



PROBLEMS OF MIGRANT WORKERS IN INDIA

By Nidhi Baid

From Gujarat National Law University

ABSTRACT

The COVID 19 pandemic, and the subsequent economic crisis was tough on the world, but it was doubly hard on the migrant labourers. During the pandemic, India had faced an acute cash crunch, with a huge percent of India's population facing threats to their job security and reduced salaries. Arguably, it was the migrant workers who were hit the hardest of all considering the fact that they do not have job security and high wages at best of times. During the pandemic, they lost everything and were left stranded with no money, no work and no way of returning home, The rights and benefits available to the migrant workers have improved a lot over the years, but these are still lacking when it comes to protecting them from exploitation by the employers. They still get paid only in minimum wages and have no job security as they are often hired on daily wages. The laws governing them have come a long way from the past, but there is still a long way to go before we can claim to have succeeded in provided them adequate protection against exploitation.

Keywords: Decent Work, Migrant Workers in India, COVID 19 pandemic.

LITERATURE REVIEW

Annie Jane, in her research paper on the issues and problems faced by the migrant workers comprehensively discussed the various issues faced by the migrant workers

and covered all the relevant areas from money and finance to health and safety to exploitation faced by them. The paper also mentioned some legislative and policy measures undertaken by the government to deal with the problems of the migrant workers. The paper published based on the study undertaken was precise and to the point.

Jawhar Sircar, in his opinion article published in the Wire presented a very strong opinion with respect to the problems faced by the migrant workers. He discussed the plight of the migrant workers during the COVID 19 pandemic. He also discussed the root of the problems and the history of the various committees that were set up to deal with the issue. He was very critical of the government opining that the government has failed the migrant workers and the steps that it had taken were inadequate to tackle the issues faced by the migrant workers in India.

Rehanamol Raveendran, in his opinion article published in Outlook looked at the root cause of the problems that the migrant workers continue to face. He took an anti-capitalist approach and attributed blame to the capitalist system for the issues that are being faced by the migrant workers. He went on to discuss about the societal humiliation faced by the migrant workers and how their plight is also the result of the caste and class system that is prevalent in India.

Dr. W.N. Slave in his paper discussed about the concept of decent work and the labour standards in India. He advocated for the inclusion of the migrant workers in the agenda of decent work and how the labour law standards that have been established



should also apply to them. He advocated for the protection of the migrant workers.

INTRODUCTION

UN General Secretary, Ban Ki-moon called Migration as “an expression of the human aspiration for dignity, safety and a better future. It is part of the social fabric, part of our very make-up as a human family”.

Migration is understood as the movement of people away from their place of residence, across the territorial borders, either internal (within country) or international (across countries). According to the Census conducted in 2011, India had 45.6 crore migrants, which amounts to 38% of the population, which is a marked increase compared to the 31.5 crore migrants in 2001 (which amounted to 31% of the population), an increase of around 45%. Of the total migrants, 99% of total migration was internal.¹ Movement of workers happens from the impoverished rural regions to the more affluent urban areas and established industrial pockets in search of work.

The International Labor Organization defines Migrant Worker as “a person who migrates or who has migrated from one country to another with a view to being employed other than on his own account.”²

These migrant workers have been recognized to make significant and essential contributions to the economic, social and cultural development of both their host

countries and their communities back home. But often their contributions go unnoticed and unrecognized.³

It is estimated that as many as 140 million of India’s rural poor migrate seasonally to cities, industries, and farms in search of work to undertake a vast range of casual work in construction, manufacturing, services, and farm sector.⁴ They are form the part of India’s unorganized, informal workforce, who are estimated to amount to over 350 million and remain excluded from services and rights as workers and citizens, in their rural homes and in their places of work in urban, industrial, and rural areas

The entire experience of employment for these migrant workers can be summed up as poor wages, erratic employment, hazardous work conditions and lack of essential services.⁵ They are also excluded from subsidized food-grains, housing, health care and other benefits available to local citizens due to them being unable to provide any proof of residence.⁶

It remains a fact that despite their large numbers, the government and the industry has largely been unable to provide migrant workers with effective legal or social protection.

