

CAPITALIST FARM SECTOR AND MIGRANT LABOUR IN PUNJAB : A SOCIO-LEGAL STUDY

I Green revolution

GREEN REVOLUTION has been a phenomenal success in Punjab and this small state of the Indian Union has rightly earned, on that account, the status of being the bread-basket of the country.¹ Although primarily an agricultural state, it is one of the most developed states in the country, and the agricultural sector has contributed about 57 per cent to its net domestic product (NDP) at 1970-71 prices in 1978-79.² Over 80 per cent of its population depends directly or indirectly on agriculture and the green revolution has increased the per capita income appreciably.³

The factors that have accelerated the pace of the green revolution include better irrigation facilities,⁴ optimum use of fertilisers⁵ and of land through multiple cropping and commercialisation of agriculture. Above all, mechanisation of farming has helped the farmers to increase agricultural production. As a result, the cropping intensity has gone up from 126 per cent in 1960-61 to 156 per cent in 1979-80. There were an estimated 82,000 tractors by the end of 1980, which is about half of the total number of tractors used in the whole of India. The number of tubewells has increased to 19.75 lakhs and those of harvesting combines to 570.⁶

Some of the important socio-economic effects of the green revolution in Punjab are clearly discernible today. The myth that, as agricultural development goes apace, the state would witness the rural homogeneity at social, political and economic level, has already been exploded. In fact, the economic inequality, and caste and communal divide have aggravated to serious dimensions. The change that has crystallised over the years after the revolution is not the economic and social homogenisation of rural people but the homogenisation of the rural rich—the big landlords—who have pocketed all the gains of the revolution. It is

1. The procurement of paddy which was 42.94 lakh tons in 1979-80 rose to 58.88 in 1984 and that of wheat from 32.05 lakh tons in 1978-79 to 50.1 in 1984. (*Courtesy: Punjab Directorate of Agriculture, Chandigarh*).

2. *Economic Survey* 18 (1980-81) (Government of Punjab).

3. At the 1970-71 prices, per capita income of the state was Rs. 1,321 in 1979-80 as against Rs. 712 at the all India level for 1978-79. *Id.* at 2.

4. In Punjab, 80 per cent of the net area sown was irrigated in 1979-80. *Id.* at 20.

5. In 1978-79, the fertiliser consumption in Punjab per hectare of gross cropped area was 92.9 kg. as against all India average of 29.7 kg. *Id.* at 3.

6. *Id.* at 21.

undoubtedly true that the benefits of growth in the farm sector have not percolated down to the poorer sections of the rural population including marginal farmers, landless farm labourers and artisans. The rural inequality has sharpened and this can mainly be attributed to peculiar socio-political aspects of development of farm sector during the green revolution. According to a study, the gains of the revolution on the whole have resulted in an inequitable distribution of income more or less in proportion to the initial land holdings of landowners.⁷ The two major effects of the revolution with which we are immediately concerned include (i) the growth of capitalist farming and (ii) an increase in the demand of farm labour and influx of migrant labour.

(1) Capitalist farming

The laws of motion of capitalist development in agriculture, so much stressed by Kantsky and Lenin, are, by and large, applicable to farm sector in Punjab. Comparatively much higher return from big farms with advanced degree of mechanisation, commercialisation of farming, cash relations between farmowners and farm labourers as to wages *etc.*, progressive concentration of land in the hands of big landlords mainly due to the selling of their small uneconomic holdings by marginal farmers, increasing number of farm labourers, partly on account of the proletarianisation of marginal farmers and partly on account of influx of migrant labourers, resulting in an overall economic decline of the local landless farm labour are some of the characteristics of capitalism in the farm sector of Punjab.⁸ It is interesting to note that, in 1961, in this sector the proportion of agricultural labourers to the total agricultural population was 17.3 per cent, which rose drastically to 32.1 per cent in 1971.⁹ Thus, during the inter-censal period of 1961-71, the population of agricultural labourers doubled and that of marginal farmers increased threefold, which in due course would lead to further proletarianisation of such farmers.

Although Punjab has never had the feudal agrarian structure as in Bihar and other states, it has fairly big landowners who may not be feudal lords but nevertheless farm managers. These big landowners, who constitute only 4.1 per cent of the farming peasantry, possess about

7. G.S. Bhalla and G.K. Chadha, *Green Revolution and the Small Peasant: A Study of Income Distribution among Panjab Cultivators* (1983).

8. *Supra* note 2 at 2: "With a view to assessing the magnitude of maldistribution of income, the Government have had a rapid survey undertaken to identify the population below the income level of Rs. 3600/- per house-hold per annum . . . and it has been noticed that 8.23 lakh house-holds (30.7 per cent) out of the total house-holds in the State earn an income of Rs. 3600/- or less per annum. The percentage is much higher in rural areas and is 38.0 per cent of the total house-holds."

