWA to accord with the changed situation currently wherein migrants search and get work on their own instead of through contractors.

d.

The workshops and seminars were covered by the local print media and they received good space in all the major newspapers thus aiding in the lobbying

process by creating some pressure on the administration. Thus the conduct of workshops too was accomplished very successfully.

The fourth aspect of the project design was the holding of mass rallies to put pressure on the administration for implementation of various laws and policies. Six big rallies have been held highlighting the issues of poor implementation of the Interstate Migrant Workers Act, the Scheduled Tribes Recognition of Rights Act, The Panchayat Extension to Scheduled Areas Act and the Mahatma Gandhi National Rural Employment Guarantee Scheme. All these acts are crucial to the right to livelihood of the tribals and the government has been consistently ignoring them. Memoranda have been submitted to the District Collector and these rallies too have been well covered in the media.

The final aspect of the design was to undertake legal action and case work in favour of the migrants. The case being fought in the Supreme Court for compensation to the victims of the stone crushing units resulted in the Court ordering that the NHRC should recommend the compensation and rehabilitation packages for the victims of silicosis contracted while working in the stone crusher units in Gujarat. The NHRC recommended a compensation of Rs 3 Lakhs to the kin of each of the deceased workers and a rehabilitation package for those who have suffered disability. The former was to be given by the Government of Gujarat and the latter by the Government of Madhya Pradesh. However, both the governments have refused to implement these recommendations and so the case will now go back to the Supreme Court. People have generally not been keen to pursue compensation claims in the courts due to the time and expense involved. So the KMCS has informally settled eight cases and made compensation available where none would have been otherwise.

iii. Project Outputs and Dissemination - The first major output of the project was the Hindi translated version of the Inter State Migrant Worker's Act. It is an indicator of how little interest the Government of Madhya Pradesh has in the issue that there is no Hindi version of the Act available either with the government or in law book stores. So the Act has been translated into Hindi for publication and dissemination.

The second major output was an analysis report in Hindi of the migration mapping surveys conducted among 5032 households of 34 villages in the six blocks of Alirajpur district. The main points emerging from these surveys were as follows -

- a.** The average family size is 6 which is quite high as compared to the available livelihood resources and this is one of the major reasons for people having to migrate to supplement their incomes.
- b.** The proportion of unitary families is just above 50% and the sex ratio is more or less balanced.
- c.** The male literacy rate is 21% while the female literacy rate is 14%. As many as 55% of the families did not have even a single literate member. This is a cause for concern as in the absence of education and other skills most of the people are just agricultural workers or unskilled workers.
- d.** The proportion of families who migrate for work is as high as 85%. As many as 44% of the families had 30% or more members who had migrated for work. This is a clear indication of the extent to which the families are dependent on the income from migration for their livelihoods.

- e. 60% of the families migrate only once a year and for a period of three months or more in a year.
- f. All the families migrate to either work in construction or in agriculture in almost equal proportion.
- g. 55% of the migrants earn Rs 100 or less per day as wages. The highest average daily wage is in Surat district where it is Rs 120.

These surveys have clearly established the great extent to which the people of Alirajpur are dependent on migration as a source of livelihood. In this context the importance of the issuance of photo identity cards becomes paramount. The overall cardholding membership of the organisation is 2538 with 1772 males and 776 females. Earlier there were no cardholding members and this is a process of formalisation that has been introduced very successfully as part of the project.

The third major output was the report of the survey of migrants in Surat and Navsari. The survey revealed the following difficulties being faced -

1. Many of the respondents complained about their extreme poverty back home which forced them to migrate. They said that often they did not even have the money for the fare and so they had to borrow this money and some initial living expenses at an exorbitant interest rate and make the trip.
2. The farms and work places are often very far from the places of residence and so people have to wake up very early and return very late from work.
3. The work is very hard and results in illnesses. Spraying of pesticides for agricultural workers and lifting heavy sacks of cement up ten storeys for construction workers are the most dangerous of occupations that sometimes lead to fatalities.
4. Wages are paid late and sometimes only at the time of returning and so the labourers get short changed due to deliberate wrong calculations by the employer or contractor who take advantage of the former's lack of numeracy.
5. Cooking of food is a big problem. Fuelwood is expensive and the wood fire dies out in the open when there is a strong wind blowing.
6. The scarcity of water and lack of sanitation facilities are a serious problem especially for women who have to do their ablutions in the night.
7. Care of children is a problem and they have to be taken along to places of work where they sometimes meet with accidents.
8. The lack of free medical care is a persistent problem. The labourers frequently fall ill living as they do in the open and then they have to spend a lot of money on private treatment. Sometimes they have to return home.
9. Due to their lack of legal knowledge and non-functioning of government support systems they are unable to get proper compensation from the contractor or principal employer in cases of loss of limbs or death in the course of work.
10. The police often bother the migrants and implicate them in false cases apart from siding with the employers and contractors when there are occupational accident cases.

