
INDIAN MIGRANT LABOUR EXODUS

1. INTRODUCTION

Covid-19 has had a severely disruptive impact on the Indian economy as has been the case globally as well. This is evident by the fact that India's economy growth has been reduced to mere 3.1% in the fourth quarter of the fiscal year 2020 according to the Ministry of Statistics. Although India had been witnessing economic slow-down in the year 2019, Covid-19 has profoundly “magnified the pre-existing risks to India’s economic outlook” (as suggested by the World Bank).

Some of the worst hit sections of the Indian society are the migrant labourers. The Government of India (Gol) imposed a stringent 21 day lockdown on March 24 2020 with a very small window for the citizens to prepare for the eventualities. Following this decision all the transports between cities and states had also seized operations. With factories and workplaces also shut down, millions of migrant labourers were forced to face loss of income, food shortages and eventually loss of shelter (1, 2).

With little to no savings, rapidly deteriorating resources and delayed government support; migrant labourers were left to their own devices for survival (3). Shortly after, reports started to come in of mass exodus of labourers from India’s metro cities to their respective home towns/ villages. Lack of food, water and basic amenities started to take its toll on the labourer’s health and well-being which was only exacerbated by the intense heat of the Indian summer season. Following the incidents of deaths of labourers during their journey home, Gol and the state governments rolled out efforts to aid the labourers on their long and arduous journeys (5, 6, 7) and later arranged transportation for them (8, 9).

According to an estimate of the World economic Forum (10), there are 139 million migrant labourers in the India. A significant portion of these come from Uttar Pradesh, Bihar, Rajasthan and Madhya Pradesh while Mumbai and Delhi attract the highest numbers of these labourers (11) with Maharashtra having the largest number of migrants, according to the 2011 Census of India. Migrant workers majorly comprise of daily-wage labourers who are largely employed in manufacturing and construction industries. These labourers are often denied adequate healthcare, nutrition, housing and sanitation (12, 13). Due to the scarcity of savings and low wages the migrant labourers have to resort to living in dormitories provided by their workplaces, which had to be closed during the lockdown (14). Additionally, India does not have a central registry of migrant workers despite the provisions of the Inter-State Migrant Workmen Act, 1979 (15).

This paper summarizes the various aspects of the migrant labour exodus, its causes, impacts and response of the administration to the plight of the poorest section of its society.

2. CHALLENGES FACED BY THE LABOURERS

A study¹ published under the aegis of World Bank recognizes 3 core essential needs for survival of any individual, which are (a) food, (b) water and (c) shelter. This section of the paper briefly discusses the challenges faced by the migrant labourers in fulfilment of these 3 needs in the cities where they had migrated for work.

2.1. FOOD

Gol reports suggested that there were sufficient stockpiles of food grains in the FCI godowns which would last for at least a year-and-a-half (16). While Gol schemes ensured that members of the financially weaker sections of the society will be provided additional rations in view of the lockdown, the distribution systems setup for the same proved to be ineffective. This was because the ration cards used as identifier of an individual's status as "*person in need*" are area-specific and fair price shops were left largely inaccessible due to social distancing norms. Additionally, as of April 2020 the 'One Nation, One Ration Card' system was implemented in very few states (17). While the scheme allowed migrant workers to retrieve food grains for free anywhere across the country, very few were aware of the scheme. In addition to this, the scheme also required biometric authentication, which was discontinued due to fears of spreading the virus through common fingerprint sensors (18). In Telangana, many could not avail of the ration due to a lack of Aadhaar cards (19). As such, many were left without food and money during the lockdown (20).

2.2. WATER

Despite significant efforts to improve access to water supply and sanitation, nearly 163 million people in India lack access to clean and safe water and over 140,000 children succumb to diarrhoea every year, according to WaterAid. Across India it is estimated that annually 600 million people experience water shortages and nearly 200,000 die due to inadequate or unsafe access to water supplies. The cost to the Indian economy is substantial, with approximately 73 million working days lost due to water borne diseases each year, resulting in an economic burden of an estimated USD 600 million annually. With climate change-induced variations in temperature and precipitation, large parts of India now seasonally experience extreme droughts and floods, creating misery for millions and challenges for governments in managing and balancing demand and competition between different sectors. In 2018 Niti Ayog (Gol Think tank) published a report listing 21 cities in India which would run out of ground water by 2020. Unsurprisingly, Indian metro cities had found place in this list. With industries and workplaces shutdown, the migrant labourers were left scouring for potable water for their daily needs, drinking, cooking and hygiene.