9. *The Link* (10 April 1983).

26.2 per cent of the total operational land holdings in the state.¹⁰ The top 10 per cent of the farmers, each owning 20 acres of land or above, were in possession of 68.75 per cent of tractors, 24.12 per cent of tubewells, 28.40 per cent of threshers and 42.86 per cent of the land.¹¹ Thus, the economics of scale of induction of farm mechanisation is also an indication of the capitalist trends in the farm sector of Punjab. The capitalist farming has enabled the big landowners to increase appreciably their capital accumulation and investment not only in farm sector but in other urban sectors also giving credence to the view that the neo-agrarian rich are "carting the wealth of the villages to the towns, to be invested in quite un-rural and un-Bharatiya activities like road contracts, liquor shops...".¹² Some of them even live in cities, leaving some members of the family or some other deputy managers to manage the farming in the village; actual farming is done either by the local or migrant farm labourers. The fact is that, to a great extent, their richness can be attributed to their siphoning off all the major benefits made available to the farm sector by the government and other rural development agencies, and the diversified investment of the capital surplus generated by the exploited farm labour.

(2) Increased demand for farm labour and influx of migrant labour

Logically, the increasing mechanisation of farming in Punjab should have resulted in the decrease of demand for farm labour. However, in fact, the opposite has happened and the green revolution has actually increased the demand for farm labour which, to a great extent, has accelerated the influx of farm labourers from outside the state. Although the use of the tractor and other farm machinery does displace some farm labourers in the immediate field of its operation, it is well established now that mechanisation, on the whole, raises productivity and creates more employment opportunities through multiple and intensified cropping.¹³ Now there is no slack season in the intensively cultivated areas, and farmers and farm labourers are busy throughout the year. Mechanisation has made Punjab a double crop area and, in some places, even tripple crops are raised. Harvesting of one crop is immediately followed by sowing of another crop and thus farm labour is in demand throughout the year. Numerous studies have established that in fact the present state and level of mechanisation of farm sector have increased the demand for farm labour so much so that the labour requirement increased from 51 days per hectare in 1954-55 to 60

10. See *Agricultural Situation in India* (October 1981) (Ministry of Agriculture, New Delhi).

11. S.S. Gill, "Capitalism in Panjab Agriculture", II *Economic Analysis* (December 1980).

12. KB, "Agrarian Politics by Other Means", XIX *E.P.W.* 1021 at 1022 (1984).

13. M.S. Randhawa, "Tractors and Farm Size" *The Tribune* (18 December 1983).

in 1967-68, although the farmowners' family labour in the meantime has dropped from 37 days to 30. The net result has been an increase in the demand for hired labour from 14 days labour to 29.¹⁴

With the increase in the demand for farm labour during the green revolution, there was an increase in the farm wages. The minimum wages fixed by the Punjab Government in 1978 were five times the wages fixed in 1951. Although growing inflation literally neutralised the increase in wages and thus, in terms of real wages, the increase was not that impressive, the local farm labour nonetheless could extract better terms, conditions and wages from the landowners who had no choice but to concede to their demands. In view of the concerted action by the local farm labour for increased wages and the problem of non-availability of labour when needed, landowners started looking for labour elsewhere. This is how the migrant labourers started coming to Punjab during the revolution in early seventies. Although no authentic statistics are available regarding the number of migrant labourers who visit the state every year, the approximate number should run into lakhs. According to one estimate,¹⁵ about three lakh migrant labourers came to Punjab in April 1980.

II Survey

In order to study the wages and working conditions of migrant labourers, to identify the factors that stimulate their migration to Punjab and to ascertain the extent to which they are aware of their rights guaranteed under statutes like the Minimum Wages Act 1948, Equal Remuneration Act 1976 and Workmen's Compensation Act 1923,^{15a} a small sample survey was conducted during the wheat harvesting season of March-May 1985.

Five villages were selected in Ludhiana district, one of the most developed districts of Punjab in terms of development and progress in farming and which attracts a large number of migrant farm labourers. Again, a sample of 10 migrant labourers was drawn at random from each village. Response collection was done on the spot through interviews which were unstructured and informal, although the three research investigators, who had conducted the survey, were given broad outlines regarding the type of questions to be asked.¹⁶ However, they were free to ask any

14. M.S. Randhawa, *Green Revolution: A Case Study of Punjab* (1974); S.S. Grewal and A.C. Kahlon, "Farm Mechanization and Labour Employment", *Agricultural Situation in India* (August 1972), and "Factors Influencing Labour Employment of Panjab Farms", *Agricultural Situation in India* (April 1974).

15. *The Tribune* (8 June 1980).