Inter-State Migrant Workmen Act of 1979

The legislation that is concerned with the protection of the migrant workers is the Inter State Migrant Workers Act 1979. It governs all establishments employing five or more

¹ Census, 2011, Office of the Registrar General & Census Commissioner, Ministry of Home Affairs.

² Labour Migration, *International Labor Organization*, <https://www.ilo.org/global/topics/labour-migration/lang--en/index.htm>.

³ *Id.*

⁴ Labour and Migration in India, <https://www.aajeevika.org/labour-and-migration.php>

⁵ *Ibid.*

⁶ *Ibid.*



migrant workmen from other states or contractors employing five or more inter-State workmen is the Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. To employ the migrant workers, an establishment must be registered with the local authority and have a certificate providing that they can employ the migrant workers.

This law was enacted to help these migrant workers and to ensure that they have certain legal protections such as⁷:

- A system of accountability is created when the establishments who deploy these migrant workers get themselves registered and this acts as the first layer of formalising the utilization of their labour.
- The registration helps the government to keep a track about the number of workers employed by the establishments and provide a legal basis for improving the conditions of the migrant workers.
- The contractors deploying the migrant workers are required to provide certain terms and conditions of the recruitment to the workers which include remuneration payable, hours of work, fixation of wages and other essential amenities.
- The wage rates, number of holidays, working hour and other conditions of recruitment of a migrant worker must be same as those extended to other local workmen in the same establishment provided that nature of their work is same.

- The wages of the migrant workers must not be lower than the wages mentioned in the Minimum Wages Act.

The ISMW Act provides certain protections for inter-state migrant workers. Labour contractors recruiting migrants are required to: (i) be licensed, (ii) register migrant workers with the government authorities, and (iii) arrange for the worker to be issued a passbook recording their identity. Guidelines regarding wages and protections (including accommodation, free medical facilities, protective clothing) to be provided by the contractor are also outlined in the law.

DECENT WORK

The International Labor Organization, in the International Labor Conference held in 1999 stated that, “*the primary goal of the ILO is to promote full, productive employment and decent work for all globally. Decent work is the availability of employment for both men and women in conditions of freedom, equality, security and human rights*”.⁸

Decent work can be understood as the ambition of the people at their workplace, the aspirations of people in their working lives. It would entail the indispensable components along the lines of the Maslow’s need hierarchy, that is, physiological, safety and security, self-esteem and self-actualization

⁷ ‘The Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979’, *Jagranjosh*, <https://www.jagranjosh.com/general-knowledge/migrant-workers-protection-law-1589300556-1>.

⁸ ‘ILO and today’s global challenges (Part 2: 1999-)', *International Labor Organization*, <https://www.ilo.org/legacy/english/lib/century/index6.htm>.



needs.⁹ It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.¹⁰

The word decent can be understood to mean the accepted moral standards. Thus, decent work shows various types of freedoms and rights for men, women and children in order to maintain dignity of human life in the society, and to produce acceptable quality of work.¹¹

Decent work is wider than job or employment and includes aspects of wage employment, self-employment and home working and is based on the core enabling labour standards viz, freedom of association, collective bargaining, freedom from discrimination and child labour.¹²

The concept of decent work is a way to capture the interrelated social and economic goals of development, which involves the eradication of poverty, correcting the lack of access to public infrastructures or the denial of civil rights.

Decent work brings together different types of freedoms including labour rights, social security, employment opportunities etc. According to the ILO standards, there are four dimensions of decent work, that are

- Work and employment itself: Under employment, the definition of decent work is known to have a wider ambit than commonly understood by 'employment' under the labour laws and includes the full-time, part-time and the casual labour work done by women and children. To meet the requisite standards, there needs to be adequate wages and salaries with enough personal disposable income, to satisfy a worker's basic needs, corresponding to sufficient employment opportunities.¹³
- Rights at work: The right at work is a representation of the legal framework that ensures equality, freedom, adequate remuneration and representation, social security and dignity of the workers. The rights to form associations and prohibition of child labour are among the foundational rights identified by the ILO.¹⁴
- Security or Social protection: The aim of decent work is to provide security, subject to the unprecedented contingencies and exigencies during a worker's lifetime along

⁹ Monika, 'Concept of Decent Work under Labour Laws', *iPleaders*, <https://blog.ipleaders.in/concept-decent-work-labour-laws/#:~:text=Decent%20work%20is%20the%20availability,%20security%20and%20human%20rights%20would%20entail%20the%20indispensable,esteem%20and%20self%20actualization%20needs>.

