

**Recommendations  
On  
Addressing Challenges Faced by  
Migrant Workers during COVID-19**

**Presented by ~  
India Working Group against Trafficking  
(IWG)**

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## INDIA WORKING GROUP AGAINST TRAFFICKING (IWG)

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## Abbreviations

AEPC: Apparel Export Promotion Council

ANM: Auxiliary Nurse Midwife

ASHA: Accredited Social Health Activist

AWC: Anganwadi Centre

BOCW: Building and Other Construction Workers

BPL: Below Poverty Level

CSOs: Civil Society Organisation

CSR: Corporate Social Responsibility

DBT: Direct Benefit Transfer

EPFO: Employee's Provident Fund Organisation

ESIC: Employee's State Insurance Corporation

FICCI: Federation of Indian Chambers of Commerce and Industry

FPS: Fair Price Shops

ILO: International Labour Organisation

ICDS: Integrated Child Development Service

MGNREGS: Mahatma Gandhi National Rural Employment Guarantee Scheme

MIS: Management Information System

MoHA: Ministry of Home Affairs

NFSA: National Food Security Act

NIC: National Industrial Classifications

NSS: National Sample Survey

PM-GKY: Pradhan Mantri Garib Kalyan Yojana

PDS: Public Distribution System

PMJDY: Pradhan Mantri Jan Dhan Yojana

PM-JAY: Pradhan Mantri Jan Aarogya Yojana

PMAY: Pradhan Mantri Awas Yojana

RMG: Readymade Garment

RWA: Residential Welfare Association

RSBY: Rashtriya Swasthya Bima Yojana

SCs: Scheduled Castes

STs: Scheduled Tribes

## 1. Executive Summary

The post-liberalisation period witnessed a clear acceleration in the pace of migration in India, especially the rural-urban migration. Advanced communication, better transport networks, growing agrarian distress and new economic opportunities resulting from urbanisation have been some of the major drivers behind this phenomenon. These increase in internal migration and rural-urban migration have been clearly substantiated by the 64<sup>th</sup> round of the National Sample Survey (NSS).

These migrant workers have been severely impacted by COVID-19. With the announcement of the shutdown on 24<sup>th</sup> March 2020, various sectors, primarily manufacturing and service sectors that employed more than half of these workers, came to a halt, thereby eliminating the source of their income. Thus, to understand and analyse the struggle of the migrants during this period, **the India Working Group against Trafficking (IWG)**, a network of 21 Civil Society Organisations (CSOs) combating human trafficking and protecting migrant workers across 11 states have illustrated the nature of the issue as follows:

Stages	Key Challenges
Destination States	<ul style="list-style-type: none"> <li>Only a few <b>domestic workers</b> receive any form of support from households</li> </ul>
	<ul style="list-style-type: none"> <li><b>Construction Workers</b> face widespread loss of livelihood; no social safety net due to low rate of registration under Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (BOCW) Act, 1996</li> </ul>
	<ul style="list-style-type: none"> <li>Drop in international demand in addition to lockdown situation causing loss of employment and income source for <b>textile workers</b></li> </ul>
	<ul style="list-style-type: none"> <li>Lockdown situation closing all sources of income for <b>service sector workers</b></li> </ul>
Transit	<ul style="list-style-type: none"> <li>Workers faced with no choice but to travel back to home districts; many <b>dying due to starvation<sup>1</sup> and exhaustion</b> on the road and <b>punished with inhuman force</b> by the police in many areas.</li> </ul>
Source States	<ul style="list-style-type: none"> <li>Helpless workers often face <b>extreme stigma</b> from local communities.</li> </ul>

While both central and state governments have announced multiple relief packages for the migrant workers, specific gaps in the implementation continue to exist in form of:

- Lack of coordination between the source and the destination states;
- Nature of the relief measures not being accessible by every migrant worker due to absence of identification and entitlement proofs, and;

<sup>1</sup> <https://gulfnews.com/world/asia/india/the-human-cost-of-indias-coronavirus-lockdown-deaths-by-hunger-starvation-suicide-and-more-1.1586956637547>, accessed as on 16<sup>th</sup> April 2020

## RECOMMENDATION PAPER: ON MIGRANT WORKERS

- Lack of awareness among the workers about the relief measures announced by the government.

To mitigate the gaps and address the challenges, the members of IWG have proposed some key recommendations (short term and long term) for immediate relief and policy level change that can support the migrants to cope with the current crisis and develop a way forward to tackle the long term implications:

### A. Short-Term Measures

- ***Relaxing the requirement of a ration card*** to avail Public Distribution System (PDS)
- ***Delinking PDS from Fair Price Shops*** for Home Delivery of rations/meals
- Provide ***cash assistance to all categories*** of informal workers
- ***Modification*** in the present leasing and rental policies in order to ***waive off the rent to be paid by migrants*** for a period of 4-6 months
- Make relief measures for Employees' Provident Fund Organisation (***EPFO***) ***Subscribers to be applicable for all establishments.***
- ***Facilitate Centre-State Collaboration*** to better coordinate the needs of migrants.
- Setting up a ***National Task Force to periodically review and provide necessary guidelines*** on handling issues relating to migrant workers during the current situation.

### B. Long-Term Recommendations

- Formulation of ***Database for Migrant Workers at the State-level*** and maintaining the same through ***decentralised process.***
- Creating ***guidelines for the Inter-State portability of PDS using Panchayat level registration*** of migrant workers.
- As emphasised by the Parliamentary Standing Committee on Labour, ***a separate chapter on migrant workers should be formulated by the Ministry of Labour and Employment*** in the Occupation, Safety, Health and Working Conditions Code (OSH), 2019.
- Initiating ***revision in the Corporate Social Responsibility (CSR) guidelines for Tech Aggregators*** to include measures for providing informal workers with relief packages and create a long-term corpus for emergency situations.
- Creating ***phase wise economic opportunities in sectors like Construction and Manufacturing.***
- Create ***opportunities in source areas through investment in skills*** (utilising schemes such as ***Pradhan Mantri Kaushal Vikas Yojana***) for ***low-literacy, remote and unskilled populations.***

## 2. Background and Introduction

Migration from one area to another in search of improved livelihoods is a key feature of human history. Such movements could differ in the distance covered and the duration of the relocation. They also differ in the administrative territories traversed; within districts (Intra-district), across districts within the same state (intra-state), and across districts of different states (inter-state)<sup>2</sup>. This phenomenon is not new to India. Historical accounts have shown that people have moved in search of work as a response to external factors such as environmental shocks, religious persecutions and political conflicts. In recent times, however, advanced communication, better transport networks and new economic opportunities resulting from urbanisation have led to unprecedented levels of temporary and seasonal migration throughout the year. Further, growing agricultural distress in several parts of rural India and the lack of local employment opportunities have led to increased labour mobility. These heightened migration patterns are clearly visible in the migration numbers provided by the Census – **the number of migrants in the country has risen from 31.5 crore in 2001 to 45.4 crores in 2011.**

Reliable studies on migration show that migration is higher among the rural poor and especially among Scheduled Castes (SCs) and Scheduled Tribes (STs). As per the Census 2011, about **16 per cent of the total intra-state migrants** in India belongs to **the SCs and 8 per cent to STs**. This is almost equal to their share in the total population. Prominent research studies have highlighted that SCs and STs are considered 'lower' in the social hierarchy and as a consequence, the benefits of migration is less for them resulting from the social discrimination that continues to impact them in the places they migrate to.<sup>34</sup>

Temporary or seasonal migration is an important form of labour mobility with an increasing shift of labour force from agriculture to industry and the tertiary sector. Temporary migration thus becomes one of the most significant livelihood strategies, adopted by the poorest in rural India<sup>5</sup>. An exceedingly high number of these jobs are in urban areas, partly due to the dominance of the service sector in employment provision. Better mobility, push factors in rural areas and livelihood opportunities in urban areas have combined to generate high levels of rural-urban migration.

