

DALIT MIGRANT WORKERS AND THEIR RIGHT TO THE CITY

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ABSTRACT

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Increasing migration is a result of a consequence and a cause of the growth of cities. As such cities are now becoming crucibles of peoples of different socio-cultural and economic backgrounds and origins. Generally, people migrate to cities for various reasons such as possibility of jobs and employment opportunities and freedom from poverty, unemployment, limited job opportunities and the socio-political unrest at the place of origin. However, their life and experiences at the place of destination are usually characterized by various uncertainties, discriminations, and so on, In this context, the paper will try to conceptually locate the “Dalit migrant workers” at the place of destination and their relationship with the city and their claims in terms of rights to the city and also try to understand their negotiations with the urban commons; physical, social, economic, and cultural. The paper will also try to explore what fails the migrant workers to get “recognition” as other city dwellers. And lastly, the paper will also analyze the role of the state apparatus and their policies in providing equal access and recognition of migrant workers in Indian cities. The paper will make use of descriptive method based on secondary sources and field experiences.

KEYWORDS: *Migration, Dalit migrant workers, right to the city, urban commons*

INTRODUCTION

Cities have always attracted migrants. The European medieval saying “city air makes you free” describes how moving to the city once enabled people to shed feudal bonds and become free citizens. Everywhere around the globe, people migrate to cities to take refuge, seek freedom, and find employment and jobs. However, many migrants are not ‘free citizen’.¹ In fact, new migrants coming to the city for various reasons are often denied legal status, criminalized and discriminated in many ways.

In India during different phases of history, many new cities have emerged and many have declined, shaping the history of India. The dynamics of city growth shows that migration has been a very important component as cities were centres of trade, manufacturing and services. These functions could not have been sustained without migration and migrant labour. People migrate to cities not only for work, but also on account of business, education, marriages, natural disasters and conflicts etc. At the same time, migration raises a central issue for the right to the city i.e. the right for everyone to access resources and amenities equally that the city has to offer, and how best to promote awareness, representation and rights for a transient population.²

Dubey, *et al* (2004) the study examines the empirical significance of Lewis Model in Indian Economy with respect

to surplus labour in rural area and migration to the urban area. The rural agricultural workers have two types one is higher caste workers and another is backward castes workers. Marginal social groups of backward castes (SCs) and tribal population (STs) constitute the surplus labour in rural areas. The migration rate is recorded high in upper castes workers than backward castes workers; because of higher income, education and having some skill.³

Joseph, (2007) on the study of Dalits in Maharashtra mostly the Mahars studies that the Dalits when migrate to cities due to surplus labour in villages due to lack of employment opportunities in villages, in the cities they have fairer chances of social mobility.

RIGHT TO THE CITY

The right to the city lies not in property ownership but presence in the city (Purcell 2013). People possess this right independently of their status as citizens, temporary residents, or being illegalized migrants. The right to the city implies that “all residents belong to a territorial polity and should be recognized as citizen-subject” (Bauber, 2015: 255). Therefore, the rights to the city has an independent and cross-cutting structure and revolves around equal access to public space and urban commons such as parks, water, electricity, transport, sanitation, housing, health care etc. The right to the city also requires marginalized groups as social and

political actors to exercise full meaning and recognition of their citizenship and legality. A city of inclusive citizenship is one in which all inhabitants whether ethnic and religious groups and migrants are granted equal treatment and free from victims of discrimination, marginalization, violence and hatred.

The right to the city also embraces diversity and differences in terms identity, ethnicity, religion and socio-cultural practices. It requires that the city creates possibilities of positive encounter and active interactions among all the inhabitants in which reciprocal relations and mutual understandings are integral part in the production of urban life. In other words, it also requires respecting all religions, ethnicities, cultures and customs (Global Platform for the Right to the City, page 5).

In this backdrop, the paper will discuss the Dalit migrant's right to the city from the political, economic, socio-cultural aspects and basic amenities.

THE POLITICAL QUESTION OF DALIT MIGRANT WORKERS

The situation of the migrant workers in a city is a larger political question which revolves around the social, cultural, economic and local political situations and which affects the everyday lives of the migrant workers and it needs stronger political interventions both at the micro levels and macro levels. The migrant workers are the most invisible part of the political-economic systems, but theirs is the largest contribution to the growing economy and the economy grows on the exploitation and expropriation of the human resource of the migrant workers.

The migrant workers face this wrath where they are blamed to be burden on the resources at the destination place, and there has been a continuous protest by the "locals" against the migrant workers, and it's important to note that the protests were directed towards the migrant workers be at the construction sites, domestic helps and others and were very minimal directed toward the higher end migrants (for whom it's much easier to get assimilated in the city-culture). The migrant workers constantly feel threatened to be thrown out one from the work and other because they don't "belong" to that place, so they don't have the agency to fight back.

*Marina Faetanini at UNESCO which produced a report about the internal migration in India. "If you are treated as a second class citizen you will not cherish the city either."*⁴

So, the sense of attachments if is not there then, the migrant workers (to be more precise) never considers themselves to be part of the city and the city also treats them as the "other".

