



AMITY UNIVERSITY
— UTTAR PRADESH —

Amity School of Engineering and Technology

Human Value Community Outreach Report

“Plight of Migrant Workers in COVID-19”

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HUMAN VALUE COMMUNITY OUTREACH

STUDENT PROJECT REPORT

Group No: HVCO/2020-2021/ 5

Semester: 6 (Even)

Project Title: Plight of Migrant Workers in COVID-19

Project Type: ☒ Independent

Field Research ☐

Work with NGO ☐

Project Cluster: Effects of COVID-19

Name of the Organisation (if any): N/A

Project Objectives: The objectives of the project report were many folds:

- To understand how COVID-19 came into being and how the nationwide lockdown unfolded
- To study the effects of pandemic and the lockdown on migrant workers
- To understand what turned this into a crisis and the government response
- To analyse the conduct towards workers and their current state

Methodology: The methodology followed in compiling this report was as follows:

- The basic information about the various topics was first gathered from commonly available sources like Wikipedia etc.
- The information was then verified from trusted sources like news websites, government twitter handles etc.
- Only when the information was identified to be factually correct was it then added to the report.

Project Description: This comprehensive report has been compiled on the effects of COVID-19 and the subsequent lockdown on migrant workers, including their plight of thousands of kilometres back home on foot, the difficulties faced by them, how this situation turned into a human rights crisis and the government response to all of this.

The government report was not well implemented everywhere and there were a lot of hurdles in the way. These are also highlighted and mentioned in the report. The report also tries to analyse the conduct of fellow citizens towards the migrant workers and their current state of livelihood.

Individual Student Engagement & Commitment

S.No	Name of the Student	No. of hours devoted during semester (including classes)	Student Learning	Sign
1	Akshay Kumar Raghav	15	How migration of workers turned into a crisis	
2	Kuldeep Dwivedi	15	The current state of migrants	
3	Mayank Sharma	15	Problems faced by migrant workers	
4	Nikhil Bartwal	15	Timeline of COVID-19 in India and the lockdown	
5	Rahul Sharma	15	Government response to the migrant crisis	

Group Learnings from the Course:

- The origin of Coronavirus and how it turned into a pandemic
- The effects of lockdown on the economic social strata
- Migration of migrant workers and the problems faced by them
- The government response to the crisis
- The current state of migrant workers in India

Suggestion:

- The COVID-19 virus might have been detected early if the situation of other countries were taken seriously beforehand.

- The sudden nationwide lockdown was not very well implemented in many areas which could have been improved by cooperation with on-ground personnels in the early stages.
- The migrant workers crisis was severely underestimated in the beginning which led to a snowballing effect.

Comments by Faculty Coordinator:

Date: 04 April 2021

Signature

Name of the Faculty Coordinator: Mr Nirbhay Kashyap

Acknowledgement

I owe my heartfelt thanks and gratitude to **Mr Nirbhay Kashyap**, Assistant Professor, Amity School of Engineering and Technology, for giving me this golden opportunity to work under community outreach programme and for guiding me to complete my piece of work under this programme and showing immense generosity during entire course of my project. I would also like to owe my heartfelt thanks and gratitude to my team members who worked with me on this community outreach programme. Finally, it was truly a pleasure to learn and develop skills under their supervision.

Teacher's Sign: _____

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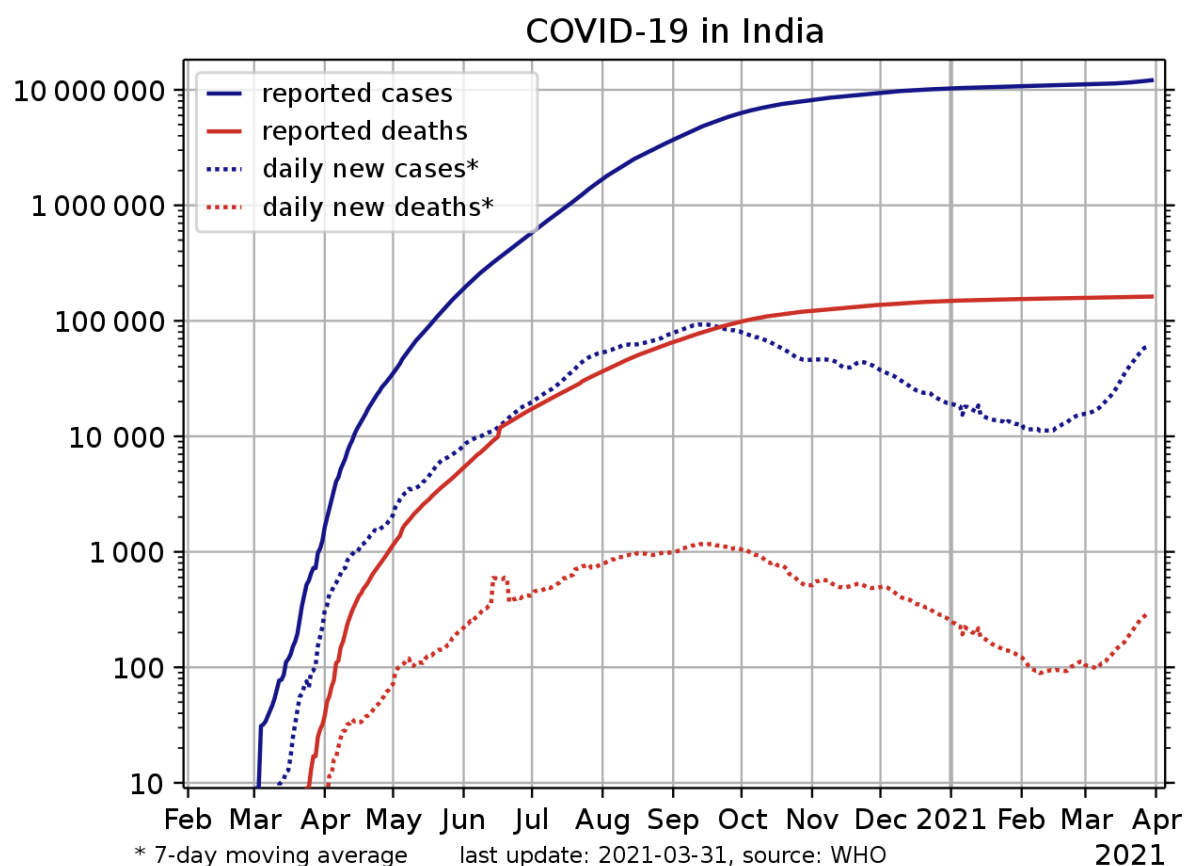
Timeline of COVID–19 in India

On 12 January 2020, the WHO confirmed that a novel coronavirus was the cause of a respiratory illness in a cluster of people in Wuhan, Hubei, China, which was reported to the WHO on 31 December 2019.