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<sup>2</sup> SRIVASTAVA R., SASIKUMAR S.K. (2003), "An overview of migration in India, its impacts and key issues", Paper presented at Regional Conference on Migration, Development and Pro-Poor Policy Choices in Asia, at Dhaka. Available: [http://www.eldis.org/assets/Docs/upload/1/document/0903/Dhaka\\_CP\\_2.pdf](http://www.eldis.org/assets/Docs/upload/1/document/0903/Dhaka_CP_2.pdf). Accessed as on 12<sup>th</sup> April 2020

<sup>3</sup> Thorat.S and Ahmad M, 'Minorities and Poverty: Why some minorities are more poor than others?', 2011-12, Journal of Social Inclusion Studies, <http://www.dalitstudies.org.in/uploads/article/Journal%2002/Minorities%20and%20Poverty.pdf>, accessed as on 16<sup>th</sup> April 2020.

<sup>4</sup> Caste is a determinant of who is vulnerable to distress migration, due to inadequate access to social security, equal education and other rights; it's a determinant of the kind of informal and hand-to-mouth jobs they take in destination areas; and it's a determinant of the humiliating treatment of destitute migrant workers on their way home.

<sup>5</sup> BREMAN J. (1978), "Seasonal migration and co-operative capitalism: crushing of cane and of labour by sugar factories of Bardoli", Economic and Political Weekly, 13(31/33), 1317-1360. Accessed as on 12<sup>th</sup> April 2020

This rapid increase in rural-urban migration is well captured in the 64<sup>th</sup> round of the NSS 2007-08 and Census 2011. As per the 64<sup>th</sup> round, a total of **1.25 crores short term migrants**<sup>6</sup> lived in rural India, constituting slightly over **4 per cent of the rural workforce**. **A total of 92.50 lakh rural households have a household member who was a short term migrant to urban areas**. Of the 15.90 crores rural households, 76 per cent had only one short term rural-urban migrant while 17 per cent of them has two such migrants. Further, **nearly 60 per cent of the urban male migrants and 59 per cent of urban female migrants had migrated from rural areas**.

The advent of COVID-19 has generated unprecedented crises by aggravating the major structural issues facing migrant workers. With the announcement of the shutdown on 24<sup>th</sup> March 2020, various sectors, primarily manufacturing and service sectors that employed more than half of these workers, came to a halt, thereby eliminating the sources of their income. International Labour Organisation (ILO) in its recent analysis has **highlighted that about 40 crore workers in the informal economy are at the risk of falling deeper into poverty during this crisis**<sup>7</sup>. This was further worsened by the lack of availability of food, basic amenities, poor health facilities and pressure to pay off the monthly rent. This meant that workers had no choice but to leave for their native villages in the midst of this crisis.

The India Working Group against Human Trafficking (IWG), a network of 22 CSOs working towards combating human trafficking and protecting migrant workers across 12 states, is working extensively at the grassroots level and collaborating with the Government to provide essential support to the migrant workers in both source and destination states during this crisis period. This paper highlights the network's observations with respect to the in-depth challenges at the ground level across the states and some key recommendations both for short term and long term implementation. Further, this paper highlights the key policy initiatives undertaken by both the Central and State Governments as relief measures.

### 3. Key Challenges faced by Migrant Workers: On-ground Realities

It is pertinent to acknowledge that the challenges faced by migrant workers are not homogeneous during this time of crisis. With the imposition of the lockdown, the migrant workers are struggling to meet their day to day needs. Based on the inputs and cases derived from the ground, **the challenges faced by the workers can be categorised into three stages** that have resulted to a catastrophic situation.

**3.1. In the Destination States:** These are short term migrant workers who have lost their source of livelihood. This compels them to travel to their home state and village. However, the lockdown situation characterised by a suspension of transportation services prevents

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<sup>6</sup> **Short Term Migrants:** Short term movement of the population, who has stayed away from the village/town for a period of 1 month or more but less than 6 months during the last 365 days for employment or in search of employment

<sup>7</sup> ILO Monitor 2<sup>nd</sup> Edition: COVID-19 and the world of work, 7 April 2020, [https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/briefingnote/wcms\\_740877.pdf](https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/briefingnote/wcms_740877.pdf), accessed as on 14<sup>th</sup> April, 2020

them from doing so. They are therefore **stranded in the destination states**. These workers face challenges based on the nature of employment undertaken by them.<sup>8</sup> Key observations from some of the sectors are stated below:

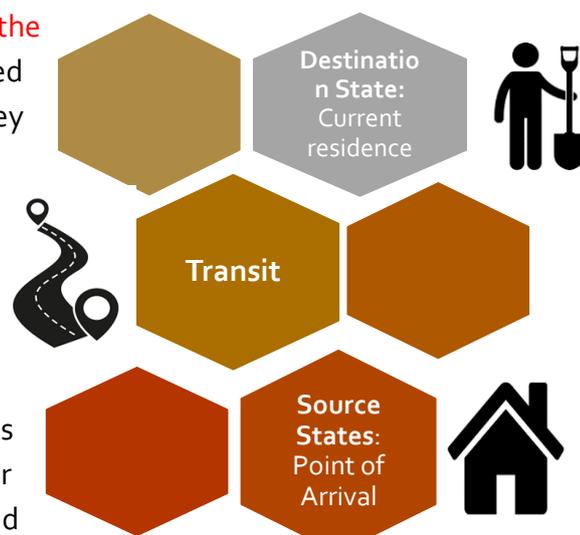


Fig 1: Stage-wise Challenges faced by Migrant Workers

- a. **Domestic Work:** Domestic work, essentially **involves servicing households**. Workers such as domestic help and security guards, who perform such services, generally have housing arrangements within the cities and spend the majority of the year working in the city. A disproportionate number of said workers are migrants and women. The *"Human Development Research Paper 2009 – Migration and Human Development in India"*, United Nations Development Program (UNDP), stated that **2 crore people, mostly women and girls migrate** to cities like Mumbai and New Delhi in search of domestic work from the eastern states of Odisha, Jharkhand, Bihar, Chhattisgarh, Assam and Mizoram<sup>9</sup>.

While some have received some financial assistance such as advance salaries from the Resident Welfare Associations (RWAs) and cooperative societies, many have not received any support from the households they work in.<sup>10</sup>

- b. **Construction Work:** There is no clear establishment in the number of migrant workers in the Indian construction sector. As per the Census 2001, there were about 1.46 crore construction workers (not including brick kiln workers), of which 30.4 per cent of male construction workers (39 lakhs) and 60.4 per cent of female construction workers (10 lakh) were migrants. According to the NSS, the total workers in **construction grew from 1.5 crore in 1999-2000 to 2.9 crore in 2007-08, an annual increase of about 8.5 per cent**. Migrants **involved in construction work** in the cities depend on establishments for their wages and welfare. With the shutdown of all commercial activity, they have been the most severely impacted.