The study provides solid evidence of the sorry situation of the Bhil tribal migrants in South Gujarat and especially the women and the neglect of their rights by the governments of Gujarat, Rajasthan, Maharashtra and Madhya Pradesh. While the first is both a source and destination area the latter three are source areas. Significantly the economic evaluation of the migration cycle shows that despite the appalling working and living conditions the migrants are able to take back with them a net income which would not be possible if they stayed back and this is why there is so much migration. On the basis of the findings of this study and the experience of the Khedut Mazdoor Chetna Sangath over the past five years or so in trying to improve the condition of the tribal migrants the following recommendations were made –

1. The Government of Gujarat must pro-actively implement the provisions of the Inter State Migrant Workers Act (ISMW), The Contract Labour (Regulation and Abolition) Act, The Workmen's Compensation Act. Mechanisms must be put in place to enable migrants to easily lodge complaints against the rampant violations of these laws that are taking place with impunity at present.
2. Under the provisions of the ISMW Act the contractor or principal employer is responsible for providing shelter, water, sanitation and health facilities and creches for their children to the migrant labourers and this has to be strictly implemented through the registration and regulation of all establishments in which migrant labour are employed. This is something that the Government of Gujarat has to ensure as on their own neither the contractors nor the principal employers will do this.
3. The Gujarat Government must ensure that the police and other government staff do not harass the migrants as they do at present. This is one of the main reasons for the migrants not organising to demand their rights.
4. The source area governments too are lax in providing support to the migrants. The surveys by the Khedut Mazdoor Chetna Sangath in Alirajpur have established that 85% of the families there are migrating for work to Gujarat. Even at a conservative estimate of two people per family and a rough count of about 1,25,000 families in the district this comes to about 1,15,000 families who are migrating. As calculated earlier each family brings back about Rs 3000 in net earnings which they then spend in Alirajpur district. This works out to a total consumer expenditure of Rs 34.5 crores a year which is not only a boost to the rural economy but also through taxes a contribution to the coffers of the state and central governments. A similar contribution is being made by the labourers from Maharashtra and Rajasthan.

Under the circumstances this neglect of the rights and welfare of the migrants by the source state governments is nothing short of criminal. The apathy of the source state administrations to the plight of the migrants was poignantly revealed by the residents of Tembli village in Nandurbar district where the first Unique Identity Cards were distributed. The residents have to migrate to Saurashtra in Gujarat to make ends meet but were prevented from doing so for a month because the Prime Minister was to come and give them the identity cards. Immediately after receiving the cards they went off to Saurashtra for their customary migration saying that the cards would not get them anything in Maharashtra (Devasia, 2010). Thus, the source area governments need to set up migrant worker facilitation centres to make the migrants aware of their rights and entitlements and take action on their behalf with the Government of Gujarat.