On 30 January, India reported its first case of COVID-19 in Thrissur, Kerala, which rose to three cases by 3 February; all were students returning from Wuhan. Apart from these, no significant rise in transmissions was observed in February. On 4 March 22, new cases were reported, including 14 infected members of an Italian tourist group.

In March, the transmissions grew after several people with travel history to affected countries, and their contacts, tested positive. On 12 March, a 76-year-old man, with a travel history to Saudi Arabia, became the first COVID-19 fatality of India.

A preacher, who had a travel history to Italy and Germany, turned into a "super spreader" by attending a festival in Anandpur Sahib during 10–12 March. Twenty-seven COVID-19 cases were traced back to him. Over 40,000 people in 20 villages in Punjab were quarantined on 27 March to contain the spread.



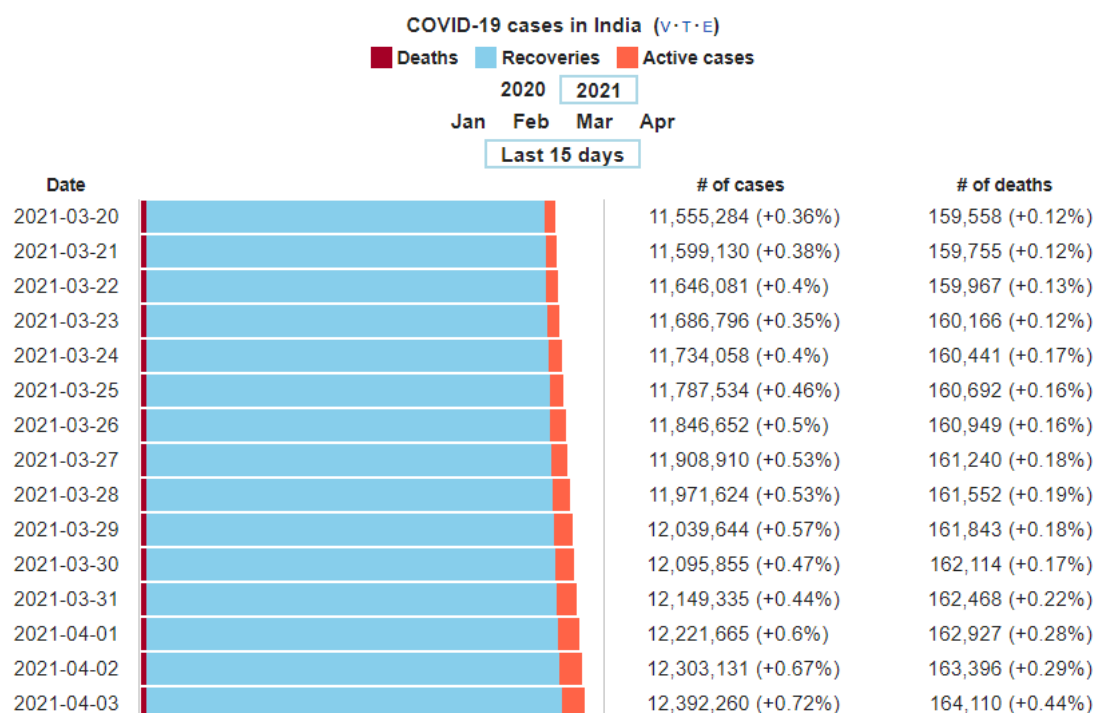
On 31 March, a religious congregation event in Delhi, which had taken place earlier in March, emerged as a new virus super spreader event, after numerous cases across the country were traced back to it. On 18 April, the Health ministry announced that 4,291 cases were directly linked to the event.

On 2 May, in Punjab, around 4,000 stranded pilgrims returned from Hazur Sahib in Nanded, Maharashtra. Many of them tested positive, including 27 bus drivers and conductors who had been part of the transport arrangement. As of 13 May, 1,225 pilgrims had tested positive.

In July 2020, 57% of the inhabitants of Mumbai's slums had SARS CoV 2 antibodies. Since September, the number of cases in India has been falling. The Indian Supermodel initiated by the Indian government correctly predicted this development and assigned it to herd immunity.

The Nationwide Lockdown

India had been in lockdown since March 25, 2020. During this time, activities not contributing to the production and supply of essential goods and services were completely or partially suspended. Passenger trains and flights were halted. The lockdown has severely impacted migrants, several of whom lost their jobs due to shutting of industries and were stranded outside their native places wanting to get back. Since then, the government has announced relief measures for migrants, and made arrangements for migrants to return to their native place. The Supreme Court of India, recognising the problems faced by migrants stranded in different parts of the country, reviewed transportation and relief arrangements made by the government.



On June 9, the Court directed central and state governments to complete transportation of remaining stranded migrants and expand focus of relief measures to facilitate employment for returning migrants. In this blog, we highlight some facts about migration in India, summarise key relief measures announced by the government and directives issued by the Supreme Court for the migrant population in relation to the lockdown.

Overview of Migration

Migration is the movement of people away from their usual place of residence, across either internal (within country) or international (across countries) borders. The latest government data on migration comes from the 2011 Census. As per the Census, India had 45.6 crore migrants in 2011 (38% of the population) compared to 31.5 crore migrants in 2001 (31% of the population). Between 2001 and 2011, while population grew by 18%, the number of migrants increased by 45%. In 2011, 99% of total migration was internal and immigrants (international migrants) comprised 1%.

With factories and workplaces shut down, many migrant workers were left with no livelihood. They thus decided to walk hundreds of kilometres to go back to their native villages, accompanied by their families in many cases. The Central Government then announced that it had asked state governments to set up immediate relief camps for the migrant workers returning to their native states, and later issued orders protecting the rights of the migrants.

Migrant workers who decided to stay back during the exodus faced assault from their neighbours, who accused them of being infected with coronavirus. They thus could not venture out to buy food. Many also faced police brutality if they ventured out of their homes.