The Policy Brief on *"Migrants in Construction Work 2017"*, Centre for Policy Research<sup>11</sup>, estimated that **67 per cent of all the migrant workers** engaged in construction work in urban areas are employed as informal, casual wage labourers. The absence of commercial activity has left these workers without any work and income. The Building

<sup>8</sup> Partha Mukhopadhyay and Mukta Naik, Migrant workers distrust a state that does not take them into account, Indian Express, 31 March 2020, available at <https://indianexpress.com/article/opinion/columns/coronavirus-lockdown-covid-19-deaths-cases-mass-exodus-migrant-workers-6339152/>

<sup>9</sup> Deshingkar, P., & Akter, S. (2009). Migration and human development in India.,

<sup>10</sup> Domestic helpers distressed due to lockdown, The Economic Times, 29 March 2020, available at <https://economictimes.indiatimes.com/news/politics-and-nation/domestic-helpers-distressed-due-to-lockdown/videoshow/74869726.cms?from=mdr>

<sup>11</sup> <https://www.cprindia.org/research/reports/migrants-construction-work-evaluating-their-welfare-framework>, accessed as on 13<sup>th</sup> April 2020

and Other Construction Workers (Regulation of Employment and Conditions of Service) (BOCW) Act, 1996, mandates the institution of a tripartite BOCW's Welfare Board (BOCWWB) for the registration of all the construction workers at the state level. The Ministry of Labour and Employment, in its latest advisory (13/04/2020) instructed all the States and Union Territories (UTs) to facilitate Direct Benefit Transfer (DBT) funds to the bank accounts of registered construction workers through the BOCWWBs<sup>12</sup>. However, since this Act mandates the registration of the construction workers at their source states, many of the migrant workers remain unregistered and unable to avail the benefits of the said scheme. The migrant construction workers also face higher spatial vulnerabilities because they are often either dependent on the employer to provide temporary accommodation on establishment premises, or resort to living in slums.

- c. Garment and Textile Industry: The Garment Industry provides direct employment to 4.5 crore people in India. The part of the Indian Garment Industry engaged in the manufacture of Ready-made Garments (RMG) **employs around 1.2 crore people** Most of the RMG manufacturing units in India are situated in cities like Surat, Mumbai, Bangalore, Tirupur, and Delhi-NCR. The employment of most of the workers in the RMG industry is contractual in nature. Contract workers in India are typically migrants from impoverished backgrounds and marginalised communities in rural areas<sup>13</sup>. Given the Indian RMG industry is largely export-oriented, the drop in international demand for readymade garments as a fallout of COVID - 19 has strongly affected the Indian Garment Industry. The Apparel Export Promotion Council (AEPC) says about **65 per cent of apparel exporters payment amounting to at least \$2 billion (about INR 15,300 crore)** is currently stuck with foreign buyers. This has resulted in the non-payment of wages and stoppage of work and income for the workers.

The textile industry in India comprises mostly small-scale, non-integrated spinning, weaving, finishing, and apparel-making enterprises. These small scale enterprises, almost exclusively, form the power loom and handloom sector of India. As much as **88.7 per cent of all the workers engaged in the Indian textile industry** are informal workers. Furthermore, these workers, almost exclusively, are employed in small scale power loom enterprises<sup>14</sup>. India has approximately **19.42 lakhs of power looms, employing more than 70 lakh workers**, most of which are interstate migrants. Most of these power looms are situated in clusters in cities like Bhiwandi (Maharashtra), Erode (Tamil Nadu), Surat (Gujarat) etc. The lockdown has put these migrant informal workers in a vulnerable situation. A study done by the award winning civic media website, Citizen Matters revealed that there are more than **8 lakh migrant workers employed in Surat's power**

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<sup>12</sup> Ministry of Labour and Employment <https://pib.gov.in/PressReleasePage.aspx?PRID=1607911>, accessed as on 13<sup>th</sup> April 2020

<sup>13</sup> Mezzadri, A., & Srivastava, R. (2015). Labour regimes in the Indian garment sector: capital-labour relations, social reproduction and labour standards in the National Capital Region, accessed as on 11<sup>th</sup> April 2020

<sup>14</sup> Hirway I (2010) Labour Market Adjustment and Female Workers: Global Production and Expiry of Quotas in India's Textile and Garments Industry. In: Posthuma A and Nathan D (eds) Labour in global production networks in India. New Delhi, New York: Oxford University Press, pp. 166–190, accessed as on 17<sup>th</sup> April 2020

looms from Odisha alone, most of whom are now stuck there without income, savings and intermittent access to food. Reports have also surfaced about the plight of over 6 lakh migrant power loom workers of Bhiwandi, Maharashtra, who are facing similar issues.

- d. Service Sector: The Services Sector provides employment opportunities for a good proportion of migrant workers. The Hospitality Industry is one important contributor to this sector, which has been badly hit by the COVID-19 outbreak and the ensuing lockdown. As per the Industry Tourism Committee, Federation of the Indian Chamber of Commerce and Industry (FICCI), the pandemic and the lockdown would result in **3 crore job losses and INR 15,000 crore loss between the months of March and April, in the hospitality industry**<sup>15</sup>. "Gig Workers", engaged in platform based cab aggregators and delivery services are also important actors in the Services Sector. Approximately 15 lakhs Indians drive for Uber, OLA and other platform based cab aggregators in Indian cities. Many of these "Gig Workers" are migrants, a recent study done by Team Lease Services concluded that approximately **29 per cent of all the workers** in Bengaluru's gig economy were migrants. Given the self-employed nature of the "Gig Workers", their employment does not offer them any social security or benefits. This arrangement has put said workers in a precarious situation as the pandemic and the lockdown have completely closed livelihood opportunities for many of them.

Devoid of accommodation, workers have been unable to practice safe sanitation and are being forced to resort to open defecation<sup>16</sup>. In addition, workers are no longer being provided meals by mill owners during the working day that they generally depend upon. Some migrant workers might possess identity cards, which enable them to access welfare measures such as PDS rations. However, these identity cards generally contain address proofs only of the source state, because they do not spend enough time in the destination state and only live in temporary accommodations like hostels, shelters or slums. With entitlements being linked to addressing, they can only access them in the source and not in the destination state<sup>17</sup>.

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<sup>15</sup> <https://www.livemint.com/companies/news/covid-19-impact-hotels-find-new-patrons-but-may-struggle-to-stay-afloat-11586116236521.html>, accessed as on 14<sup>th</sup> April 2020

<sup>16</sup> India's stranded migrant workers struggle under virus lockdown, Reuters, 2 April 2020, available at <https://www.reuters.com/article/us-health-coronavirus-india-sanitation/indias-stranded-migrant-workers-struggle-under-virus-lockdown-idUSKBN21K19V>

<sup>17</sup>(2005) *Bonded Labour in India: Its Incidence and Pattern*, Declaration/WP/43/2005, Infocus Programme on Promoting the Declaration on Fundamental Principles and Right and Work, Geneva: International Labour Organisation.

**Hidden Challenge: Increase of Debt Bondage**

Prominent studies have found that migrant labourers appear vulnerable to bonded labour exploitation, through recruitment system where labour contractors and intermediaries lure ill-informed workers from their communities with advance payment and false promises of well-paid employment opportunities. There exist a creditor-debtor relationship between the employer and the employee which can then spill over to other members of the family, be of an indefinite duration.

In the current context of the crisis, incidence of workers trapped in debt bondage has been high in areas of agriculture, brick kiln, mining, quarries etc. These workers have taken advances and loans from the contractors (mostly unregistered) to meet their daily needs or to send money to their families in their respective hometowns. With no source of income and burden of repaying the loans, these migrant workers would eventually fall prey to the debt bondage.