5. Women migrants face severe problems with child care and reproductive health and so the Gujarat Government must make special provisions for them. The women and child welfare programmes are largely non-functional for the migrants in the destination areas and even in the source areas they are sputtering along somehow. There has to be a concerted effort to weed out corruption and ensure greater participation of NGOs and mass organisations. A special effort has to be made to ensure that the new Right to Education Act is implemented for migrant children in Gujarat also.
 6. The respondents have clearly stated in the survey that they mostly have contact only with the Sarpanch of their village among government officials and politicians. Thus, there is a need to set up Panchayat level facilitation centres for the migrants where they can get legal aid and be made aware of their rights and entitlements. This is crucial as the present mechanisms for redressal of grievances are too far off from the tribals for them to even contemplate approaching them.
 7. To facilitate all this the ISMW Act has to be amended drastically. This will only be possible if there is a civil society initiative in this direction. There has first to be a consultation between organisations working on migration followed by the formulation of a draft bill and policy.
 8. NGO facilitation centres have to be set up in Surat and Navsari where migrants can register complaints. At present the members of the Khedut Mazdoor Chetna Sangath even after being made aware of their rights find it difficult to get them implemented. Primarily because they are distributed thinly over many locations in Gujarat and so cannot coalesce into a critical mass that can put pressure on the employers and the Gujarat Government. The surveyors too could not get any information from the lower level government staff they approached given the reluctance of the Gujarat Government to help the migrants.
 9. Detailed research has to be carried out primarily by the concerned governments but also by NGOs to determine correctly the extent and character of the migration that is taking place and the problems the migrants are facing so that appropriate institutional, legal and policy measures can be taken to improve the sorry situation that prevails at present. The present survey provides only indicative pointers and due to sampling problems cannot be made the basis of any projections regarding the number of migrants as a whole and their living and working conditions.
- iv. Capacity Building** - Great Stress has been laid from the beginning on capacity building of the staff and the people. The following activities were undertaken during the year for this purpose -
- a. The full time workers of the project - Khemla, Veena and Retli attended three training workshops conducted by Prayas. They learnt about the methods of grassroots mobilisation of migration workers at these workshops and were considerably benefited from them.
 - b. The workers of the project also participated in various other conferences from time to time including two national level ones organised by Prayas in Delhi and Jaipur. These provided considerable knowledge and networking expertise.
 - c. Shri Sudhir Katyar, Shri Ashok Khandelwal and Smt. Rina Parmar from Prayas paid a visit to Alirajpur on 14th and 15th of November 2008 to interact with the Dhas staff and also with the people in the villages. Later a team of

activists from Dakshini Rajasthan Mazdoor Union and Khetihar Khan Mazdoor Sangh also paid a three day visit in December 2008. Meetings with the people were organised on both occasions and this led to a very fruitful exchange of information and experience between the hosts and the visitors.

- d. Khemla and Magan spent a week in Ahmedabad during the brick kiln worker's strike in February 2010 to assist with the mobilisation and support work.
- e. The capacity building workshops and meetings conducted for the people have been detailed earlier. Thus there is a continuous process of reflection and training to increase the knowledge and the action skills of the people and the staff with regard to interventions in the area of migration.
- f. A detailed survey of the economics of tribal households has also been conducted which reveals the heavy dependence on the migration income to make ends meet due to the weakness of agriculture.

4. **Project Management** - The project is being implemented with a very small band of full time paid staff as the stress is on utilising the voluntary efforts of the members of the Sangathan. This modus operandi not only keeps the costs of implementation down but also ensures that the people themselves learn how to negotiate with the administration and so in the long run, the sustainability of the intervention is guaranteed. Khemla was the full time coordinator of the project.

However, since he does not have the capacity to take care of the report writing and planning aspects he takes only the half salary of the project coordinator that has been sanctioned in the budget. The report writing, planning and account management functions are undertaken by other staff of Dhas Gramin Vikas Kendra who are not paid workers of this particular project but are also involved in other projects. Retli and Bina were the two female full time field workers of the project. The work of the male field workers, for whom there were no budgetary provisions was done by the male members of the Khedut Mazdoor Chetna Sangath on a voluntary or contractual basis.

The organisation has been able to perform very efficiently and effectively through this modus operandi and has not only delivered the goods in the field but also been punctual in filing its narrative and financial reports. Continuous review meetings were held every month to plan the activities of the project. This was necessary because new situations arose continually from the village meetings requiring the reorientation of goals and strategies.

5. **Impact** - The work of the Sangathan antagonised the sarpanches and the corrupt local bureaucracy and there have been a number of instances of threats to the activists and members of the Sangathan. This is in itself an indication that the project has made an impact and in many places people have been empowered to fight for their rights.

There is a heavy demand for photo-identity cards and the people are readily paying Rupees twenty to get these cards. They have said that for the first time they have an institutional framework to which they can turn in case of problems in the destination areas. That is an indication of the credibility that the Sangathan has been able to build up among the people.

The survey work done by the organisation has for the first time provided reliable data and analysis of the migration phenomenon in Alirajpur district on the basis of which further action can be taken. The Surat study especially was very well received in the conference organised in the Centre for Social Studies in Surat.

The media has responded positively to the work of the organisation and all its activities are well reported. The media even publicised that the plight of migrant tribal workers was a major election issue in Jhabua and Alirajpur districts in the Vidhan Sabha elections in 2008 and focussed on the work of the organisation.

The district administration too has had to take note of the issues being raised by the organisation and has adopted a pro-active role in at least ensuring that employment under MGNREGS is provided on time to the people.