MIGRANTS IN INDIA AND THEIR RIGHT TO FOOD

Migration occurs when workers in source areas lack suitable options for employment/livelihood, and there is some expectation of improvement in circumstances through migration.

The National Commission on Rural Labour, concluded in 2003 that uneven development was the main cause of migration. Along with inter-regional disparity, disparity between different socio-economic classes and the development policies adopted by various governments since independence has accelerated the process of migration. The indigenous people in the tribal regions are forced to move out of their natural habitats due to intrusion of outsiders, displacement and deforestation caused by construction of dams and mining activities and failure of agricultural livelihood. Amongst women and children, marriage, trafficking, forced labour and prostitution also figure amongst the top reasons for migration.

Migration is invariably connected to hunger and poverty. Most migrant labourers in India are employed in the unorganised sector, where the lack of regulation compounds their vulnerability; they are largely ignored by government and NGO programmes. Legislations regarding migrants fail because regulatory authorities are over-stretched; the state sees migrants as a low priority; and migrant workers have little support from civil society. The precarious conditions under which they live are aggravated by low wages, irregular employment and lack of access to Govt. welfare and social security schemes for the poor. Poor migrants, especially those working in the unorganized sector, often face denial of basic entitlements including access to subsidized food, housing facilities, drinking water, sanitation and public health facilities, education and banking services and often work in poor conditions without any social security or legal protection.

A major cause of worry here is that migrants continue to live a vulnerable life despite the existence of various National and International safeguards for their rights. Universal Declaration of Human Rights, 1948 declares that “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to the security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control”. In India, it is the government’s responsibility to ensure all the basic human rights to its every citizen. The Constitution of India (Article 19) gives the right to all citizens “to move freely and reside and settle in any part of the territory of India.” Several Centre/ State Acts, constitutional provisions and court directives aim at upholding the rights of migrants. Women are given more provisions keeping in mind their vulnerable position. In 1993, India ratified and agreed to follow the provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted in 1979 by the UN General Assembly which ensures women equal stature as men.
The right that is mostly denied is the migrant's right to adequate, nutritious food. Migrant workers and their families, in the first place, complain of non-issuance of Ration Cards to them as the primary reason for going hungry. Secondly, their access to the benefits under the Public Distribution System (PDS) is hampered due to their migrant status. Food costs more for migrant workers who are not able to obtain temporary ration cards. They are forced to live at the mercy of food-market whose demands they can hardly meet.

Women and children are the most affected due to their vulnerability and invisibility. Migrant children hardly receive any education due disrupted schooling, forcing them to follow the fate of their parents and continue in poverty and deprivation for generations.

DEMANDS

- **Migrant’s right to adequate and nutritious food should be immediately addressed** by making the Right to Food Act inclusive of provisions that ensure food for even those who fall outside the current criteria set by the act as most of the migrants in the urban areas can never claim to a permanent shelter and thus obtain an identity card of any sort.
-Migration and migrants must be covered in a comprehensive and focused manner in policy documents; national development plans; public services and government programmes.
- **Pro-poor development strategies must be adopted** to provide migrant families sustainable livelihood opportunities, proper housing facilities and common property resources, social and physical infrastructure.
- **Government agencies could act as a resource pool for migrants** residing in different areas, maintaining a register of migrant workers. Lack of reliable data is a hindrance to finding the right solution for the grievances of migrants.
- **The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act (1979) must ensure that** (i) all migrants and not just migrants crossing state boundaries are registered with clear guidelines for interstate cooperation. (ii) It must monitor unregistered contractors and establishments. (iii) Ensure access of migrants to social protection, and their right to the city with special focus to the vulnerabilities of children and women migrants.
- **It is necessary to build awareness on internal migration** and adopt a human rights-based approach to migrant inclusion and prepare our cities for the heavy inflow of migrants expected in the future.
- **India must ratify The United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families** in order to assert the rights of migrants.