In its report to the Supreme Court of India on 30 March, 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. In early May, the Central Government finally permitted the Indian Railways to launch "Shramik Special" trains for the migrant workers and others stranded, but this move had a few complications. On 26 May, the Supreme Court admitted that the problems of the migrants had still not been solved and ordered the Centre and States to provide free food, shelter and transport to stranded migrant workers.

Patterns of migration

Internal migrant flows can be classified on the basis of origin and destination. One kind of classification is:

- i) rural-rural
- ii) rural-urban
- iii) urban-rural
- iv) urban-urban

As per the 2011 census, there were 21 crore rural-rural migrants which formed 54% of classifiable internal migration (the Census did not classify 5.3 crore people as originating from either rural or urban areas). Rural-urban and urban-urban movement accounted for around 8 crore migrants each. There were around 3 crore urban-rural migrants (7% of classifiable internal migration).

Another way to classify migration is:

- (i) intra-state, and
- (ii) inter-state.

In 2011, intra-state movement accounted for almost 88% of all internal migration (39.6 crore persons).¹

There is variation across states in terms of inter-state migration flows. According to the 2011 Census, there were 5.4 crore inter-state migrants. As of 2011, Uttar Pradesh and Bihar were the largest source of inter-state migrants while Maharashtra and Delhi were the largest receiver states. Around 83 lakh residents of Uttar Pradesh and 63 lakh residents of Bihar had moved either temporarily or permanently to other states. Around 60 lakh people from across India had migrated to Maharashtra by 2011.

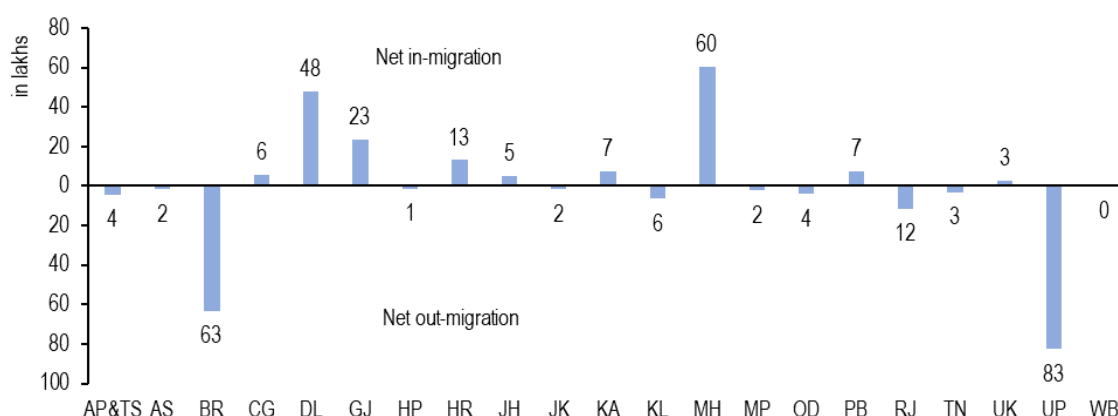


Figure 1 Inter-state Migration (in lakh)

Note: A net out-migrant state is one where more people migrate out of the state than those that migrate into the state. Net in-migration is the excess of incoming migrants over out-going migrants.

Sources: Census 2011; PRS.

Reasons for internal migration and size of migrant labour force

As of 2011, majority (70%) of intra-state migration was due to reasons of marriage and family with variation between male and female migrants. While 83% of females moved for marriage and family, the corresponding figure for males was 39%. Overall, 8% of people moved within a state for work (21% of male migrants and 2% of female migrants).

Movement for work was higher among inter-state migrants- 50% of male and 5% of female inter-state migrants. As per the Census, there were 4.5 crore migrant workers in 2011. However, according to the Working Group Report on Migration, the Census underestimates the migrant worker population. Female migration is recorded as movement due to family since that is the primary reason. However, many women take up employment after migrating which is not reflected in the number of women moving for work-related reasons.

According to the Economic Survey, 2016-17, Census data also underestimates temporary migrant labour movement. In 2007-08, the NSSO estimated the size of India's migrant labour at seven crore (29% of the workforce). The Economic Survey, 2016-17, estimated six crore inter-state labour migrants between 2001-2011. The Economic Survey also estimated that in each year between 2011-2016, on average 90 lakh people travelled for work.