¹⁰ 'Decent Work', *International Labor Organization*, <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm>

¹¹ W. N. Salve, 'Labour Rights and Labour Standards for Migrant Labour in India',

<http://www.oit.org/legacy/english/protection/travail/pdf/rdwpaper22a.pdf>.

¹² *Ibid*.

¹³ Monika, 'Concept of Decent Work under Labour Laws', *iPleaders*, <https://blog.ipleaders.in/concept-decent-work-labour-laws/#:~:text=Decent%20work%20is%20the%20availability,%20security%20and%20human%20rights%20would%20entail%20the%20indispensable,esteem%20and%20self%20actualization%20needs>.

¹⁴ *Ibid*.



with a separate plan to cater to the needs of the disabled, orphans and single parents.¹⁵

- Reprehensive at work dialogue or Social dialogue: The social dialogue provides an opportunity for the people to promote and defend their interest, voice their grievances, engage in discussions on socio-economic policies with all the members of the concerned trade and labour unions. The balancing power must vest with neither trade union nor with the employer, to avoid any chances of exploitation or influence over the weaker.¹⁶

According to the International Labor Organization, productive employment and decent work are key elements to achieve a globalized world that is fair to everyone and to reduce poverty. Thus, the ILO has developed an agenda for the community of work looking at job creation, based on the four standards, with gender equality as a crosscutting objective.¹⁷

It is a fact that the benefits of decent work and social security do not reach the migrant workers who are a part of the active informal sector workforce. These workers do not have the benefit of coming together and forming a union, nor are they able to appoint a representative to represent them.

They are subject to various discriminations; they do menial jobs for meagre wages and there exists a huge wage disparity and caste disparity among the wages of the informal sector.

The reason that the migrant workers in the informal sector do not enjoy the benefits of decent work is primarily because the government has failed them. The government has not enacted any legislation for their benefit, and the ones that do exist fail to appropriately and adequately address the situation.

Many acts were enacted by the government with an objective to improve the working conditions of the workers like Manual Scavenging (Prohibition) Act, 1991 and Dalit Atrocities (Prevention) Act, 1989, but despite the tremendous potential to improve the conditions, the results after implementation have been very underwhelming.

ISSUES FACED BY MIGRANT WORKERS IN INDIA

The migrant workers face a number of issues and challenges, which further exacerbates the situation, the end result of which is that the living and work conditions of the migrant workers are quite difficult and challenging. These migrant workers struggle with low wages, issues of working conditions, identity, safety, security, physical and sexual exploitation among others.¹⁸

Article 19(1)(e) of the Constitution, guarantees all Indian citizens the right to reside and settle in any part of the territory of India, subject to reasonable restrictions in the interest of the general public or protection of any scheduled tribe.¹⁹ However, people

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ 'Decent Work', *International Labor Organization*, <https://www.ilo.org/global/topics/decent-work/lang-en/index.htm>.

¹⁸ India needs to address concerns of migrant workers, <https://www.caritasindia.org/india-needs-to-address-concerns-of-migrant-workers/>.

¹⁹ Article 19(1)(g), Constitution of India 1950.



migrating for work face key challenges including:²⁰

- lack of social security and health benefits and poor implementation of minimum safety standards law,
- lack of portability of state-provided benefits especially food provided through the public distribution system (PDS) and
- lack of access to affordable housing and basic amenities in urban areas.

Article 217 of the Constitution read together with List 1, under the seventh schedule gives power under Item 81 about “inter-state migration and inter-state quarantine” to the centre.²¹ The central government alone is empowered to deal with this in general, and inter-state migrant workers are a part of the power and the responsibility. Item 22 of the Concurrent List mentions “trade unions, industrial and labour disputes”²² while item 24 cites “welfare of labour”²³ and allied issues, meaning that both the central and state government has the power to legislate on these issues.