2.3. SHELTER

As discussed in the previous section, migrant labourers working in infrastructure sector rely on their employers for providing them shelter. With the whole sector coming to a grinding halt and no clear news of starting back anytime soon, the employers had no choice but to let go of the migrant labourers just to stay afloat. This had left thousands homeless in cities like Delhi and Mumbai. Other migrant workers like rickshaw pullers, cab drivers etc. too were impacted as their source of income had dried up and they had to resort to living on streets since they could not afford to pay rents.

¹ Streeten P, Burki S J. "*Basic Needs: Some Issues*", World Development 6, 1968

3. EXODUS

With no work or money, and lockdown restrictions putting a stop to public transport, thousands of migrant workers were seen walking or bicycling hundreds or thousands of kilometres go back to their native villages, some with their families in hopes of finding a way to survive (21). Many did so; on empty stomachs (22). Social distancing was not possible for these migrants since they travelled together in large groups (23, 24)

Many were apprehended at inter-state borders, forests between states and even on boats while crossing rivers for violating the lockdown (25). Some of the migrants died of exhaustion (26), others died in accidents on the roads, or hiding in vehicles (27). On 31 March, as many as 120 migrant workers were allegedly beaten up by the police in Gujarat and forcefully rounded up in a single lorry and dropped in Maharashtra, despite being injured (28). In Aurangabad, 16 migrants were killed on 8 May after a freight train ran over them while they were sleeping on the tracks, exhausted from walking all day (29). 26 migrants were killed in an accident between two trucks carrying migrants in Auraiya on 16 May(30). Later in May, despite the launching of special trains and buses by the government, the migrant workers chose to either travel together in large groups in the cargo compartments of trucks and containers, or travel by foot. They did not wait for their turn to board the government-arranged transport, mainly due to starvation (33). Additionally, they felt that going back to their home towns; they could return to farming and take up small jobs under the MGNREGA (34).

4. GOVERNMENT RESPONSE

4.1. DIRECTIVES

On 27 March, the Home Ministry ordered the states to stop migrant movement during lockdown, permitting the states to use the National Disaster Response Fund (NDRF) for providing food and shelter to the migrants on 28 March (35). On 29 March, the government issued sweeping orders directing the landlords not to demand rent during this period and that employers pay wages without any deduction. It also announced that state governments must set up immediate relief camps for the migrant workers returning to their native states (36, 37) However, the order regarding payment of wages was withdrawn in the guidelines for the lockdown extension issued on 17 May (38).

On 16 May, the government announced the National Migrant Information System (NMIS), an online database created by the National Disaster Management Authority (NDMA). This was to help streamline the movement of the migrant workers. It will help states find the current number of stranded migrant workers and their location. The government planned to keep the workers updated by feeding their phone numbers in the system (39).

4.2. RELIEF CAMPS

Soon after the central government directive in late March, state governments set up thousands of camps to provide temporary shelters to migrants and stop the exodus (5). Following this Delhi government provided free food to 4 lakh people every day in over 500 hunger relief centres, as of late March (40, 41). By 5 April 75 lakh people were being provided food across the country in food camps run by the government and NGOs (42). As of 12 April, 37,978 relief camps and 26,225 food camps had been set up (43).

To cater to the needs of the migrants and prevent them from leaving the camps, the government of Kerala changed the food being provided by adding north Indian dishes to the menu, providing carrom boards and recharge facilities for phones, as well as provide other medical essentials such as masks, sanitizers, and medicines (44).

4.3. TRANSPORT ARRANGEMENTS

As of 28 May, 91 lakh migrants had travelled back home in government-arranged transport facilities (45). However, according to the Stranded Workers Action Network (SWAN), migrants were confused about the exact procedures to register themselves for travel. Additionally, many state registration portals were either in English or the local language of the states they lived in, which very few migrants could understand. Further, general lack of information from the government to the migrants had resulted in them paying large sums of money to register themselves (46).

4.4. BUSES

In late March, the Uttar Pradesh government decided to arrange buses at Delhi's Anand Vihar bus station to take the migrants back to their villages for free. Large crowds then gathered at the bus station (47). However, with the extension of the lockdown, many remained stranded till the last week of April, when the state governments were permitted by the central government to operate buses, but not train (8). As of 23 May 40 lakh migrants had travelled to their homes by buses (35).

4.5. SHRAMIK SPECIAL TRAINS

On 1 May, the central government permitted the Indian Railways to launch "Shramik Special" trains for the migrant workers and others stranded (9). Additionally, this service was not free, with additional charges over the normal fares (50). Post criticism from various parts of the society, the government announced that the Railways would offer an 85% subsidy on the train fares, with the state governments funding the remaining 15% (53). However, the migrants were still forced to pay an undisclosed amount in some cases. The central government initially declined to share the details regarding this with the Supreme Court (54) but later confirmed that it was not paying for anyone's fare (55). Additionally, the central governments directives regarding which states should pay for the migrants' travel resulted in disagreement between Maharashtra and other states (56).