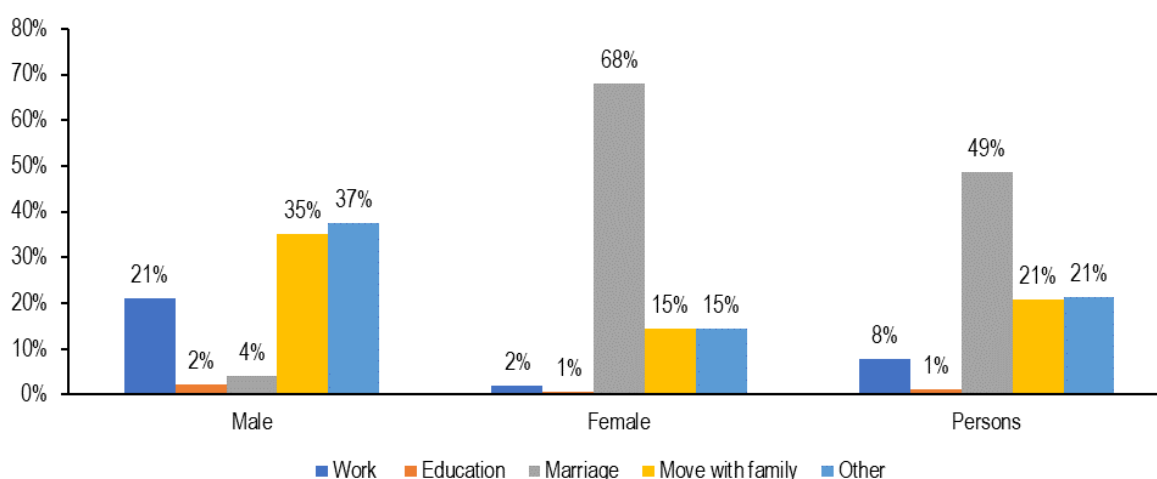


Figure 2 Reasons for intra-state migration

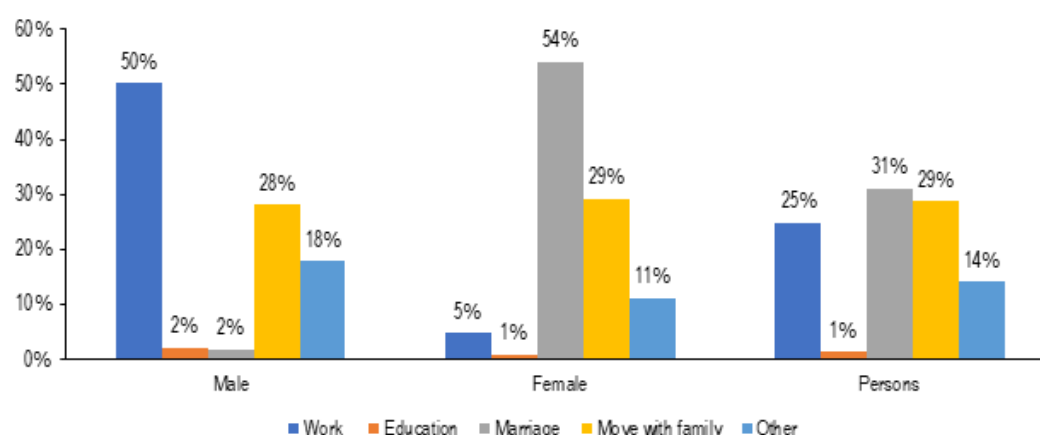


Figure 3 Reasons for inter-state migration

Issues faced by migrant labourers

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 public or protection of any scheduled tribe.

However, people migrating for work face key challenges including:

- i) lack of social security and health benefits and poor implementation of minimum safety standards law

- ii) lack of portability of state-provided benefits especially food provided through the public distribution system (PDS) and iii) lack of access to affordable housing and basic amenities in urban areas.



Figure 4 Migrants walking to board a train to Jharkhand from Central Railway Station, in Chennai, May 13, 2020.

Poor implementation of protections under the Inter-State Migrant Workmen Act, 1979 (ISMW Act). It 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.

In December 2011, a report by the Standing Committee on Labour observed that registration of workers under the ISMW Act was low and implementation of protections outlined in the Act was poor. The report concluded that the Central government had not made any concrete and fruitful efforts to ensure that contractors and employers mandatorily register the workers employed with them enabling access to benefits under the Act.

Lack of portability of benefits

Migrants registered to claim access to benefits at one location lose access upon migration to a different location. This is especially true of access to entitlements under the PDS. Ration card required to access benefits under the PDS is issued by state governments and is not portable across states. This system excludes inter-state migrants from the PDS unless they surrender their card from the home state and get a new one from the host state.



Figure 5 A volunteer distributes food packets and water bottles among migrants travelling in a train to reach their native places

Lack of affordable housing and basic amenities in urban areas

The proportion of migrants in urban population is 47%. In 2015, the Ministry of Housing and Urban Affairs identified migrants in urban areas as the largest population needing housing in cities. There is inadequate supply of low-income ownership and rental housing options. This leads to the spread of informal settlements and slums. The Prime Minister Awaas Yojana (PMAY) is a central government scheme to help the economically weaker section and low-income group access housing. Assistance under the scheme includes:

- i) slum rehabilitation,
- ii) subsidised credit for home loans,
- iii) subsidies up to Rs 1.5 lakh to either construct a new house or enhance existing houses on their own and

Government's Response to Migrant Crisis

The World Bank estimates that the magnitude of internal migration is about two-and-a-half times that of international migration. Within India, an estimated 40 million internal migrant workers, largely in the informal economy, were severely impacted by the government's COVID-19 lockdown.

With transportation systems initially shut down, many had no recourse to travel options back to homes and villages, resulting in harrowing journeys home. Those who were able to make it home found, in some instances, villages refusing entry because of fears of transmission.

The shocking images of migrants forced to walk in desperation showed the enormity of the crisis as well as some of the challenges posed by an extended lockdown in India where so many people live hand to mouth and cannot afford not to work.



Figure 6 This exodus was somewhat caused by the mismanagement of migrants' data by the government since Independence.

What Turned This Situation in Crisis?

The complete failure of the government to anticipate the needs of this group, and the subsequent distress caused, has made visible a large workforce who experience precarity of work and often live hand to mouth.

One key challenge is the lack of robust data on the scale of internal migration. While estimates abound, there is no proper data collection system in place to accurately record temporary, seasonal and circular migration patterns. However, it is estimated that more than 90% of working people in India are engaged in the informal economy, with states such as Uttar Pradesh and Bihar accounting for more than 80% of workers in this sector.

A recent government labour force survey estimated that more than 71% of people with a regular salary working in non-agricultural industries had no written job contract. Nearly half of workers are not eligible for social security benefits.

Figure 2: Distribution of internal migrants by type of movement

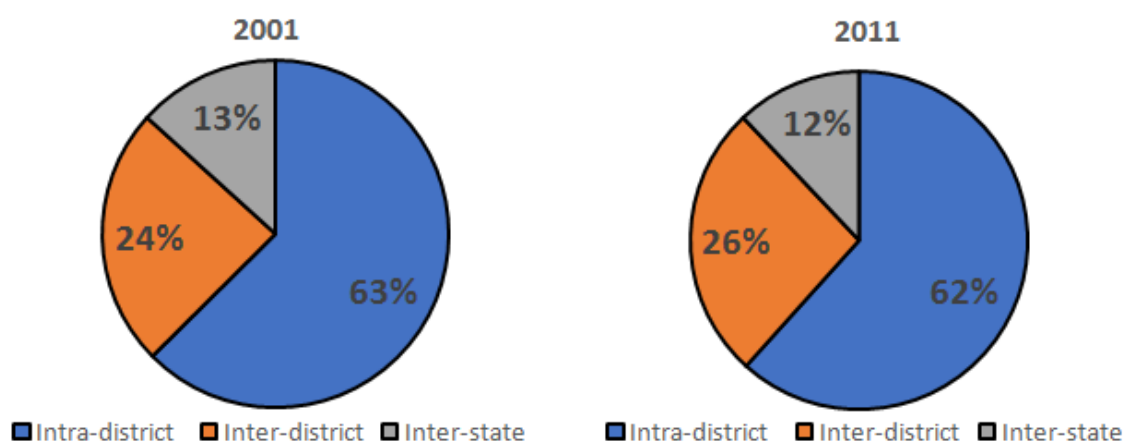


Figure 7 Data showing the distribution of migration in India as per the census 2011.