While these have helped organized labour to a large extent, the unorganized sector remains a pitch black area under the lamp. Their issues were largely ignored.

The migrant workers comprise the unorganized sectors, where they live and work in unhygienic and polluted environment which makes them vulnerable to health problems and illness. Migrant Labourers employed in construction sites, metro projects, quarries, mines and highway projects and other such places live and work in hazardous environment which makes them vulnerable to air and water pollution, which in turn, can cause a number of illnesses, including kidney and lung disorders.²⁴ Their workplaces often have inadequate safety measures and outdated technology, which can lead to fatal accidents or grave disorders. The Contract Labour Act stipulates that the contractor or the employer is required to provide these labourers with suitable living conditions and accommodations²⁵. However, these workers continue to live in open spaces or makeshift shelters, parks and pavements. A lot of these migrant workers are slum dwellers, who live in deplorable conditions, with inadequate water and bad drainage.²⁶

In recent years, a trend has been observed where the number of women who migrate independently in search of work has increased and nearly ninety-two per cent of the 20 million domestic workers in the country are women and children, and 20% of these females are under 14 years of age.²⁷

²⁰ Report of Working Group on Migration, Ministry of Housing and Urban Poverty Alleviation, January 2017,

<http://mohua.gov.in/upload/uploadfiles/files/1566.pdf>

²¹ Schedule VII, Constitution of India 1950.

²² Schedule VII, Constitution of India 1950.

²³ Schedule VII, Constitution of India 1950.

²⁴ C. ANNIE JANE, ‘A Study On The Internal Migrant Labour- Issues And Policies’, IJAR, <https://www.worldwidejournals.com/indian-journal-of-applied-research->

(IJAR)/special_issues_pdf/April_2016_1461059249_24.pdf.

²⁵ *Ibid.*

²⁶ SRIVASTAVA & SASIKUMAR, ‘An overview of migration in India, its impacts and key issues’ *Regional Conference on Migration, Development and Pro-Poor Policy Choices in Asia 22-24* (June 2003).

²⁷ Abhijeet Banerjee, ‘The miracle of microfinance? Evidence from a randomized evaluation’, <https://economics.mit.edu/files/5993>.



Female migrant labourers face several important gender-based problems, including gender-based discrimination at work and violence. Given the lack of a supportive environment and social system, this can have a significant impact on the physical and mental health of these women²⁸

Another huge problem faced by the unorganized sector is that of child labour. Children often migrate along with their families and are deprived of the free and subsidised educational facilities offered by the state resulting in them having to work, particularly in dangerous conditions.²⁹ This hampers the overall growth and development of the child. It also contributes to increased childhood morbidity and mortality.³⁰

They uproot themselves from their native place and move to a totally new environment where they do not have social capital or social support. This gives rise to psychological distress and has an adverse effect on the migrant labourers' mental health.³¹

Migrant workers are usually employed in the 3-D jobs – dangerous, dirty and degrading.³² These jobs are associated with more occupational hazards than other jobs, and

often appropriate safety measures are not taken. Migrant labourers working on construction sites commonly suffer from falls, injuries caused by machines, amputations and crush injuries.³³

Due to their temporary status, and no permanent residence, migrants are unable to access the various free public health and family care programmes due to their temporary status. For women workers, there is no provision of maternity leave, forcing them to resume work almost immediately after childbirth.³⁴

One of the core issues of the impoverished migrants is that they do not have proper identification. Identity documentation that is authenticated by the state is indispensable for ensuring that a person has a secure citizenship status and can benefit from the rights and protections that the state provides.³⁵ The basic problem of establishing identity results in a loss of access to entitlements and social services. Lack of identification means migrants are not able to access provisions such as subsidized food, fuel, health services, or education that are

²⁸ RAJ, A. AND SILVERMAN, J. 'Violence Against Immigrant Women: The Roles of Culture, Context, and Legal Immigrant Status on Intimate Partner Violence', *Violence Against Women* 8(3), 367–398 (2002).