Further, migrants faced many hardships while travelling by these trains. Many reported to have no food and water arranged for them while they travelled (61, 62). A train from Goa to Manipur reported a 58-hour delay, no proper food or sanitation facilities on the train, and stone pelting (63). Others who received food packets and water reported that the provisions were simply dumped at the entrances, leaving workers fighting with each other for their share (13). Some migrants also died during the train journeys (64, 65, 66, 67, 68). According to Railway Protection Force, there have been almost 80 deaths on board the Shramik Special trains between May 9 and May 27 (69).

It was expected that 36 lakh migrants would be travelling in the ten days after the report (70) 4,277 Shramik Special trains had transported about 60 lakh people, as of 12 June.(71)

4.6. RELIEF MEASURES

Soon after the nationwide lockdown was announced in late March, Finance Minister Nirmala Sitharaman announced a USD 24 billion spending plan for the economically weaker section of the society. This consisted of cash transfers and steps to ensure food security (72). By 3 April, the central government had released ₹11,092 crore to states and UTs under the NDRF, to fund food and shelter arrangements for migrants (35). To help provide jobs and wages to workers, the average daily wages under the MGNREGA were increased to ₹202 (USD 2.80) from the earlier (USD 2.60) (73). ₹1,000 crore from the PM CARES Fund was allocated for the support of migrant workers on 13 May (74). On 14 May, FM Sitharaman further announced free food grains for the migrant workers, targeting 80 million migrant workers by spending USD 490 million (7).

4.7. LABOUR LAWS

The governments of Uttar Pradesh,(75, 76) Madhya Pradesh and Gujarat sought to temporarily revise their labour laws in early May with the purpose of attracting industries and investments. However, labour unions criticized this as being harmful to the migrant workers while giving more authority to the employers (77). Ten of them then wrote to the ILO on 14 May regarding the same, to which the ILO responded by reassuring them that it had contacted Prime Minister Narendra Modi (78).

5. SUPREME COURT HEARING

The Supreme Court of India agreed to hear a petition on behalf of the migrant workers on 30 March (89) The Court asked the central government to file a status report with respect to the situation of migrant workers (90, 91). In its report, the central government stated that the migrant workers, apprehensive about their survival, moved in the panic created by fake news that the lockdown would last for more than three months. The court added that it was satisfied by the government response thus far.(92)(93)

A plea requesting payment of minimum wage was rejected by the Court on 21 April, on the grounds of workers already being provided free meals (94).

On 16 May, the Supreme Court rejected a PIL to direct the District magistrates to identify and provide free relief and transport to the migrant workers, stating that it was the responsibility of the state governments. Speaking about the workers killed sleeping on the Aurangabad railway tracks, the Court stated that it could not have been prevented. Further, the central government stated that inter-state transport had already been provided to the migrants and requested them to wait their turn instead of choosing to walk (95).

On 26 May, the Supreme Court admitted that the problems of the migrants had still not been solved and that there had been "inadequacies and certain lapses" on the part of the governments. It thus ordered the Centre and States to provide free food, shelter and transport to stranded migrant workers.(96) Hours before this ruling, senior lawyers from Mumbai and Delhi wrote a strongly-worded letter to the Court, regarding its "self-effacing deference" towards the government thus far.(97)

6. LABOUR RESPONSE

Thousands of migrants have since protested across the country, for reasons ranging from demanding transport back home,(110) quality of food served,(111) not being allowed to cross the border,(112) and against government directives preventing them to walk home.(113) Some of the protests turned violent.(114, 115)

Labour unions organised nationwide protests to protest the changes in labour laws, with the Bharatiya Mazdoor Sangh organizing one on 20 May (116) and the Centre of Indian Trade Unions and the All India Trade Union Congress organizing another on 22 May.(117) Seven left parties wrote to the President to intervene in the issue.(118) Ten labour unions wrote to the International Labour Organization (ILO) regarding the labour laws, on 14 May.(78) In response, the ILO expressed "deep concern" to PM Modi and requested him to instruct the central and state governments to uphold commitments (towards labour laws) made by India.(119)

Some politicians criticised the central government for not focusing enough on migrant workers.(120, 121) NITI Aayog CEO, Amitabh Kant, admitted that the migrant workers could have been better taken care of and stated that it was the responsibility of the state governments.(122) Economist Jean Drèze stated that the lockdown had been "almost a death sentence" for the underprivileged of the country, further stating, "The policies are made or influenced by a class of people who pay little attention to the consequences for the underprivileged". (123)

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