

PROBLEMS AND CHALLENGES FACED BY AGRICULTURAL LABOURERS IN INDIA

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ABSTRACT

Agriculture is the single largest contributor to the gross domestic product(GDP)and also the biggest sector for employment. According to latest estimates out of 369 million workers in the unorganized sector, 237 million workers are in activities that relate to agriculture. Agricultural labourers constitute a distinct section among that relate to agriculture. Agricultural labourers constitute a distinct section among the peasantry. Yet, their total strength, community allegiance, comparative socio- economic status and political position in agrarian society have been overlooked because they belong to a poorly organized, badly exploited and oppressed class of rural society. They work on lands that belong to others, in various capacities. They are unable to organize themselves despite being a distinct class, because they are absolutely dependent on landowners. Historically, socio-economic power has remained concentrated in the hands of powerful zamindars and chieftains. They often treat agricultural labour as slaves, and pay wages in kind. In many parts of the country, a system of renting out land in return for half or three-fourth of the produce has become established. Peasants as well as tenants work as labourers. In the social caste hierarchy, most agricultural labourers are from so called lower caste or tribes, and are considered only marginally above the lower class.

KEY WORDS:

Agriculture, Labour Etc

INTRODUCTION

At the same time India is also known all over for having a huge unorganized work force. Approximately around 92% of the total workforce in our country is estimated to be unorganized workers of unorganized employment sectors. For Eg:- conditions vary, levels of organizations vary, the nature of the relations with employers vary, there is an expanding sector of those who are self-employed, or are on contract, and work from homes. It is difficult to have separate laws for each employment this will only result in endless multiplication of laws and oversight of one or the other for the employment. The answer therefore lies in one Umbrella Legislation that covers whatever is basic and common and leaves room for supplementary legislation or rules where specific areas demand special attention. The failure of the land reforms and other plans for the development of rural working force is result of out reliance on legislative and administrative forces, rather than on social forces. The ultimate effect is that land lords still continue to rule over rural labour. In order to eradicate the problem of agricultural labourers, the need is to eradicate the problems of agricultural labourers, the need to estimate the sociological factor which have resulted into failure of their economic development. These sociological factors may have negative as well as positive character. First group of problems arise out of the persistence of old social institutions like caste, joint family, tribes, traditional religious organizations and serfdom etc. they also emerged out of social control like supernatural sanctions, authoritarian norms complicated and intricate caste family, tribal religious and other customary sanctions penetrating almost every core of life of the Indian community. They further emanate from large scale illiteracy, ill health and unemployment etc.

AGRICULTURAL LABOUR IN INDIA: SOME CHALLENGES

India has neither ratified ILO Convention on Freedom of Association and Protection of the Right to Organize nor Convention on the Right to Organize and Collective Bargaining. The rights to organize, collective bargaining and strike are restricted both in law and in practice. The authorities do not always respect the right to peaceful assembly and thousands of detentions and arrests are reported every year. Anti-union discrimination takes place and many workers have faced threats and violence in their

efforts to unionize or call a strike. In export processing zones, organizing is particularly difficult¹.

FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

Workers have the right to establish and join trade unions without prior authorisation. However, this is insufficiently protected in practice. A change in legislation in 2001, which amended the Trade Union Act of 1926, states that a trade union has to represent at least 100 workers or 10 per cent of the workforce, whichever is less, compared to a minimum of seven workers previously. By international standards and practice, the requirement of 100 workers is excessive: the ILO Committee of Experts on the Application of Conventions and Recommendations has criticized countries which put in place the even lower minimum requirement of 50 persons to form a union. The right to freedom of association in trade unions is guaranteed in the Constitution. The Trade Union Act of 1926 prohibits discrimination against union members and organizers in the formal and informal sectors, without distinction².

DISCRIMINATION AND EQUAL REMUNERATION

India has ratified ILO Convention on Equal Remuneration and Convention on Discrimination (Employment and Occupation). Although the Internationally recognized Core Labour standards in India law prohibits discrimination on various grounds, certain groups face discrimination in employment. There is a considerable gender pay gap, It has been estimated that 80% of working women are found in the informal sector. Women are working as cultivators, agricultural labourers, forest produce collectors, in tea plantations, construction industry, as landless labourers, fisheries, animal husbandry, sericulture, tobacco and beedi workers, and in home- based occupations, as weavers, spinners, garments, food processing, as vendors and hawkers and domestic workers. However, at the same time there are a growing number of families crimination against widows is a particularly pervasive problem. Women, especially those in informal occupations, are also subject to sexual harassment. The Constitution includes provisions with regard to nondiscrimination on several grounds, including gender. Legal provisions stipulate equality of opportunity in matters of public employment and forbid gender discrimination in respect of any employment or office under the State. The Equal Remuneration Act of 1976 applies to an extensive range of classes of employment, which includes informal employment relationships.