Daily-wage workers are particularly vulnerable, with limited or no access to social security and most living in poverty. Living hand to mouth, their loss of livelihoods has led to a lack of money to pay rents or pay for food. Women are impacted whether because of their gender, responsibilities as caregivers, or as members of disadvantaged castes and communities.

COVID-19 has massively impacted this group of workers. Stranded Workers Action Network found that 50% of workers had rations left for less than one day; 74% had less than half their daily wages remaining to survive for the rest

of the lockdown period; and 89% had not been paid by their employers at all during the lockdown.

According to Supreme Court proceedings, relief camps are housing some 660,000 workers; some 2.2 million people also rely on emergency food supplies. Job losses, and home and food insecurity have left this group highly vulnerable.

Government's Plans

In March 2020, in response to COVID-19, the Indian government instituted the Pradhan Mantri Garib Kalyan Package (PMGKB), a \$22.6 billion relief package. The World Bank announced \$1 billion funding to accelerate social protection support, in part through the PMGKB.

This support would work alongside pre-existing initiatives such as the Public Distribution System (PDS), which covers 800 million people, and Direct Benefit Transfers (DBT). This cash injection could help address one of the key challenges facing India's piecemeal and uneven social protection programmes – inadequate funding. India's spending on public social protection excluding health is just 1.3% of the GDP.

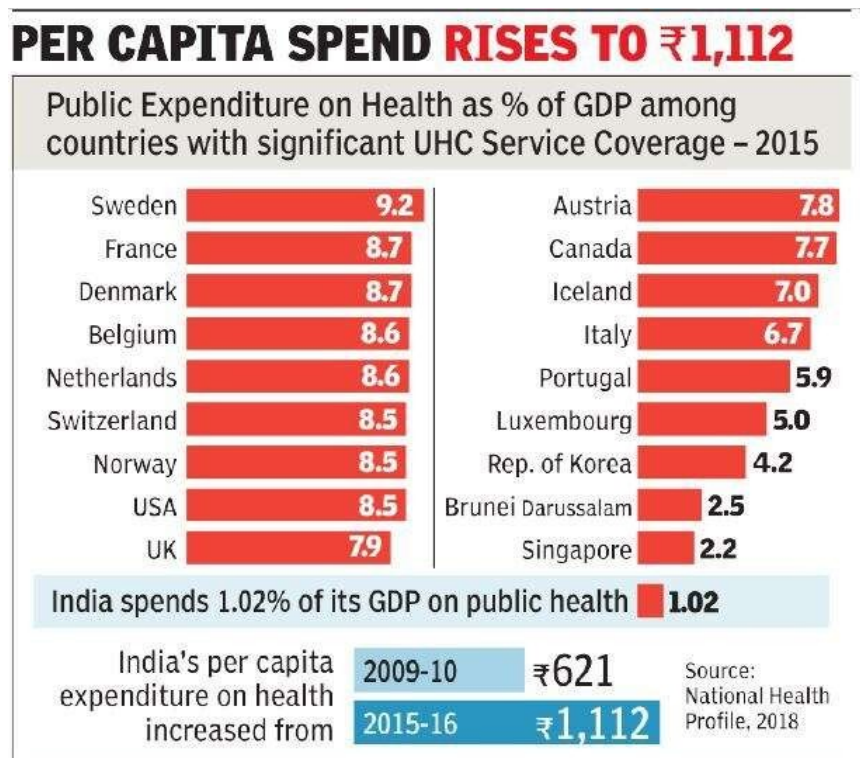


Figure 8 India's spending on health sector was just above 1% of the total GDP in pre-COVID era.

However, there are still other challenges to overcome. One is how to ensure coordination and coverage within, and across, differing states. The second is how to transition multiple schemes into one integrated system that can be accessed anywhere within the country, particularly important when many workers are on the move. There is an urgent need for a comprehensive system, which is adaptive and flexible to needs and provides adequate social and income support.

Another coverage issue relates to the use of direct cash transfers (DCTs) to support people impacted by the loss of livelihoods, where funds are deposited within bank accounts. Such measures fail to consider the significant numbers of people who do not have access to banks and will not be able to access this support.

Relief Camps Setup by Government

In an affidavit dated April 12, Union Home Secretary Ajay Kumar Bhalla said that a total of 37,978 relief camps had been set up for migrant labourers by the states, Union territories and NGOs and nearly 14.3 lakh people had been housed in them. Additionally, 26,225 food camps had been opened, giving food to nearly 1.34 crore people, and nearly 16.5 lakh workers had been given shelter and food by their respective employers, the government said.

To ensure that no further problem is faced by migrant workers and other poor sections, directions have been issued under the Disaster Management Act 2005 that all employers, be it in the industry or shops, and / or other commercial establishments shall pay wages to their workers at their workplaces on the due date without any deduction for the period of closure during the lockdown.

Home / India / COVID-19 situation: Nearly 38,000 relief camps set up for migrant labourers, Govt to SC

COVID-19 situation: Nearly 38,000 relief camps set up for migrant labourers, Govt to SC

The Ministry of Civil Aviation operated 180 flights, which transported 258 tonnes of medical cargo, flying an aerial distance of 1,66,076 km till April 12, the government said.

Figure 9 A news report covering the migrant crisis.

The National Pharmaceutical Pricing Authority has been asked to ensure adequate availability of essential medicines in all pharmacies, it said, adding that special efforts have been made by the government to provide drugs to HIV patients. A guidance note has been sent to all states on dispensation of these drugs, the affidavit said.

The government said that apart from measures to ensure availability of food grains, harvesting has been allowed to continue uninterrupted. Indian Council for Agriculture has issued an advisory to farmers for harvesting of rabi crop and sowing of summer crop. Department of Chemicals and Fertilizers is making all efforts to ensure adequate supply of fertilisers for the kharif season, it said.

On the efforts of Indian Railways, the government said the Railways had ensured uninterrupted supply of essential commodities through 24×7 freight operations. From March 24 till April 9, 6.11 lakh wagons have moved to keep the supply chain functional. Railways also served 10.1 lakh free meals till April 9.