The other political challenge which is faced by the migrant workers is the way the ruling political parties pay no heed to their welfare (overall, there has been a decline in the welfare programs of the state for the underprivileged population) as they are not their vote banks. One example, is of the Delhi Assembly elections, where the major focus thrown by the political parties have been on the middle income and upper income migrants and their colonies and is mostly centered around the cultural and linguistic politics but hardly talking about the migrant workers and their challenges. The lack of political security and safeguard also forces the migrant workers to shift back to their source destinations to settle for employment and their peaceful life. One example is of *Alamgir, a rickshaw mechanic from Bihar who says though he has lived in Delhi for eight years, he still dreams about making enough money to open a cycle repair shop back in Bihar someday.*⁵

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THE ECONOMIC QUESTIONS OF DALIT MIGRANT WORKERS

In present, more than fifty percent of total population lived in urban area and the sixty six percent will be live in city by 2025.⁶ In the third world countries urbanization has changes all types of socio-economic and political condition. The rate of urbanization in the developing countries is more comparing to developed countries; the main reason is unequal growth in rural and urban areas. Before the economic reform there were few mega cities in India but the rapid urbanization happened after the economic reform. But in 1991 when the country adopted economic reform policy has enhanced the way to the private sector to invest in the specific area basically in urban area. Due to this most of the growth center and economic activity are concentrated in urban area and city creates the huge job market to the people. This situation has increased the rural urban migration. But according to Vernon Henderson, in initial stages, urbanization had promoted economic growth at the certain level but after attaining certain level, the impacts were negative in economic growth.⁷

THE SOCIO-CULTURAL QUESTION OF DALIT MIGRANT WORKERS

The commons is not only about the earth that we share but also the languages, the social practices and the modes of sociability that defines our relationship.⁸ However, despite the enormous contributions of migrants toward economic progress and cultural plurality of a city, urban or city-in migration has not been viewed positively and sentiments against these groups of migrants are growing.⁹ Consequently, migrants face a variety of problems and issues as they settle down in the city. In India, the exclusion and discrimination against migrants take place through political and administrative processes, market mechanisms and socio-economic processes causing a gulf between migrants and the locals along ethnic, religious and linguistic lines (Bhagat, 2011). The migrants' right to the city is most strongly denied in the political defense of 'sons of the soil' which aims to create divisions along ethnic and linguistic lines, even dividing migrant communities into those who belong to the state (same linguistic group) and those migrants from other states (different linguistic groups) (Rajan et al 2001). Anti-migrant 'sons of the soil' movement had occurred in the states like Maharashtra, Assam and few others where migrants are regarded as 'outsiders'. And these wrath is mostly suffered by the Dalit migrant workers due to the lack of the cultural capital. These forms of categorization and differencing lead to the marginalization of migrants and exacerbate their vulnerabilities to the vagaries of the labour market, the risks of discrimination and violence and so on.

Therefore, migrants are diverse groups whose vulnerability and exclusion is determined not only by economic factors but also by a large number of non-economic factors including political power, ethnic religious and linguistic identities and their social and cultural life in the city.

ACCESS TO BASIC AMENITIES AT DESTINATION PLACE

It's important for the migrant workers to get basic amenities at the destination place as they have been already deprived of their needs at their rural /source of migration. This is the responsibility of the industries, owner and the government to ensure them of these facilities. There are no proper laws and rules and regulations for migrant workers to provide them facilities, whatever the law is there it is there in

the labour laws where these have to be addressed. In India, Inter-state migration Act was made in 1979, but it has not been properly and fully implemented till now. Apart from this no rules and regulations have been made by the government. This is why the migrant workers have become refugees in their own country.

The Dalit migrant worker feel that they have come on their own to the destination place, so it's their responsibilities for their problems. They think that they have to take care of themselves and there is no fault of the government and the owners. Whenever there is sudden accidents then they also feel that it is their problem and they don't want to proceed with any legal action. The migrant workers are socialised that they that they feel that it is their fault in their accidents and problems.

But, the migrant workers are not able to understand that it is because of them that their hard work the city is developing. And they have to feel the right to the city.

CRITICAL ASSESSMENT OF GOVERNMENT POLICIES

In order to build inclusive cities and to promote migrants' integration into the local populations, the recognition of migrants' right to the city by civic bodies, organs of governments, local elites and other stakeholders is fundamental. Building a positive attitude towards migrants and migration and, recognizing their contribution to the city, although a long term process is essential. A positive attitude towards migrants will pave the way for their political, economic and social inclusion in the city; reduce discrimination in accessing the services of different government offices and even save them from police harassment (Bhagat, 2011: 56).

Government policies and programmes are silent on the issue of migration and protecting the rights of migrants. This is evident in the Five Year Plan documents. Both the 11th Five Year Plan (2007-2012) and the Draft Approach Paper to the 12th Five Year Plan (2012-2017) recognize urban transition in a positive framework, yet no reference has been made to the migration issue in these documents, let alone to the safeguarding of migrants' rights in the city (Bhagat, 2011: 56).

The Indian constitution is to some extent ambiguous on the question of rights of the migrants. Article 15 prohibits any discrimination on the grounds of religion, race, caste, sex and place of birth. Article 15 prohibits discrimination in the employment or appointments to any office under the state on grounds of 'descent, place of birth or residence'. However, parliament can pass a law laying down the requirement of residence within a state for appointments under that state.

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 was enacted by the Parliament of India to regulate the condition of service of inter-state labourers. The Act's purpose is to protect workers whose services are requisitioned outside their native states in India. However, the Act at forty years still remains on paper. The Act, however, has several loopholes. One is that there the Act do not have scope for individual migration to avail benefits under the Act which is provided only for *tola* (group) migration. Also, every out-migration has to go through intermediaries such as contractors and agencies in a way prohibiting voluntary individual migration. Therefore, Dalit migrant workers in the country should be properly regulated and protected even till today making their livelihood and experiences vulnerable and precarious.

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