**3.2. During Transit:** With all transport services being shut within hours of the announcement of the lockdown, the workers were unable to ferry themselves home. Despite this, many have been attempting to reach home, because of the disbelief that arrangements by the government in the destination state would be sufficient to address their welfare, and are thus stuck in transit. Responding to a petition filed in the Supreme Court, the Ministry of Home Affairs (MoHA), stated that there are more than **10 lakh migrant workers in relief camps**. Around **5-6 lakh of workers** walked on foot to villages after the lockdown. The **government-run shelters have 6.3 lakh** and those run by NGOs have over 4 lakh. The number of active relief camps and shelters of the government is 22,567 and of the NGOs is 3,909. In a survey report titled “*Voices of the Invisible Citizens*”, conducted by the Jan Sahas Social Development Society has revealed that most of those stranded *en route* would not be able to access the aid that the central and state governments had announced--around **14 per cent of the respondents said they did not have ration cards, 12 per cent said they could not access PDS rations from their current location, and 17 per cent said they did not have bank accounts**.<sup>18</sup> Workers have been met with the force for violating the lockdown measures<sup>19</sup>, as evidenced by reports of workers being beaten up to be coerced into going back to their shelters, and being publicly doused with disinfectants in Uttar Pradesh<sup>20</sup>.

**3.3. In the Source States:** Battling the difficult transit circumstances, some migrant workers managed to **reach the source state**, where they were informed about the state

<sup>18</sup>Status Report, the Ministry of Home Affairs,

[https://www.mha.gov.in/sites/default/files/Status%20Report%20COVID19\\_1.pdf](https://www.mha.gov.in/sites/default/files/Status%20Report%20COVID19_1.pdf), accessed as on 13<sup>th</sup> April 2020.

<sup>19</sup> India coronavirus lockdown: Migrant workers and their long march to uncertainty, The Hindu, 4 April 2020, available at <https://www.thehindu.com/news/national/india-coronavirus-lockdown-migrant-workers-and-their-long-march-to-uncertainty/article31251952.ece>

<sup>20</sup> Alok Pandey, Bleach Sprayed On Migrants In UP Over COVID-19, Kerala Uses Soap Water, NDTV, 30 March 2020, available at <https://www.ndtv.com/india-news/coronavirus-india-lockdown-disinfectant-sprayed-on-migrants-on-return-to-up-shows-shocking-video-2202916>

borders being sealed. Further, once they reached, their entry into the village was barred by the community as witnessed particularly in Patna, Rajasthan and West Bengal. Those who were allowed in were met with a different set of challenges from the community<sup>21</sup>. Their return to the village has been met with the fear of them being carriers of the virus, leading to local transmission, and overwhelming the already inadequate health care system. As a result, they are facing extreme stigma from the community, such as not being allowed to take water from the local hand pump or having to fetch water from the animals' water source.

*"The relief packages announced by governments are not sufficient. The workers need to be treated with dignity. Governments must ensure that - safe quarantine facilities are provided for returning workers, establishments pay back wages, cooked food is distributed to them, and all other essentials and social security benefits are taken care of."*

*~ Mr. Britto, VannMuhil, Tamil Nadu*

Most of these migrant workers face similar challenges with respect to obtaining any form of formal financial assistance. They often do not have sufficient documentation and collaterals to rely on the formal financial system<sup>22</sup>. CSOs working at the ground level have observed that workers have started to rely on informal lending sources such as moneylenders who charge exorbitant interest rates. Without daily wages, workers are finding it difficult to repay these loans, which would lead to an accumulation of large interest. They are fearful of being pushed into a debt trap and having to resort to bonded labour to survive. They also fear violence resulting from non-payment<sup>23</sup>.

*"Non-Below Poverty Level (BPL) households and those without ration cards, will soon exhaust their savings and food stores. Poor families will be compelled to resort to moneylenders and land / brick kiln owners for loans and as a consequence will be coerced into working as bonded labourers. After the lockdown is lifted, local employment in the form of MGNREGS work must be provided, failing which, the migration ratio will be much higher and may result in an increase in forced labour and other forms of human trafficking."*

*~Dr. Satyendra Kumar Singh, Nirdesh, Bihar*

While these challenges are surfacing now with unprecedented magnitude, they are rooted in far more entrenched issues. The first and foremost is the inability of data collection surveys to accurately capture migrant data<sup>24</sup>, coupled with non-maintenance of registers by

<sup>21</sup> Parul Agrawal, Bihar's Migrants Return To Face Stigma, Under-Prepared Medical Facilities, IndiaSpend, 1 April 2020, available at <https://www.indiaspend.com/bihars-migrants-return-to-face-stigma-under-prepared-medical-facilities/>

<sup>22</sup> Narayan Pradhan, Persistence of Informal Credit in Rural India: Evidence from 'All-India Debt and Investment Survey' and Beyond, Department of Economic and Policy Research, Reserve Bank of India, RBI Working Paper Series, available at [https://rbi docs.rbi.org.in/rdocs/Publications/PDFs/05WS080513\\_F.pdf](https://rbi docs.rbi.org.in/rdocs/Publications/PDFs/05WS080513_F.pdf)

<sup>23</sup> Jan Sahas, Voices of the Invisible Citizens: A Rapid Assessment on the Impact of COVID-19 Lockdown on Internal Migrant Workers, April 2020

<sup>24</sup> Ravi Srivastava, Vulnerable Internal Migrants in India and Portability of Social Security and Entitlements, Centre for Employment Studies, Institute for Human Development, Working Paper Series, available at [http://www.ihdindia.org/Working%20Papers/2020/IHD-CES\\_WP\\_02\\_2020.pdf](http://www.ihdindia.org/Working%20Papers/2020/IHD-CES_WP_02_2020.pdf)

employers containing particulars of the inter-state migrant workmen in the establishment<sup>25</sup>. Their constant mobility results in insufficient time being spent in any one location to qualify as a permanent address. This prevents them from having proof of residence for identity documents. This lack of labour registration system makes it difficult to ascertain the magnitude of migration in India, and consequently, the diversity of needs of migrant workers, addressing which requires a variety of measures. Despite several welfare schemes such as Pradhan Mantri Awas Yojana (PMAY), PDS and other DBT transfers, sans any identity proof, the migrant workers are often unable to access any of the entitlements and are barred from even opening bank accounts, consequently falling through the cracks in the current social security system.