15a See, for the relevance of these Acts, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979, ss. 13 and 16 and the schedule.

16. The following guidelines were given in the cyclostyled format with enough spacing for recording responses:

other questions by way of explanation *etc.* in order to have clear-cut responses. On account of the hostile attitude of farmowners in general, they had to solicit the help and cooperation of some local students and most of the interviews were conducted either through their good offices or stealthily in the early hours of the day when farmowners were asleep. Again, 10 out-going migrant workers were interviewed at the Ludhiana railway station. The following report is based on the information gathered from 60 interviews so conducted.

The survey findings indicate that 70 per cent of the respondents came from Bihar and the rest from Uttar Pradesh, Orissa, Rajasthan and Nepal in groups of 5 to 15, headed by their group leaders. They negotiated their wages as a group each and agreed to take up employment

- I Personal details:
 - (a) Name
 - (b) Age
 - (c) Place/state of origin
 - (d) Caste
 - (e) Literate/illiterate
 - (f) Average daily/monthly wages in native place
- II Reasons for migration to Punjab:
 - (a) Poverty
 - (b) Caste oppression/persecution
 - (c) Unproductive land in native place
 - (d) Natural calamity like famine
 - (e) Higher wages in Punjab
- III Average daily/monthly wages in Punjab:
 - (a) Expected
 - (b) Promised
 - (c) Actually paid
- IV Mode of payment of wages:
 - (a) Cash
 - (b) Kind
 - (c) Both in cash and kind
- V Hours of work:
 - (a) Day time: From— A.M. to— P.M.
 - (b) Night time: From— A.M. to— P.M.
- VI Food, if served by employer: quality/quantity/constituents:
 - (a) Very unsatisfactory
 - (b) Unsatisfactory
 - (c) Satisfactory
- VII Treatment by employers :
 - (a) Intolerable
 - (b) Harsh
 - (c) Moderate
 - (d) Affectionate
- VIII Awareness of rights under the Minimum Wages Act 1948, Workmen's Compensation Act 1923 and Equal Remuneration Act 1976
 - (a) Aware
 - (b) Not aware

either in the same village or villages in close proximity. This is understandable because grouping gives them a minimum sense of security in an unknown place with different socio-economic environment. It also guarantees them some social life in view of their complete isolation due to lack of any rapport or contact with local farm labourers.

Almost 92 per cent of the respondents were found to be totally illiterate and only four of them had some elementary school education. About 80 per cent were found to be landless scheduled castes and scheduled tribes people. Two of them happened to be Muslims, one *Rajput* and one *Brahmin*.

Multiple factors that forced the respondents to come to Punjab to earn their living include extreme poverty, unemployment and non-availability of regular paidwork in their native places, low wages, social discrimination and persecution by caste Hindus, and frequent floods and droughts. The semi-feudal conditions with labour bondage still in vogue in states like Bihar accelerate labour migration. Seven of the respondents categorically stated that their life and property were much less safe in their native places than in Punjab and that they were planning to stay back permanently in Punjab.

The capitalist farm sector which offers much higher wages holds a special attraction to migrant labour. According to most of the respondents, the daily wages in their native places ranged from Rs. 4 to 6 for full day's work, whereas they could easily earn twice in Punjab and in peak harvesting season, even three times.

Majority of the respondents reported that their wages were paid generally in cash and that on an average they earned wages ranging from Rs. 9 to 13 per day depending on whether food was supplied by the employer or not. As against this, the local *majbhi* farm labourers were paid from Rs. 11 to 15. Moreover, migrant women labourers are discriminated against and paid less wages for the same type of work which is clearly violative of article 39 of the Constitution and the Equal Remuneration Act.¹⁷ These rates of daily wages are also in breach of the minimum rates of wages fixed for farm labour by the Punjab Government under the Minimum Wages Act. Again, five of the respondents reported that they were also cheated and paid less because of wrong calculations, and that measurements of acreage harvested by them were made deliberately by their employers. During wheat harvesting season, the local and migrant labourers are generally paid on the basis of acreage of wheat harvested. It was found that the migrant were paid at the rate of Rs. 75 per acre of wheat harvested and the local as high as Rs. 92 for the same. It should be noted that employers

17. Article 39 provides that the state shall, in particular, direct its policy towards securing, *inter alia*, that there is equal pay for equal work for both men and women. See also the Act, ss. 4 and 5.

not only offer much less wages than what the migrant are entitled to under the Act which is applicable to agricultural workers¹⁸ but they also resort to discriminatory wage-rates for local and migrant workers. Besides, correct wages are not paid, and migrant labourers are very frequently underpaid through two noticeable malpractices: (a) wrong calculations of acreages done and (b) recording less number of days than actually worked for by them. These malpractices are clearly violative of the constitutional rights as well as rights under both the Acts. It has already been held by the Supreme Court in numerous cases¹⁹ that payment of less than what is stipulated under the statute like Minimum Wages Act not only constitutes a statutory offence but it also amounts to forced labour and *begar* which is prohibited by article 23.