²⁹ C. ANNIE JANE, 'A Study On The Internal Migrant Labour- Issues And Policies', *IJAR*, [https://www.worldwidejournals.com/indian-journal-of-applied-research-\(IJAR\)/special_issues_pdf/April_2016_1461059249_24.pdf](https://www.worldwidejournals.com/indian-journal-of-applied-research-(IJAR)/special_issues_pdf/April_2016_1461059249_24.pdf)

³⁰ Mansuri, Ghazala, 'Migration, School Attainment and Child Labor: Evidence from Rural Pakistan', *World Bank Policy Research Working Paper 3945* (June 2006).

³¹ ROGALY ET AL, 'Seasonal Migration and Welfare/Illfare in Eastern India: A Social Analysis', *The Journal of Development Studies* (2002).

³² Dirty, Degrading and Dangerous, <https://www.amnesty.org/download/Documents/80000/act300272005en.pdf>.

³³ Schenker, 'Occupational health problems among migrant and seasonal farm workers', *Western journal of medicine* 157(3) (1992)

³⁴ C. ANNIE JANE, 'A Study On The Internal Migrant Labour- Issues And Policies', *IJAR*, [https://www.worldwidejournals.com/indian-journal-of-applied-research-\(IJAR\)/special_issues_pdf/April_2016_1461059249_24.pdf](https://www.worldwidejournals.com/indian-journal-of-applied-research-(IJAR)/special_issues_pdf/April_2016_1461059249_24.pdf).

³⁵ *Ibid.*



meant for the economically vulnerable sections of the population.³⁶

While it is the economic imperatives that is the driving motivation behind migration, migrant workers essentially remain an unbanked population, which can be attributed mainly to them not possessing permissible proofs of identity and residence which are required to satisfy the Know Your Customer (KYC) norms as stipulated by the Indian banking regulations and are thus unable to open bank accounts in cities. This has implications on the savings and remittance behaviors of migrant workers.³⁷

The jobs of migrants are mediated by an elaborate chain of contractors and middlemen who perform the critical function of sourcing and recruiting workers.³⁸ These networks largely operate in the informal economy and serve the purpose of providing migrants with information and access to work opportunities. There are no written contracts, no enforceable agreements regarding wages or other benefits, and no commitments regarding regular provision of work. Migrant workers are completely dependent on these middlemen for information and end up working in low-end, low-value, hard, and risky manual labor and are constantly subject to exploitation with little or no opportunity for legal recourse. Their work lives are characterized by exploitative practices such as manipulation in wage rates and work records, nonpayment or withholding of wages, long work hours, abysmal work conditions, and verbal and physical abuse.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ C. ANNIE JANE, 'A Study On The Internal Migrant Labour- Issues And Policies', IJAR,

Accidents and deaths at workplaces are also extremely common in the construction sector, which is aggravated by the absence of any kind of social protection³⁹

The perennial problems of migrant workers entail lack of proper accommodation, low standard of living, low wages, inaccessibility to state given services due to lack of identity proof and other documents.

REASONS BEHIND THE ISSUES FACED BY THE MIGRANT WORKERS

It can be argued that the vital reason behind the plight of the migrant workers is deeply entrenched in the structure of India's economic system itself and is a culmination of a prolonged existence of the capitalist mode of production coterminous with the neo-liberal policies.

Neo-liberal measures seek economic growth by promoting consumerism and competition. By limiting the intervention of the government, it debilitates the mechanisms and mediums of economic and social justice. The deregulation of social welfare policies further deprives the marginalized of their economic and social capital.

There is a disproportionate share of benefits between the rich and the labour class at the expense of the poor, and the absence of government intervention in the welfare realm made them more more vulnerable and open to exploitation.

[https://www.worldwidejournals.com/indian-journal-of-applied-research-\(IJAR\)/special_issues_pdf/April_2016_1461059249_24.pdf](https://www.worldwidejournals.com/indian-journal-of-applied-research-(IJAR)/special_issues_pdf/April_2016_1461059249_24.pdf)



India's migrant problem is not just a mere class problem. Dr. B R Ambedkar, in his 'Annihilation of Caste', indicated the interplay between caste and class in India and stated that "caste system is not merely a division of labour. It is also a division of labourers"⁴⁰. Migrant worker problem, especially in the context of India, thus entails the issues of social injustice and moral apathy of the individuals towards the downtrodden which unfortunately never themed in the mainstream discussions.