CHILD LABOUR AND AGRICULTURAL SECTOR

India has neither ratified ILO Convention on the Minimum Age nor Convention on the Worst Forms of Child Labour Convention. The law does not sufficiently protect children from forms of labour that are illegal under those Conventions. The laws are not enforced adequately and child labour, including its worst forms, is prevalent. Child labour is not illegal in India except in hazardous sectors. Governmental efforts to reduce child labour have yet to have much impact and must be considered inadequate to deal been making some progress. The problem remains enormous, however, and there is a clear need for changes to national laws with regard to the prohibition of child labour and to provide universal, compulsory education. The Constitution of India states that no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment. In this way, although Convention on the Worst Forms of Child Labour sets the minimum age for hazardous work at 18 years of age, the minimum age for hazardous work in India is 14 years of age³.

The problems of agricultural labour are both due to legal and non-legal reasons. Had if the land reform laws and land ceiling laws were implemented the livelihood of the agricultural labour would have been drastically improved. Had if the laws relating to abolition of bonded labour, prohibition of child labour and law relating to migrant labour were implemented the status of the agricultural labour would have enhanced. The agricultural labour does suffer with environmental problems. Had the Forest Rights laws and Environmental Protection laws were implemented, the status of the tribal agricultural labour would have improved.

¹ Kulamani Padhi (2005), „Agricultural Labour in India – A Close Look“, Utkal Press and Publications, Cuttack, Orissa.

² Mishra and Puri, „Indian Economy“, Himalaya Publishing House Pvt. Ltd, Mumbai, 2008

³ Kumar Ashok, 2001 Census as Social Document 127, New Delhi: Anmol Publications, 2002

FORCED LABOUR IN AGRICULTURE OCCUPATION

India has ratified ILO Conventions on Forced Labour and its Abolition. Forced labour and trafficking in human beings are prohibited by law. However, forced labour is a problem in agriculture, mining, commercial sexual exploitation, and other sectors. The vast majority of estimates for the number between 5 million and, according to recent research from Anti-Slavery International, the much higher figure of 20 million.¹⁹⁰ Bonded labour is a specific form of forced labour which describes a private contractual relationship whereby a worker incurs or inherits debts to a contractor and then must work off the debt plus interest. Article 23 of the Constitution prohibits trafficking in human beings and forced labour. These crimes are prosecuted under various provisions both in the Indian Penal Code and in the Immoral Traffic (Prevention) Act of 1956. The Bonded Labour System (Abolition) Act of 1976 prescribes three years imprisonment for forcing workers into labour, which is considered an insufficient penalty for deterring the crime India must ratify and fully implement ILO Conventions No. 87, 98, 138 and 182, and bring its legislation into line with and fully implement ILO Conventions No. 29, 100, 105 and 111, which it has already ratified. In view of continuing problems with restrictions on the right to collective bargaining and to strike for government workers, as well as requirements more onerous organizations, the Government must safeguard the right of all workers to form and join organizations of their own choosing, without prior approval.⁴

Discrimination on various grounds continues to be a serious problem in India, including grounds of gender, caste and ethnicity. The Government should take further measures to eliminate these forms of discrimination in employment, and ensure equal access for all groups to employment, equal pay for work of all value, and promotion to positions of responsibility. Laws regarding child labour must be amended to provide a universal minimum age for employment, and a higher minimum age for employment in hazardous occupations.

AGRICULTURAL WAGES

The most complicated problem in the sphere of employer-employee relationship is that of the wages, before state regulation, the wage rates were usually determined by the employers and in the absence of collective bargaining workers had to work for those wages. Wage period in agriculture has its own characteristics; payments are made by the day, week, month or on a piece rate basis and with or without supplements. there may be wide disparity in wage levels between regions, seasons, and crops.⁵

Agricultural workers do not work for fixed number of hours unlike the factory workers.