**Key Insights: Criteria for Entitlement and Identification Proof**



*With Inter-State Migration forming a part of the Union List, and social security largely being a concurrent subject, there is a complex, quasi-federal structure in place to provide welfare benefits to migrant workers from poor households, posing a number of challenges.*

*First, the eligibility criteria for entitlements as well as the entitlements themselves vary across states. Secondly, welfare schemes, by design, lay down eligibility criteria and consequently rely on identity cards to determine the specific beneficiaries who will be entitled to benefits. An unfortunately common eligibility criteria include state domicile, and in some instances a minimum period of residence. Although the Central Sector and Centrally Sponsored Schemes are funded by the national government, implementation of these schemes is often left to the state governments, which consequently results in the same issues.*

*The distinctive problem with respect to migrant workers is the lack of identity proof and more specifically, the lack of local address proofs, which form the basis of entitlements under a majority of the schemes. Any policy interventions to alleviate the suffering of migrant workers must, therefore, address the need for documentation of migrant workers, as a precursor to tackling all other difficulties, because, without documentation, these workers are virtually invisible to the system and devoid of several rights.*

**4. Policy Initiatives: Analysing the Key Benefits and Relief Measures**

The impact of the current crisis on migrant workers can only be minimized through effective policy measures by coordinated efforts of both central and state governments. Several measures have already been adopted at the central and state levels to ease the challenges faced by migrant workers. Despite these measures, challenges in implementations of the same have been observed at both levels. Table 1 and Table 2 analyse the central and states

<sup>25</sup> Section 23, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

benefits announced for the relief of migrant workers and key shortcoming identified during the implementation.<sup>26</sup>

#### 4.1. Central Government

**Table 1: Benefits and Reliefs announced for Migrant Workers by Central Government**

Sl. No	Scheme (under Pradhan Mantri Garib kalyan Yojana PM-GKY)	Benefits	Challenges in Implementation
1	Under Pradhan Mantri Kisan Yojana	The first instalment of <b>INR 2000 due in 2020-21</b> would be front-loaded and paid in April 2020, benefitting 8.7 crores farmers	The number does not account for 30% of the beneficiaries of the scheme, leaving behind close to 3.81 crore farmers, in addition to the scheme already excluding 14.43 crore landless agricultural labourers
2	Pradhan Mantri Jan Dhan Yojana	Women account holder would be given ex-gratia of <b>INR 500 per month for the next three months</b> benefitting 20.40 crore women	Excludes women who did not open a Jan Dhan account because they had a pre-existing account
3	Pradhan Mantri Ujjwala Yojana	<b>Gas cylinders, free of cost</b> , would be provided for the next three months to 8 crore poor families	Ujjwala requires upfront payment for cylinders, which is later reimbursed. With a cash crunch due to shutdown of economic activity, this upfront payment is difficult
4	Employee's Provident Fund and EPF Advance	In establishments having upto 100 workers with 90% employees receiving less than INR 15,000 pm, the workers would receive <b>24% of their monthly wages into their PF accounts</b> for the next three months  EPF holders are allowed to take a non-refundable advance which can be upto	A large section of textile and garment establishments would be excluded as they employ more than 100 workers so that they can run multiple shifts. In Tamil Nadu, about 7413 garment <sup>27</sup> making units provide employment to more than 10 lakh workers directly.

<sup>26</sup> POLICY RESPONSE OF THE UNION & STATE GOVERNMENTS, TISS

<sup>27</sup> Data presented to National Human Rights Commission by the State Government of Tamil Nadu in 2019

## RECOMMENDATION PAPER: ON MIGRANT WORKERS

		75% of their EPF balance or 3 months of wages, whichever is lower from their EFP account	
6	Mahatma Gandhi National Rural Employment Guarantee Scheme	The wage would be increased by INR 20 with effect from 1 April 2020	The revision of rates would not be beneficial unless they are paid without any delay, along with clearing the backlog of payment of previous months' wages
7	Building and Other Construction Workers (BOCW) Welfare Fund	State Governments are directed to use the BOCW cess funds to aid 3.5 crore registered workers in the construction sector	The Act mandates the registration of the construction workers at their source states and many of the migrant workers remain unregistered and unable to avail the benefits of the said scheme

Besides the above initiatives, the MoHA announced some key steps. To deal with the situation and for effective implementation of the lockdown measures, and to mitigate the economic hardship of the migrant workers, under **section 10(2)(1)** of the **Disaster Management Act 2005**, the government issued orders with the direction to the State/ Union Territories (UTs) governments and advised District Magistrate and Senior Superintendent of Police to:

- Ensure adequate arrangements of temporary shelters and provisions of food etc. for the poor and needy people, including migrant labourers, stranded due to lockdown measures in their respective areas;
- The migrant workers, who have moved out to reach their home states/hometowns, must be kept in the nearest shelter by the respective State/UT Governments quarantine facilities after proper screening for minimum period of 14 days as per standard health protocol;
- All the employers, be it in the Industry or in the shops and commercial establishment, shall make payments of wages of their workers, at their work places, on the due date, without any deduction, for the period their establishments are under closure during the lockdown;
- Wherever the workers, including the migrants, are living in rented accommodation, the landlords of those properties shall not demand payments of rent for a period of one month and;
- If any landlord is forcing labourers and students to vacate their premises, they would be liable for actions under the Act.

### 4.2. State Governments

As shown in Table 1, the relief measures undertaken by the Central government are not without implementation challenges, primarily in the form of exclusions and leakages. In order to address these challenges, the state governments have undertaken several temporary emergency measures of their own, as provided in Table 2 below.

**Table 2: Benefits and Reliefs announced for Migrant Workers by State Governments**

Sl. No	State (Source and Destination)	Benefits
1	Bihar (Source State)	<ul style="list-style-type: none"> <li>- <b>INR 1000 per eligible ration card</b> is to be deposited into their bank accounts. This amount would be transferred through the DBT (Direct Benefit Transfer) System.</li> <li>For ration cards whose Aadhar seeding has not yet happened, the government would ensure it takes place quickly and transfer the money (INR 1000) soon after</li> <li>- Shelter homes for the inbound migrants at the borders to be set up</li> </ul>
2	Andhra Pradesh (Source and Destination State)	<p><b>Relief of Migrant working in Factories</b> - the management of the establishments where these migrants work have to take care of the food requirements of these workers.</p> <ul style="list-style-type: none"> <li>- If there is lack of co-operation from these owners, the District Collector can step in and open up relief shelters on a case by case basis.</li> <li>- These relief shelters would provide <b>5kg of rice per person and 1 kg of red gram dal.</b></li> </ul> <p><b>Relief for Intra-State Migrants</b> - For migrants stranded in other districts, Civil Supplies Department should provide them ration based on their entitlement as per the original ration card issued to them in their respective native places</p> <ul style="list-style-type: none"> <li>- The information would be collected via e-PDS.</li> <li>- If migrant does not have a ration card, their details would be sent to the district collector of their native district and then ration as per BPL families scale should be provided to them as one-time measure</li> </ul>
3	Uttar Pradesh (Source State and Destination State)	<ul style="list-style-type: none"> <li>- Amount of <b>INR 1,000 each</b> would be given to 1.5 million daily wage labourers and 20.3 lakh construction workers across the state through DBT. For workers who do not have bank accounts, efforts would be made to open their bank accounts as soon as possible.</li> <li>- For households not covered under National Food Security Act (NFSA), <b>INR 1000 assistance</b> would be provided.</li> <li>- Community kitchens are operational for needy daily wagers and needy.</li> </ul>