Out of 63 respondents, 12 reported that food was supplied to them by employers two times a day and Rs. 3 per day were deducted out of their wages on that account. The food served was of very poor quality and insufficient in quantity and consisted usually of three *chapatis*, made of spoilt and pest-affected wheat-flour and peas, and some low quality *gur* (jaggery) or *saag* (a leafy vegetable). Thus, the food was almost as good or as bad as animal feed.

During wheat harvesting and threshing season, work goes on literally round the clock depending upon the availability of electricity and diesel because employers are very anxious to complete the harvesting and threshing well in time. The migrant reported that they had no fixed working hours and that they worked literally from sunrise to sunset. For night work on threshing machines, no extra payment was made.

As for their residence and living conditions, most of the migrant reported that they were allowed to live by their employers either in the tubewell *kothis* (sheds) or cattle-sheds without any rents being charged from them or alternately they had made some makeshift arrangements of *jhuggis* and *jhopras* (thatched mud huts).

With regard to the treatment meted out to them by their employers, migrant labourers were unanimous that they were generally treated in a harsh manner. Seven of them reported cases of severe beating and frequent humiliation. Their employers were arrogant, over-bearing and treated them more or less as slaves; they had no way to protest against the inhuman treatment and suffered silently. Yet many of them preferred Punjab for a better economic status.

The level of awareness of legal rights of farm labourers under the

18. See the Minimum Wages Act 1948, part II of the schedule.

19. *E.g., People's Union for Democratic Rights v. Union of India*, (1982) II Lab L J. 454 (S.C.); *Sanjit Roy v. State of Rajasthan*, (1983) Lab. I.C. 312 (S.C.); *Labourers Working on Salal Hydro-Project v. State of Jammu and Kashmir*, (1983) Lab. I.C. 502 (S.C.).

Minimum Wages Act, Workmen's Compensation Act and Equal Remuneration Act was found to be extremely low. About 85 per cent of them were ignorant of the same and the rest did not understand the significance of statutory guarantees. Two cases of thresher accidents were reported by the respondents and in both of them, the victims had to go back after preliminary medical treatment at local government dispensaries and could not succeed in their claims for compensation from their employers, although the Workmen's Compensation Act, being applicable to farm machinery operations,²⁰ provides for compensation at prescribed rates to the victims of farm machinery accidents. The Dangerous Machines (Regulation) Act 1983²¹ also provides that the compensation payable shall be determined and paid in accordance with the provisions of the Workmen's Compensation Act to the victims. However, if we look to the survey results, a very sordid picture regarding the function of these two statutes emerges. As far as migrant farm labourers are concerned, these statutes are followed more in disobedience than in obedience. The Government of Punjab seems to be interested neither in collection of thresher accident statistics nor in enforcement of workmen's compensation law. The uncaring and callous attitude of the government is discernible from the way it has rejected a proposal for insurance of farm labourers against thresher accidents, first made in 1981 and subsequently incorporated in the Dangerous Machines (Regulation) Act, on the ground of paucity of funds and resources.²² The reasons for such an attitude are not far to seek. The migrant are from outside the state and their safety, welfare and insurance against occupational injuries can conveniently be ignored by the landed bureaucracy which virtually controls the levers of political power in the state.

III Conclusion

In brief, the survey results show that migrant labour phenomenon in Punjab would continue so long as the existing socio-economic conditions and regional variations in levels of earnings continue. It is also true that taking advantage of the poverty, docile and submissive nature of the migrant the farmowners would continue to exploit them to their advantage unless the government and non-governmental agencies initiate measures to protect their basic rights. It is noteworthy that some social

20. Schedule II, item XXIX: "Employed in farming by tractors or other contrivances driven by steam or other mechanical power or by electricity."

21. See s. 22(2).

22. Devinder Sharma, "The Bloody Harvest", *The Indian Express* (9 October 1983) (Chandigarh ed.).

action groups are taking up the cudgels on their behalf.²³ Such groups can play a very important role in projecting the problems of migrant labourers, in educating them with regard to their statutory rights, in censuring farm employers for any inequities and injustices done to them, and finally, in helping them to organise themselves so that they can act as a pressure group to successfully secure their rights as to minimum wages and reasonable working conditions.

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23 See *The Tribune* (16 June 1985). Recently a social service organisation at Jalandhar filed a petition in the Supreme Court on behalf of thresher accident victims for a directive on enforcement of labour welfare laws in Punjab.

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