- a) Due to the seasonal character of agricultural workers difficulties are faced to fix minimum wages.
- b) Due to the involvement of work in irrigated areas, non irrigated areas, dry land areas, drought areas and rain-fed areas by agricultural workers, it had become practically difficult to fix the minimum wages on a uniform basis.

The system of cadre, rank and designation cannot be fixed for agricultural workers due to their vulnerability.

In the era of liberalization, privatization and globalization there is an apprehension in the minds of many that labour force in agriculture is gradually moving away from their main dominant agricultural work to industrial and factory works. As a result the demand for labour has increased and automatically the wages are raised by the landlords more than what is fixed by the notifications issued now and then by different State Governments and the Central Government. There is no mechanism to fix minimum wages to allied agriculture activity such as fishery, dairy, poultry, beekeeping, hunting, cattle rearing and so on. In view of the lack of effective organization and power to bargain collectively the problem of fixing wages remains alive for a long time.

PROBLEM OF ILLITERACY

India leads the world of illiterates as half of the total strength of illiterates resides in the country. It has

⁴ Nampoothiry, M.M., Agriculture Statistics at a Glance 54, New Delhi: Arihant Offset, 2001

⁵ Basham, A.L., The Wonder that was India 396, New York: Hawthorn Books, 1963

a peculiar situation. In fact the problem of illiteracy in India is a social product and not a natural phenomenon. It is socially generated and sustained. The maximum concentration of illiterates is in rural India and that too amongst socially and economically depressed masses majority of whom are marginal farmers and agricultural labourers. The effects of education on development and vice versa become clearly discernible in the estimations of illiterates on world plane. The vast majority of illiterates, amounting to almost three quarters of the total are to be found in Asia.

WORKING CONDITION AND CONDITIONS OF WORK

Given the ever increasing health hazard arising from the fast changing production processes and the use of new substances, official support, both direct and indirect, to systematic and coordinated research has become imperative. As far as the working situation of agricultural labourers or the incidence of occupational hazards is concerned, no comprehensive statistics are available but there can be no doubt that a wide variety of exploitations and occupational hazards are eating into the vitals of millions of workers and the pity is that the damage remains undetected till the situation becomes almost irreparable. Although nearly 80% of the labour force are engaged in this sector and despite the wide prevalence of occupational ailments among them which are so often closely interwoven with malnutrition and poverty, little indeed very little, attention has been given to them. Recommendations is merely a gimmick for the agricultural labourers in India. As the President of the 1975 International Conference put it precisely because mass unemployment tends to leave the employer all powerful and the worker defenseless, there must be stronger safeguards against the exploitation of labour⁶.

OCCUPATIONAL RISKS

Agriculture is the hazardous occupations from the stand point of physical health and safety of worker landlords. Particularly in states like Punjab and Haryana which have been jointly contributed about 60% of the total to the national grain pool. The hazards today from sowing to harvesting and threshing, different mechanized implements are used by the big and middle level. Performance of various agricultural operations on vast open fields leading to exposure of agricultural workers to inclement due to pesticides and other dangerous chemicals used in agriculture seem to be ever increasing. Agriculture is being to be recognized as one of the most hazardous sectors of employment. The ILO's 1996 Yearbook of Labour Statistics notes that out of a total of 3,30,000 fatal workplace accidents worldwide, approximately 1,70,000 occur in the agricultural sector. While this reflects, in part, the large numbers of people employed in this sector, agriculture is also dangerous in terms of the rate of accidents per number of workers. The changing nature of agricultural production- including the increased use of chemicals and machinery is aggravating risks. This is particularly true in a number of developing countries where education, training and occupational safety and health services are largely inadequate. Health and safety risks for agricultural workers are by no means confined to developing countries. However, in the United States the National Safety Council has ranked agriculture as one of the three most dangerous industries, alongside mining and constructions. While accident rates in agricultural work are high, the coverage of hazards posed by agricultural work in national legislation regarding safety and health is generally low. Provisions regarding machinery and chemicals are notable exceptions to this rule. Agricultural workers are also omitted from workers' compensation schemes in many countries.

The lack of protection of agricultural workers in law, and, in particular safety and health has been noted by the ILO and particular attention is to be devoted to this sector in the next two years. This includes preparatory work regarding the possibility of new standards to cover appropriate working methods and practices in the agricultural sector. Thus far we have discussed statistics and risks posed by agricultural work generally⁷.