The Ministry of Civil Aviation operated 180 flights, which transported 258 tonnes of medical cargo, flying an aerial distance of 1,66,076 km till April 12, the government said.

As per a report on April 4, 2020 it was pointed out to the court on behalf of the People's Union for Civil Liberties that the organisation has received complaints from approximately 10,718 migrant workers, who are staying in their rented accommodations or accommodations given by their employers/industries in various parts of the State, that they have not received ration as per the norms of lockdown.

However, it was also pointed out on behalf of PUCL that when details of such workers were communicated to the district administration of Mangaluru, immediate efforts were made to provide ration to many. The Bench asked the PUCL counsel to submit the list of 10,718 migrant workers to the government for taking steps to provide ration.

The government has also informed the court that 36,629 migrant workers were given shelter and food by the employers/industries where they are working.

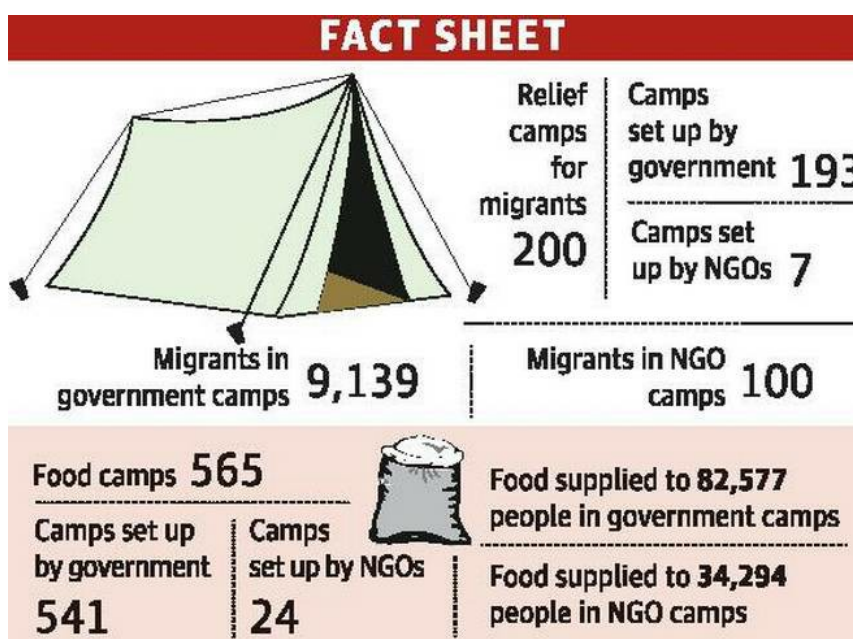


Figure 10 A report on April 4, 2020.

Relief Measures Taken by the Government:

Food distribution: On April 1, the Ministry of Health and Family Affairs directed state governments to operate relief camps for migrant workers with arrangements for food, sanitation and medical services. On May 14, under the second tranche of the Aatma Nirbhar Bharat Abhiyaan, the Finance Minister announced that free food grains would be provided to migrant workers who do not have a ration card for two months. The measure is expected to benefit eight crore migrant workers and their families. The Finance Minister also announced 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.

Housing: The Aatma Nirbhar Bharat Abhiyaan also launched a scheme for Affordable Rental Housing Complexes for Migrant Workers and Urban Poor to provide affordable rental housing units under PMAY. The

scheme proposes 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. Further, additional funds have been allocated for the credit linked subsidy scheme under PMAY for middle income group.

Financial aid: Some state governments (like Bihar, Rajasthan and Madhya Pradesh) announced one-time cash transfers for returning migrant workers. UP government announced the provision of maintenance allowance of Rs 1,000 for returning migrants who are required to quarantine.



Figure 11 Relief measures announced by the government.

Transport Arrangements for the Migrants

During the lockdown, several inter-state migrant workers tried to return to their home state. Due to the suspension public transport facilities, migrants started walking towards their home state on foot. Subsequently, buses

and Shramik special trains were permitted by the central government subject to coordination between states. Between May 1 and June 3, more than 58 lakh migrants were transported through specially operated trains and 41 lakhs were transported by road. Measures taken by the government to aid migrants include-

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.

In an order issued on April 29, the Ministry of Home Affairs allowed states to co-ordinate individually to transport migrants using buses. On May 1, the Indian Railways resumed passenger movement (for the first time since March 22) 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. Top states from where Shramik trains originated are Gujarat and Maharashtra and states where the trains terminated are Uttar Pradesh and Bihar. Note that these trends largely correspond to the migration patterns seen in the 2011 census data.



Figure 12 Migrants leaving for their homes in Shramik Special trains.

Conduct towards migrant workers

The World was struck with a disaster in the of form of Coronavirus Pandemic. Millions of people have died due to this disease and millions of people are fighting with covid on this day. To contain the spread of the novel Coronavirus outbreak, the Indian government initiated the largest national lockdown in the world on March 2020. Initially announced to last until April 14, 2020, currently, it is in phase 4 which ended on May 31, 2020. The lockdown has severely affected the movement of people, disrupting daily life and access to healthcare facilities in India.



Fig 1 PM Modi declares 21-day lockdown over COVID-19.

As of March 3, 2021, India has a total of 12.4 million confirmed cases and 164000 confirmed deaths attributed to covid. India is now facing a severe and massive Second wave which is considered to be more severe than the first wave. In a population of more than 1.3 billion, the COVID-19 pandemic has had far-reaching consequences beyond the spread of the disease itself and efforts to quarantine it, including political, cultural, and social implications.

India covid lockdown was one the most harsh and strict lockdown the world has ever seen. It affected the entire population in every nook and corner of this vast country. Many people lost their jobs, almost every family lost a member.

The fall in incomes affected people in the lower and middle segments of the income distribution most severely, the study found.



The State of Migrants

In addition to battling the pandemic and the worsening economy, India has in recent weeks struggled to manage an exodus of migrants from urban centres like Mumbai and Bangalore. Delays in making transportation arrangements for migrants returning to their hometowns in other states have resulted in avoidable misery. Many of them are daily wage workers who work in construction projects, retail shops or restaurants. The lockdown has meant they have no work, and they cannot afford to continue paying for rent and utilities in their urban shanties, or for food, health care or education for their children.