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		- Payment of rent for tenancy would be deferred by one month
4	Odisha (Source and Destination State)	- A one-time payment of <b>INR 1500</b> to registered construction worker - Food would be provided in 250 camps set up in the state for unorganised workers from other states and regions.
5	New Delhi (Destination State)	- Provision of ration to all migrant workers, regardless of ration card - <b>INR 5000</b> given to every construction worker of Delhi
6	Tamil Nadu (Destination State)	- Package of <b>INR 1000 along with 15 kg rice, 1 kg dal and 1 kg oil</b> to unorganized sector workers - A one-time payment of <b>INR 1000</b> to registered construction workers - Amma canteens to continue functioning in order to provide quality free food. - Rent collection from tenants would be suspended for two months.
7	Kerala (Destination State)	- Kerala has a total of <b>15,541 relief camps</b> for migrant workers - Community kitchens set up and doorstep delivery of food for migrant workers by local self-governments - Formation of Migrant Labourers' Welfare Coordination team at the district level
8	West Bengal (Source State)	- New programme called 'Prochesta Prakalpa' – daily workers in need would get <b>INR 1000</b> as one-time relief.
9	Jharkhand (Source State)	- Food grains for Priority Households (PHH) - For the month of <b>April</b> , PHH card holding families would receive <b>10kg grains per family member at the rate of Re.1 per kg</b> . For the month of <b>May</b> , PHH card holding families would receive <b>10kg grains per family member free of cost</b> . • For the month of <b>June</b> , PHH card holding families would receive <b>5kg grains per family member free of cost</b> and the other <b>5kg grains per member at Re.1 per kg</b> .
10	Rajasthan (Source State and Destination State)	- <b>INR 1000</b> for registered construction workers as a one-time payment - A one-time payment of <b>INR 1000 per household</b> . Distribute cash if HHs does not have bank accounts - NPSA beneficiaries (ration card holders) to get ration wheat free of cost in April and May
11	Madhya Pradesh (Source State)	- All labourers get <b>INR 1000</b> as one-time payment - <b>One month's ration free</b> for all households
12	Punjab (Destination State)	- All industrial units and brick kilns to commence operations with migrant workers if they have adequate provisions to accommodate them safely within the premises

- Distribution of **10 lakh packets of dry ration** containing **10 kg atta, 2 kg dal and 2 kg sugar** to **daily wagers and unorganised labours**. These packets would also be available at the DC office for anyone not covered in the distribution drive.
- Relief of **INR 3,000 to each registered construction worker** in the state through direct benefit transfer (DBT). A total sum of INR 96 crore has been earmarked for this purpose

Even with these measures, the responses have been inadequate in effectively addressing all concerns of the workers as they continue to face severe challenges. While the above tables highlight specific gaps in implementation at both levels assigned to differing nature, below mentioned are some important gaps faced by the workers in both source and destination states:

### A. Lack of Coordination

Considering the precarious nature of inter-state migration, an effective response to the mass exodus would require coordination between source and destination states on multiple fronts. Migration in India follows patterns, with workers migrating from “source” states to “destination” states, in accordance with the kind of work undertaken. For example, workers typically migrate from states like Uttar Pradesh and Bihar into Delhi and Maharashtra.

A coordinated response would involve the identification of these patterns to facilitate the safe migration of the workers back to their homes. Although this could not be fully undertaken before the lockdown, it is imperative to undertake this even today, to minimise if not curb the challenges being faced in destination states.

*The government should have anticipated the current crisis and should have promoted a balanced distribution mechanism of food. There is a requirement for greater awareness and a realisation on part of the government of the need to support the marginalised and frontline workers.*

*~ Dr. Bhanuja Lal Sharan, MSEMVS, Uttar Pradesh*

### B. Nature of Relief Measures

The relief measures being announced at the Central level, especially under the PM-GKY, are mostly an extension of existing welfare benefits. While the measures are certainly a step in the right direction, they still do not address the larger share of the problem, as they anyway cannot be accessed by a majority of the migrant workers. For example, the PM-GKY provides for MNREGS wages to be increased by INR 20, utilisation of the Welfare Fund for Building and Other Constructions Workers (BOCW), and additional PDS entitlements.

However, there are problems with each of these components. The survey conducted by Jan Sahas revealed that **69 per cent of the surveyed workers did not possess MGNREGS job card**. Additionally, several wages have already accrued MGNREGS which need to be cleared, and

unless immediate payment is ensured, the change in the wage rate would be inconsequential to address the immediate needs. Even for BOCW welfare funds, **over 94 per cent of the workers** did not have BOCW cards, which would be required to entitle them to this relief announced under the PMGKY.

Lastly, the migrant workers who do hold ration cards, are registered at Fair Price Shops (FPSs) in the source states, resulting in ineligibility of access to ration in the destination state, where they are currently stuck. The Jan Sahas survey identified that **42.3 per cent of the workers did** not have any ration left even for the day, so it is imperative that the anomaly in the PDS design is addressed at the earliest, to provide foodgrains to all workers. Additionally, for ration to be useful, it needs to be ensured that the workers also have access to gas cylinders and cooking essentials. In fact, short term migrants, due to their housing facilities, often do not have access to kitchens and only rely on food stalls near their worksites where they can access cheap food.

*The government has declared benefits under Integrated Child Development Service (ICDS) for pregnant women and lactating mothers and for children below the age of five, but this manifestly excludes those women and children who are not registered under ICDS. Further, as part of the relief measures, money is being transferred to bank accounts. However, when people are not being allowed to visit the bank to withdraw, the relief measures are inconsequential.*

*~ Mr. P.K. Sharma, Centre Direct, Bihar*

### C. Lack of Awareness

While several relief measures are being announced by governments, the most important concern is whether the beneficiaries are aware of these measures to access the entitlements. Especially given the isolation required in this period, it is all the more difficult to make entire communities aware of new decisions taken by the government. The Jan Sahas survey showed that **62 per cent of the surveyed labourers were unaware** of the multiple directives issued in response to the crisis and the lockdown, with a mere 5 per cent confirming that they were both aware of the provisions and knew how to access the entitlements.

**Key Insight: Inter-State Access of Entitlements**

One way in which interstate access of entitlements has been addressed is through the creation of a national digitised database, such as for the Pradhan Mantri Jan Arogya Yojana (PM-JAY) under Ayushman Bharat (erstwhile RSBY), whereby the benefits have been linked to identity cards. A centrally formulated uniform eligibility criteria, sans state domicile, eliminates the requirement to show local address proof, allowing the beneficiaries to access the entitlement from either the source or the destination state.

While the guidelines allow beneficiaries to access free health care at any empanelled hospital across the country, the implementation is still fraught with challenges, which stem from the cost sharing component between the Central and State Governments. The amount transferred by the Central government to the State either corresponds to the number of eligible families (under the insurance model), or the number of claims, but subject to a ceiling (under the assurance model). In both scenarios, this means that in order to pay claims over a certain number, the State Government will have to incur expenditure out of its own Treasury, instead of the Central funds, disincentivising them from allowing claims of individuals habitually residing outside the State.

With respect to PDS, the scheme design currently relies on Centre-State coordination, whereby grains are allocated by the Centre to states in accordance with the procurement requirements based on the identification of beneficiaries. The Centre has sought to adopt an Integrated Management of Public Distribution System (IM-PDS) to overcome this challenge. Earlier, eligible beneficiaries could access subsidised food grains only at the local FPS upon furnishing their ration card as identity and address proof. But with the motto of 'One Nation, One Ration Card' the new scheme design seeks to allow beneficiaries to use the ration card to claim entitlements at any FPS.

However, this scheme design is still reliant on certain presumptions, the foremost being the complete digitisation of all beneficiary records and the subsequent access to these digitised records at each FPS. Successful implementation of this scheme requires an extensive amount of technological up-gradation to enable FPSs to seamlessly access the central repository of beneficiaries. Lastly, overcoming the inherent fault in design will still require making allocation and distribution flexible, to account for the changes in the number of beneficiaries across state boundaries, to prevent the implementation challenges as seen with the PM-JAY.