The social aspect of the migrant workers pinpoints the fact that most of them belong to the marginalized communities such as dalits, tribals, and minorities. Their plight is not only the reverberation of the neoliberal nature of the state but also the prolonged historical social oppression and exploitation by those at the top of the social ladder.⁴¹ The upward mobility of the migrant workers belonging to a particular caste and community was hindered by the social abhorrence against the affirmative policies such as reservation and the hegemonic attitude of the social elite.⁴² As a result of these external inhibitions, the young generations of these migrant workers are systematically alienated from their capabilities and creative skills and pushed into the margin for the rest of their life.⁴³ Thus, the interplay between social and economic alienation expounds the issues of migrant workers in India.

The discriminatory and prejudiced attitude of people towards migrant workers is also a

compelling problem. The poor workers are often treated with humiliation and this behaviour is deeply entrenched in India's Hierarchical social system. The Brahmanical social attitude encrypted in the Indian minds often reflected in their treatment of migrant workers' body as the 'other' and the 'polluted' in the public domain. The indifference towards them in the public domain is a common sight, especially in the urban spaces of metropolitan cities. Their presence in public spaces such as metros, buses, hospitals, shops often viewed as unclean and polluted by the self-claimed 'pure' bodies. The Humiliation and disrespect unleashed on their bodies under the cognitive influences of purity-pollution binaries often decimate their self-respect and self-dignity.

The migrant conundrum is thus a culmination of prolonged structural denial of basic economic rights by neo-liberal state machinery in concurrent with the social and moral apathy towards the marginalised sections who constitute the majority of the migrant workers in India. They are dismissed by both the state and society. The mere transportation facilities to their homes or mere labour reforms are not an all-time panacea for their problems. The change in the discriminatory social behaviour and public attitude towards workers, the inclusion of affirmative policies and a transformation in the nature of state from a neoliberal establishment to a more welfare entity can advance an egalitarian social and economic realm in which rights, dignity and respect of

⁴⁰ B. R. Ambedkar, ANNIHILATION OF CASTE, (Navayan 2014).

⁴¹ *Rehnamol Raveendran*, 'India's Migrant Workers Crisis Not Just About Economic Inequality, But Social Too',

<https://www.outlookindia.com/website/story/opinion-indias-migrant-workers-conundrum-is-not-just-about-economic-inequality-but-social-too/353682>.

⁴² *Ibid.*

⁴³ *Ibid.*



the workers from socially marginalised sections are assured and protected.

PROBLEMS FACED BY MIGRANT WORKERS DURING COVID 19 PANDEMIC

Generally, the problems and issues of these migrant workers are not discussed. However, an unusual spotlight was put on the plight of these migrant workers during the lockdown period, owing to the COVID 19 pandemic. Their plight was not new, but due to the heavy media coverage, these issues got heavily discussed.

When the lockdown due to the COVID 19 pandemic situation was first announced in March 2020, a spotlight was put on the situation of the migrant workers. The problems faced by the migrant workers is not a new issue, but it is an issue that is rarely discussed and is generally left to fester in the shadows. So, the media spotlight on the plight of the migrant workers showed just how big the problem has grown.

The news channels and newspapers were flooded with photographs of the heartbreaking sight of a small segment of migrant labourers walking back home or suffering in silence as they stayed put. Pressure was also put on the governments-both state and central- to do something to ease their circumstance, to ensure that these workers were safe during these trying times or to ensure that they reach their native places safely.

The government introduced a scheme for the around eight crore migrant labourers who were not covered under state and central food distribution systems, that they would be provided with free food grains for two months. This amounts to around 0.175%. This estimate, however, lowered to 0.155% of Rs 20 lakh crore.⁴⁴

This estimate of Rs 8 crore provided by the government was well above the figure of 5.6 crore migrant labourers that the 2011 Census had located. This is, indeed, a tricky area because of the seasonal nature of much of the migration for employment, whether within the state or to other states. For instance, while the number of inter-state migrants grew at 55% between the 1991 and 2001 Censuses, it came down to 33% between the 2001 and 2011 Censuses.⁴⁵

During the lockdown, several inter-state migrant workers made attempts return to their home state. However, due to the suspension of public transport facilities by the government, they walked the entire distance. Subsequently, buses and Shramik special trains were permitted by the central government subject to coordination between states.⁴⁶ Between May 1 and June 3, more than 58 lakh migrants were transported

⁴⁴ Madhunika Iyer, 'Migration in India and the Impact of Lockdown on Migrants', *PRS Legislative Research*, <https://www.prsindia.org/theprsblog/migration-india-and-impact-lockdown-migrants>.