Since the lockdown began two months ago, tens of thousands of migrants have trekked hundreds of kilometres to their native villages in other states, with many dying along the way of exhaustion, hunger or disease. The government appeared to have been caught unawares by the sheer size of the migrant exodus, and belatedly began arranging buses and trains — branded Shramik Specials — to ferry them. Social distancing is impossible under such circumstances, especially when food and water are priorities.

As a result, hundreds of thousands of internal migrants in India decided to leave the cities where they worked to return to their hometowns, using any available means of transport. Many of them decided to walk hundreds of miles and many died during their journey. The stories featured in this publication shares the workers' rationale for going back to their villages as they had no means of survival in the cities. It also looks at the role of the private sector's failure to act with accountability and responsibility to protect their workers and the Indian government's, its citizens.

India's migrant crisis offers lessons on governance gaps for the business and human rights community in other countries in Asia, Africa, and Latin America, such as China, Thailand, Indonesia, Myanmar, Kenya, Uganda, Nigeria, South Africa, or Brazil, amongst others, who are reliant on workers to leave their villages to work in cities. It shows the Government's inability to make necessary protection available for migrant workers whose living conditions (such as in congested facilities or in urban slums) expose them to infections. It also shows the inadequacies of weak infrastructure, overrun by the stresses of a major lockdown. It shows the failures on the part of many of the workers' employers - large and small, state and private - who did not provide income support, essential services, healthcare, or other relief.

Conduct towards migrant workers who stayed back

Migrant workers who decided to stay back during the exodus faced assault from their neighbours, who accused them of being infected with coronavirus. They thus could not venture out to buy food. Many also faced police brutality if they ventured out of their homes.

Upon their return to their hometowns and villages, they were treated with either fear or a "class bias", being hosed down with disinfectants or soap solution in some cases. They were feared to be carrying coronavirus from the urban areas where they had been employed. They faced assault and harassment from the people of their hometowns. Since many of them belonged to the lower castes, they had to face caste slurs. Thousands got into property disputes.

Migrants travelling by Shramik Special trains reported that food and water provisions were either not provided or simply dumped at the entrances of the trains, leaving workers fighting with each other to get their share. Passengers then hurriedly filled their water bottles at the railway stations that the trains stopped at.

Many migrant workers expressed a fear of returning to their old jobs in the cities, after facing unemployment during the lockdown. Companies reported labour shortages from mid-April. Estimates state that this would last for at least another six months.

"In the cities they treat us like stray dogs. Why would they treat us any better now?"— A migrant worker describing the treatment he received on a "Shramik Special" train.



Figure 13 Migrant workers, who were stranded in Gujarat due to the lockdown, sit on a road in Ahmedabad on May 4, as they wait to board a train that will take them to their home state of Bihar.



Figure 14 A family of migrant workers takes shelter in concrete pipes after they were caught in a dust storm as they walked towards Uttar Pradesh's Rampur along New Delhi's Ring Road, on May 10, 2020.

Deaths

RTI Shows the Government Did Collect Data on Deaths of Migrant Workers During Lockdown

The Ministry of Labour and Employment stated in September 2020, in Parliament, that the Government of India had not maintained any data on the number of migrant worker deaths that occurred during the COVID-19 pandemic in India. Unofficial estimates have been prepared by a number of sources. A group of independent researchers were quoted by CNN-News18 as stating that 971 deaths not directly caused by COVID-19 diagnoses had occurred as of July 2020, basing their total on news reports of such deaths during the lockdown. The causes for these deaths have been reported as with reasons ranging from starvation, suicides, exhaustion, road and rail accidents, police brutality and denial of timely medical care. Among the reported deaths, most were among the marginalised migrants and labourers. 80 died while travelling back home on the Shramik Special trains, in the one month since their launch.



Figure 15 Nearly 200 migrant workers died in road accidents. Migrants lost their lives while walking, cycling and travelling in trucks and vans in intense heat, as well as in massive crashes involving state-organised buses.



Figure 16 Notably, on 8 May, a freight train killed 16 migrants who had stopped to rest on railway tracks near Aurangabad in Maharashtra. On 14 May, eight migrant workers were killed and nearly 55 injured when the truck they were in collided with a bus near Guna,

Arrival of Migrants After Unlock 1.0:



- Despite government promises and schemes to generate employment in rural areas, some migrant workers began going back to the cities due to lack of employment in their hometowns.
- As lockdown restrictions were reduced as part of Unlock 1.0 in June. A large number of labors were returning to their respective workplace. The reopening of the regular services of the railways also helped facilitate this. The cities, too, reported major shortages of labor, especially in the construction industry.
- A study conducted in April–May stated that 77% migrant workers were prepared to return to cities for work. The return of the migrants to cities is expected to help revive the economy, which had sustained an impact.

Problem Faced by Migrants After Unlock 1.0:

- **End of lockdown but not end of trouble**



- As the lockdown came to end, many believed that it may not be the end of troubles for many, especially laborers and migrant workers.
- The end of lockdown will likely start a new phase of problems for them, as labour exploitation may rise significantly in the pockets where there is an oversupply of workers, even as the industry seeks to dismiss the idea of such a situation arising. The exploitation of the labour class may rise after the lockdown is lifted, as more and more people try to regain their jobs and financial health, making an oversupply in the market.
- In a post lockdown world, there are going to be work deficit zones and work surplus regions. In the work surplus areas, the situation will be grim as there is going to be an abundance of returning workers with relatively higher skills, and thus the exploitation could commence. Older problems such as forced labour and exploitation are likely to show cascading effects in the time to come as another concern is that more than 90 per cent of labourers in India are in the informal sector and are casually employed, being unprotected by any law. Arising as a threat from the same situation, the burden of forced labour may get further heavier and the workers may have to work overtime for which there is hardly any perk.

- Things are going to get worse after the lockdown is lifted. As the people are already desperate to get wages, work, or means of livelihood, chances of exploitation increase. Even earlier, the workers were working for 12 hours instead of 8, now they will be working for 16-18 hours, that too, under adverse circumstances.