⁶ Narayana, P. N., Sarma, A. M., "A Study of the Influences of Social Legislation on the Working Conditions of Agricultural Labourers" <http://dSPACE.vidyanidhi.org.in:8080/dSPACE/bitstream/2009/3861/2/TIS-1988-027-1>. [accessed on 24-05-2011].

⁷ Patel, Surendra, *Agricultural Labourers in Modern India and Pakistan* 169, Bombay: Current BookHouse, 1952

PROBLEM OF BONDED LABOUR SYSTEM IN AGRICULTURE.

For the purpose of understanding the problems of agricultural labour bondage, bonded labour may be divided into three sub classes viz.,

- (a) annual labour attached to a cultivating household either for an annual wage or for the right of cultivating an allotted piece of land or both,
- (b) bonded labourers who by virtue of having borrowed money enter into a contract to serve the moneylending landlord for a specialized period of time and
- (c) casual labourers who take up at work at will on farm for a specified daily wage rate. practical purposes , the connotations remained the same as that of slave or serf. Despite scrapping of the zamindari system, land reforms, bhoodan movement and the enactment of the bonded Labour system(abolition) Act we have not been able to erase this scourge from our society. The problem of the bonded labour in agriculture has many tenancies, sociological, cultural and institutional roots.

The prominent forms in which

- a) Peonage and
- b) Serfdom.

The term peonage denotes a day labourers in former Spanish speaking America, particularly in Mexico, one working off a debt by bondage. This was a kind agricultural servitude. In peonage the basic fact is indebtedness of the peon to the master and compulsory service in payment of that debt.

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Forced labour in agriculture has been interwoven in the complex pattern of land tenure and tenancy system in India. The attached labour or the share cropper is bound to his master either by a debt or through a tie in allotment. Such labourers are known by different names in the different states. There are other forms of forced labour which have their origin in purely social customs, viz, child bondage, loyalty bondage and widow bondage, in gradual process the system shape took shape of intergenerational bondage.

IMPACT OF GLOBALIZATION ON AGRICULTURAL LABOURERS IN INDIA

Globalization means integrating the economy of a country with the world economy. In Indian context it implies opening up the economy to foreign direct investment and provide entry to Multinational corporations in India. Globalization means an explanation of market from local level to world wide level. Now the concept of a

specific place for market is disappearing and the whole world is becoming a market the process of globalization is related to economical development. The aim behind globalization is economical so that many changes are made every where. Agricultural is the means of income of many people. 58% population of India depends upon agriculture. 42% of Total National Income of India gets from agriculture. India is the second in the world about population. 16.6% of the world population lives in India. India exports agricultural products such as tea, coffee, rice, wheat, sugar, vegetables; fruits, cashew nut etc. and imports milk products, cashew nut, fruits, edible oil, chicken, seeds etc⁸.

IMPACTS OF GLOBALIZATION OF INDIAN AGRICULTURE

Globalization and Its Impact on Indian Agriculture can be classified into three areas: Liberalization, Privatization and Globalization. Essentially, the reforms sought to gradually phase out government

⁸ Ibid

control of the market (liberalization), privatize public sector organizations (privatization), and reduce export subsidies and import barriers to enable free trade (globalization). There was a considerable amount of debate in India at the time of the introduction of the reforms, as it was a dramatic departure from the protectionist, socialist nature of the Indian economy up until then. Landlords are a constituent part of the state in India, and nothing in the present situation has undermined landlordism as a fundamental barrier to agrarian and general social progress. At the same time, the general class policies of the Indian state in the countryside, and, specifically, its collaboration with imperialism, have taken qualitatively new forms since 1991⁹.

CONCLUSION

In a developing economy the change in the pattern of employment indicated by a fall in the number of agricultural labourers and labour households should be welcome unless the erstwhile agricultural labourers shifted to less productive jobs or were rendered unemployed. It is possible that among agricultural labourers, those who were comparatively better off readily took the opportunity to shift to better occupations. But the supply of agricultural labour being still far in excess of demand, the wage rate failed to rise as a result of the reduction in the total number of agricultural labourers. This is of course an assumption but some indirect evidence in support of it is found in the fact that the number of land-holding agricultural labour households fell, while that of non-land-holding households increased. Further, increase in the number (and proportion) of child labourers, the decrease in the extent of selfemployment and the comparatively higher net income of the non-landholding households all these may be construed to confirm the hypothesis though admittedly much more direct evidence is necessary to conclusively establish it.

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⁹ Supra note at 12