⁴⁵ *Ibid.*

⁴⁶ Order No. 40-3/2020-DM-I (A), Ministry of Home Affairs, April 29, 2020,

[https://prsindia.org/files/covid19/notifications/4233.I ND_Movement_of_Persons_April_29.pdf](https://prsindia.org/files/covid19/notifications/4233.I%20ND_Movement_of_Persons_April_29.pdf), Order No. 40-3/2020-DM-I (A), Ministry of Home Affairs, May 1, 2020, https://prsindia.org/files/covid19/notifications/IND_Special_Trains_May_1.jpeg.



through specially operated trains and 41 lakh were transported by road.⁴⁷

On March 28, the central government authorised states to use the State Disaster Response Fund to provide accommodation to traveling migrants. States were advised to set up relief camps along highways with medical facilities to ensure people stay in these camps while the lockdown is in place.⁴⁸

On May 1, the Indian Railways resumed passenger movement after the lockdown was first imposed with Shramik Special trains to facilitate movement of migrants stranded outside their home state. Between May 1 and June 3, Indian Railways operated 4,197 Shramik trains transporting more than 58 lakh migrants.

The state governments operated relief camps for migrant workers with arrangements for food, sanitation and medical services. Under the Aatma Nirbhar Bharat Abhiyaan, free food grains would be provided to migrant workers who do not have a ration card for two months and that One Nation One Ration card will be implemented by March 2021, to provide portable benefits under the PDS. This will allow access to ration from any Fair Price Shop in India.⁴⁹

A scheme for Affordable Rental Housing Complexes for Migrant Workers and Urban Poor was also launched to provide affordable rental housing units under PMAY which

proposed to use existing housing stock under the Jawaharlal Nehru National Urban Housing Mission (JnNURM) as well as incentivise public and private agencies to construct new affordable units for rent.

Some state governments, like Bihar, Uttar Pradesh and Madhya Pradesh, also announced one-time cash transfers for returning migrant workers.

CONCLUSION

The inter-state migration in India is on the increase, and the migrant population in India is very high. These migrant workers contribute towards around 50% of the GDP of the country. However, despite their large numbers and large contribution towards the economy, their condition is deplorable, and nothing is being done to address their issues. They suffer from the issues relating to low wages, physical and sexual exploitation, child labour, lack of access to public healthcare system, unsafe working and living condition among many others. The government has till now, largely ignored them, which has led to this becoming a huge problem now.

Due to the COVID 19 pandemic, the issues and problems of the migrant workers were highlighted and brought on the forefront. Due to heavy media coverage and external pressure, the government took severe measures to ease the circumstances of these

⁴⁷ 'Indian Railways operationalizes 4197 "Shramik Special" trains till 3rd June, 2020 (0900hrs) across the country and transports more than 58 lacs passengers to their home states through "Shramik Special" trains since May 1', *Press Information Bureau* <https://pib.gov.in/PressReleaseDetail.aspx?PRID=1629043>

⁴⁸ 'Support to Migrant Workers', *Press Information Bureau*,

https://prsindia.org/files/covid19/notifications/187.IN_D_Press_Release_on_Support_to_Migrant_Workers_Mar_28.pdf

⁴⁹ 'Finance Minister announces short term and long-term measures for supporting the poor, including migrants, farmers, tiny businesses and street vendors', *Press Information Bureau*, <https://pib.gov.in/PressReleaseDetail.aspx?PRID=1623862>



migrant workers. However, these schemes were not implemented properly, and were in themselves a temporary measure to a permanent problem. With the media diverted, the problems of the migrant workers once again were forced back into the shadows with any permanent resolution.