## 5. Recommendations

Even with the governments' efforts and initiatives, migrant workers continue to face challenges during this unprecedented crisis. Thus, it is important to identify concrete steps that would enhance the impact of governmental measures to provide effective support to migrant workers. The recommendations mentioned below have been categorised into short term (catering to the immediate situation) and long term (policy level efforts):

### 5.1. Short-Term Measures

#### i. Need to relax the requirement of a Ration Card to avail PDS

Under the current situation, the ***requirement of possessing a ration card should be relaxed and this relaxation should be expanded*** for the time of 4-6 months. This relaxation should also be extended to people who ***do not possess Aadhar card***. Alternatively, a guideline for ***"Temporary Ration Card"*** could be issued by the Departments of Food, Supplies and Public Distribution under the Ministry of Consumer Affairs & Public Distribution for the period of the ongoing lockdown.

#### ii. Delink PDS from Fair Price Shops for Home Delivery of Ration/Meals

To avoid the situation of crowding in the FPSs, the Central Government should advise the States ***to delink PDS from registered FPSs*** and make provisions for ***ration/cooked meals to be directly supplied to places of residence***. This could be done in coordination with the ASHA, ANM and Anganwadi workers and the ***meals should also include mid-day meals for children as well as supplementary nutrition for pregnant and lactating women*** including the ones who are not registered with the AWC.

#### iii. Provide Cash Assistance to All Categories of Informal Workers

For wider accessibility, the provision of cash assistance should be broadened to ***include other categories of informal workers rather limiting to registered construction workers from the BOCWA Fund***. Further, an ex gratia ***compensation amount may be provided to the families of the migrant workers who lost their lives*** during the lockdown for their continual survival.

Further, Central and State Governments should provide ***wage compensation*** to the workers in the informal sector during the lockdown period to prevent the situation of debt bondage.

#### iv. Effective Policies to waive off Rent Payment

The leasing and rental policies directing the payment of monthly rent should be revised so as to ***waive off the financial burden of paying the rent*** to landlords by migrant workers for a period of 4-6 months.

### v. Make Relief Measures for EPFO Subscribers to be applicable for all Establishments

At present, the assistance measures for Employees' Provident Fund Organisation (EPFO) subscribers are ***only applicable for establishments with up to 100 employees, where 90 per cent of employees draw less than INR 15,000 salary***. NGOs in Tamil Nadu have highlighted that this ***excludes a large segment of workers***. Such measures should thus be made ***widely accessible*** to include all EPFO subscribers.

To mitigate the adverse impact of most companies denying to pay wages for the period of the lockdown - funds should also be ***released under Employees' State Insurance Corporation (ESIC) for the registered workers***.

### vi. Provide Comfortable, Safe & Hygienic Living Arrangements for Migrant Workers

The Central Government should ***issue guidelines to all States for setting up emergency shelter homes***. Living and other shelter arrangements should be made in a way that the ***workers are comfortable enough to live in the destination state until the crisis begins to ease***. Mechanisms should be set in place to look after their ***personal safety, especially women workers***. A sufficient number of separate shelters should be set up to ***prevent overcrowding***.

*Financial or material aid should be provided by the Centre to the states for ensuring that the shelters are equipped with adequate facilities such as medical-aid, sanitisers, food supplies and arrangements for personal hygiene and sanitation requirements such as sanitary products for women.*

### vii. Facilitate Centre-State Collaboration

To avoid scattered efforts, there should be ***collaboration, coordination and cooperation between the Centre and the States, including the source and destination states*** to take stock of the transit needs of the migrants, for efficient screening and monitoring.

- Firstly, ***the Centre can disburse block grants to the States, without a cost-sharing formula and by possible conversion of all central schemes corpus into an emergency relief fund***. This would also circumvent the implementation gaps faced due to the existing schemes.
- Secondly, the processes for ***financial management and procurement should be expedited and well-coordinated***. The Centre can take up discretionary functions in

*cases where leakages are high whilst giving States absolute control over the actual transaction processes.*

- Lastly, ***the supply chain for essential commodities should be improved*** through *adequate and dedicated supply chain financing*. This can be achieved through the Centre working in close consultation with the States in order to ***include ways of extending and injecting credit*** as well as ensuring the cross-border supply of labour and inputs.

### **viii. Setting up a National Level Task Force to better facilitate inter-state coordination:**

A National Level Task Force should be set up to ***address the difficulties faced by the migrant workers due to the nationwide lockdown*** and to ***better facilitate interstate coordination***. An online mechanism should be put in place for the national task force to listen directly to the experiences of migrant workers in key source and destination areas. The task force should hold ***periodic reviews and provide necessary guidelines on handling issues relating to migrant workers***. It should enforce information exchange between source and destination states coordinate smooth movement.

## 5.2. Long-Term Recommendations

Amidst exploring immediate ways to ameliorate the situation of labourers and their families, it is important to initiate long-term processes that aim at building sustainable institutional mechanisms that can effectively deal with and prevent the socio-economic suffering of migrants akin to what is afflicted upon them today.

### **i. Database of Migrant Workforce at the State-Level**

***The Centre should advise the State Governments to maintain data regarding the migrant workforce at the state levels.*** Such a database can be ensured by ***decentralising the process of labour registration systems at the panchayat level*** at both the source and destination, and finally compilation of the same by the state government. This process carried out by the local government at both locations can also be used to facilitate the ***effective delivery of welfare services such as residential facilities, education for the children of migrant workers***, etc.

Alternatively, ***the Centre should initiate and direct the process of digitising present migrant records which are already maintained at the local government level.*** This digitisation process can further be equipped with a ***MIS (Management Information System) linkage system*** which would allow the local government officials to ***upload real-time data about beneficiaries as well as extract and filter the same.***

*The earlier mapping of migrant settlements by IWG member NGOs in Tamil Nadu put them in a strong position to bring the needs of these communities to the urgent attention of the authorities during the COVID lockdown, assisting the authorities to provide food relief. With a system of government tracking of such settlements, this provision of basic protections would not be so reliant on the capabilities and presence of local NGOs.*

### ii. Inter-State Portability of PDS using Panchayat Level Registration of Migrant Workers

The scheme *guidelines for PDS should be revised* to allow the *portability* of scheme entitlements across states. The *beneficiary should be allowed to present an identity card that shows the original address proof* and then *additional documentation can be used to prove migration* and access welfare benefits in the destination state. This documentation can include panchayat-level registers - mandating *registration of workers in migration registers at the Panchayat* where they are migrating from (source) as well as the local government they are migrating to (destination). Linking to the earlier recommendation, these localised migration registers could form the basis of a centralised database to facilitate the portability of entitlements.

This *would ensure that the address on the identity card need not be updated every time the worker relocates*, and it can *help keep track of migration patterns to adjust the central aid to states under the NFSA*, removing any incentive to favour local population over migrants.

### iii. Amendment in Key Legislations impacting Migrant Workers

As stated by the Parliamentary Standing Committee of Labour, *a separate chapter on migrant workers should be formulated by the Ministry of Labour and Employment* in the *Occupation, Safety, Health and Working Conditions Code (OSH), 2019*, giving this section of the community the requisite support. Further, this should be supplemented by *welfare provisions for migrant workers* in the OSH Code, 2019, such as *dignified residential facilities in the form of migrant hostels at the destination states*.

### iv. Revision in the Corporate Social Responsibility Rules for Tech Aggregators

The *CSR Rules for companies*, especially *for gig economy tech aggregators*, can be revised and expanded to include the *provisions for aiding workers with relief packages such as cash and material assistance*. In the long-term, the requirements can be converted to *companies maintaining an emergency relief corpus*, which may also help in avoiding the inability of companies to pay wages and sustain employees in times such as the present economic crisis.

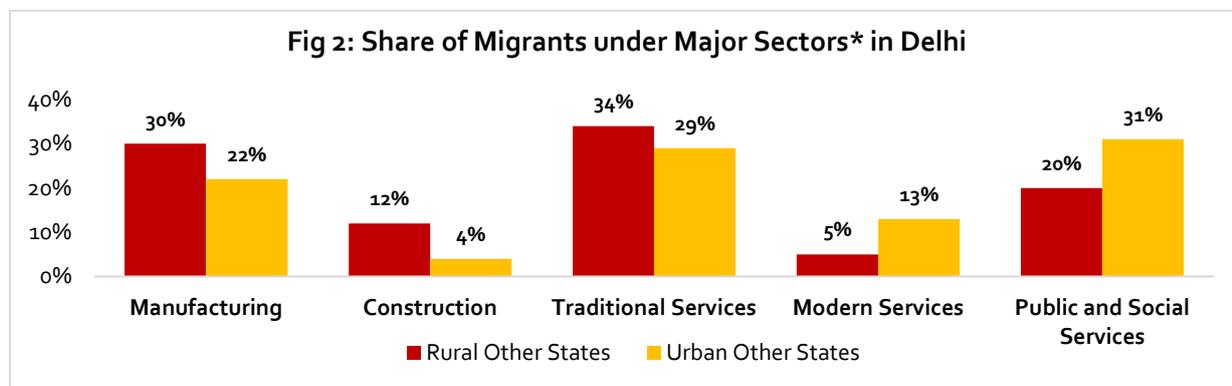
### v. Economic Measures

- a) The Central Government should create ***social security platforms by registering more informal workers as EPFO subscribers***. Through the ***effective mapping of the migrant workforce*** during the emergency, the ***workers at the destination states can be looped into the various manufacturing opportunities*** that may crop up as the COVID-19 crisis begins to ease. The ***manufacturing units may be directed by the Centre to employ a specified percentage of skilled and semi-skilled workers. Unskilled workers can be employed in plumbing, carpentry etc.***
- b) If feasible for respective companies, the Centre should encourage provisions to be made for ***an increase in the wages and pensions of the workers.***
- c) The Centre and the States should work closely to create ***opportunities in source areas through investment in skills*** (utilising schemes such as ***Pradhan Mantri Kaushal Vikas Yojana***) for ***low-literacy, remote and unskilled populations. Here the Government should also relax the eligibility criteria under the scheme.*** Opportunities can be created in semi-skilled and unskilled jobs wherein the ***wage rate should match what is provided to the workers for jobs that prompt migration such as construction work in destination states.*** Alternatively, a convergence platform can be created with MGNREGS with increased wages to provide the workers with immediate job opportunities and collaborate with ***Rural Self Employment Training Institute*** to provide other key skills.
- d) Overturning the consequences of the COVID-19 crisis into an opportunity to develop rural economies - ***the Centre and the States should work in close coordination to promote entrepreneurship and enable ecosystems through directing investments and achieving large economies of scale.*** Initiatives such as setting up of large scale storage processes would encourage employment and also serve to support the farming sector in rural areas.

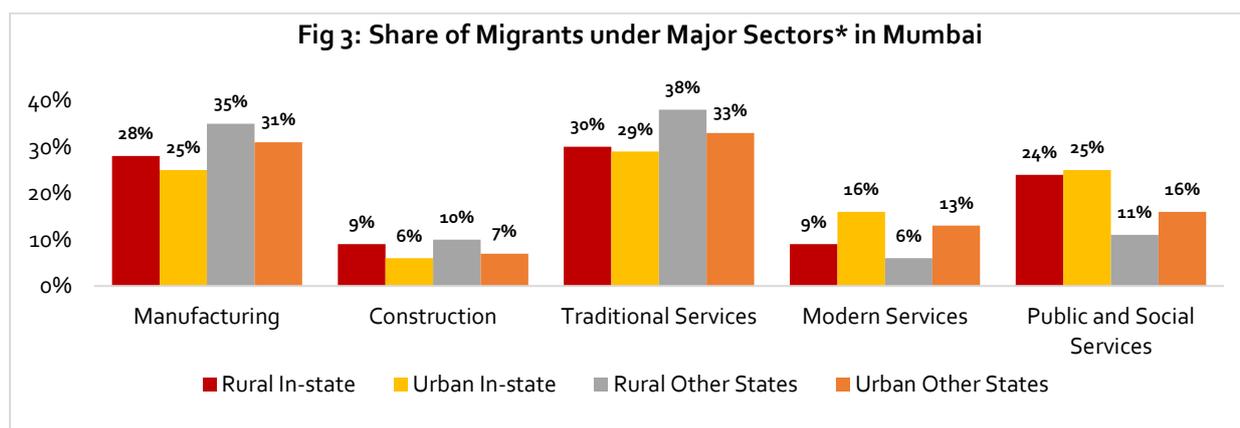
### Annexure

Prominent metropolitan cities like New Delhi, Mumbai, Chennai and wealthier states like Maharashtra, Gujarat and Punjab have become the top destinations for inter-state migrant labourers in recent times. According to the NSS 64<sup>th</sup> round, about **43 per cent of Delhi and Mumbai's population are migrants**, with over half coming from Uttar Pradesh and Bihar. Field evidence shows that the major sectors using migrant labour are textiles, construction, stone quarries and mines, brick-kilns, small scale industry (diamond cutting, leather accessories etc.) crop transplanting and harvesting, sugar cane cutting, plantation, rickshaw pulling, food processing, domestic work, sex work, small hotels and roadside restaurants and street vending.

Fig. 2 and 3 below depict the share of migrant workers under major sectors in Delhi and Mumbai<sup>28</sup>. It is interesting to note that the proportion of migrant workers coming from rural other states is higher across all sectors except modern services in Delhi and Mumbai. While all migrants to Delhi are from out of state, there is a difference between migrants who come from rural and urban areas. Typically, migrants from the rural regions tend to be more employed in manufacturing and traditional services while those from urban areas are employed in public services.



Source: NSS 2007-08.



Source: NSS 2007-08. \*Using the National Industrial Classification codes of 2004 (NIC). **Primary** includes agriculture, hunting, forestry, fishing, mining and quarrying (NIC 01-14), **Manufacturing** is NIC 15-37, Public Services are NIC 40-41, Transport via Railways (NIC 6010), National Postal Activities (NIC 64110), and Public Administration (NIC 751, 752 and 753), **Construction** is NIC 45, **Traditional services** include wholesale and retail trade, hotels and restaurants, transport, storage and communications (NIC 50-51, 55, 60-64, except 6010 and 64110), and Modern services includes Financial intermediation, real estate renting and business, education, health and social work, other community social and personal services (NIC 65-74, 80,85, 90-99 excluding 751, 752, 753)

These migrants mostly settle in the destination states with the prospect of receiving employment and face multiple challenges to avail the basic necessities of life. One of the common struggles is to claim basic benefits under PDS in destination states. Migrants who are registered to claim access to a number of legal and other entitlements at their source locations, lose access to these benefits upon migration to a different location. This is particularly aggravated in the case of inter-state migration, which is further complicated by barriers of language and jurisdiction but is also true of intra-state migration.

<sup>28</sup> Report of the Working Group on Migration, Ministry of Housing and Urban Poverty Alleviation. January 2017,

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