What did the government do after unlock 1.0 to ease the troubles of migrant labor class:

● What was expected from the government:

- As India has started to relax the lockdown restrictions, some of the migrant population has started going back to the places they work.
- Proper monitoring over the migration status is needed. Going forward, the government should keep a few points in mind while tackling migrant or vulnerable populations while facing such pandemic.
- The first thing to consider is not to have the bureaucratic approach but to use the humanitarian approach which is based on the view that all human beings deserve respect and dignity and should be treated as such.
- Secondly, state and central authorities should ensure that returnees do not face the stigma and discrimination because of their migration status and prevent labelling them as ‘carriers’ of the disease

Steps taken by different state government to help migrant labor class after unlock 1.0:



1). Steps taken by Uttar Pradesh Government:

- Uttar Pradesh will bring back labourers and workers who are stranded in other States and have completed 14 days of quarantine in a phased manner.
- The U.P. government estimates that around 5 to 10 lakh migrant workers could return to the State in the next two months, Chief Minister Yogi Adityanath told district-level officials in a meeting on Friday evening.
- Mr. Adityanath instructed officials on Friday to prepare a working plan and come up with details in this regard, his office said in a statement after a high-level meeting.
- “After screening and testing such people, the concerned State government should start the process of sending them back. After they are brought to the U.P. borders, the State government will transport them to their districts by bus,” said the government.

- Mr. Adityanath asked officials to make preparations for keeping these migrants under 14 days of quarantine in their respective districts and to sanitise and vacate shelter homes well in time.
- Additional Chief Secretary, Home Department, Awanish Awasthi, said the Chief Minister had instructed officials to send back migrants of other States who had completed 14 days of quarantine in U.P.
- While some districts in U.P. had individually released the number of migrants living in them or their people living in other States, the government is yet to come up with a cumulative data.

2). Steps taken by Maharashtra Government:

- As the unlock 1.0 has opened the doors of returning migrant workers who left Maharashtra due to covid-19 pandemic, the state government has decided to unveil a new policy on the registration of migrant workers.
- Anil Deshmukh, Minister for Home, Government of Maharashtra, said, “While the return of migrants workers who left the state during lockdown is certain, the objective of the registration is to collect data on the number of migrant labourers, their home states and where they were working before they left Maharashtra. When they return, they will be registered so that they can resume their duties or get new jobs.” The state cabinet will take a formal decision on the strategy in the coming days and decide the nodal agency and department that will complete the registration process and maintain the updated data, said Deshmukh.
- According to data of the labour department, nearly 12 lakh and 5.5 lakh migrant labourers left for their hometown in Shramik Special trains and Maharashtra State Road Transport Corporation (MSRTC) buses, respectively. “The data will not only help private companies to provide employment to the migrant workers but also useful for the state government to track them if a similar crisis occurs again and migrants want to travel back home,” read a statement issued by the labour department.

The Uttar Pradesh and Madhya Pradesh governments have already announced to formulate a similar registration process of migrant workers mandatory with labour departments and to extend schemes, such as subsidised ration under the public distribution system, to them in the states of their employment through the One Nation, One Ration Card scheme.

Conclusion

Many heart-wrenching stories have bombarded media about total lockdown in India to fight Covid-19. What business can do in context of suspension of labour laws to respect human rights across operations and supply chains in India?

Lockdown and Millions of Vulnerable Workers on the Road Back to Their Native Communities:

- **Jobless People and Families Walking 600-1200 Kilometers on Deserted Highway Roads:** Over the last two months, we must have seen myriad visuals and images of thousands of people stranded in various bus and train junctions hoping to go back to their native communities, or a woman carrying one child in her right arm and holding the hand of her other child in her left arm while also tugging a ripped luggage, or a toddler playing alongside the dead body of his mother thinking she is asleep but who apparently died of starvation and hunger, or thousands of people walking 600-1200 kilometres on deserted highway roads, or old parents carrying their physically challenged older children on their shoulder so they can travel back to their villages are not just heart-breaking and disturbing but also shows the inadequacy of state machineries and bureaucracy which fails to handle a crisis situation, especially when they are required the most. These, and among many such heart-wrenching stories has bombarded the Indian media, post the nation's announcement of a total lockdown on 24 March 2020 owing to its fight against Covid-19.
- **90% of Migrant Workers Losing Jobs Without Any Cash Assistance:** According to Census 2011, India Migration Now survey, 22 districts in the country account for a third of all migrant workers which includes

areas of NCT of Delhi, Maharashtra, Uttar Pradesh, Gujarat, Haryana, Tamil Nadu, West Bengal and Orissa. According to various studies, conducted by organizations like Stranded Workers Action Network (SWAN) state that 90 percent of the migrant workers did not receive cash assistance from the government, while in some States, 84%-94% of workers were not paid their wages for the months of March and April. There are many more such stories of migrant workers dying of road or train accidents, heart disease, heat stroke, starvation and dehydration on a regular basis.

Covid19 Lockdown Making Vulnerable Workers Even More So

● **40-45 Million Informal Invisible Workers with No Means of Income:**

The past two months have seen one of the largest wave of internal migration and that is why it is important that we talk about these informal invisible workers, who for so long, have sustained our Indian economy on meagre wages, with no access to unions or rights' education or an informed workplace. It is important also because we are here talking about 40-45 million people who are today on the streets with no means of income. They cannot afford monthly room rents, food or any other amenities since the factory and manufacturing sites are closed, orders cancelled, and no wages paid of past months. They have no choice but to go back to their villages where they originally migrated from. According to Ministry of Home Affairs, only 75 hundred thousand have been able to return back to their homes since trains, buses and airplanes have been suspended until 17th May.

● **The Challenges of Social Distancing Norms in Cramped Living and**

Working Spaces: Living conditions of workers in dormitories, especially located in southern part of India (like Tamil Nadu and Karnataka) are even worse as they are stuck at their workplaces owing to the lockdown situation. Most of these dormitories are shared by 4-6 workers in one small room and common floor bathrooms. Prior to the lockdown phase, the workers, who work in shifts, would use the rooms in rotation. However, the situation has now changed because all of them are cramped

in the same room posing challenges for implement social distancing norm, giving rise to issues of hygiene and sometimes reports of harassment and violence. But due to restricted movements and infrastructure outside the dormitories, they are unable to go back home or approach local authorities.

Many experts believed that with partial relaxation post 17th May, situation may seem better. However, with companies declaring bankruptcies and some starting with restricted workforce, the situation only seems to get worse, with added social problems of starvation, and growing poverty. The lack of infrastructure to cater to general health needs of people is posing more problems since hospitals and health professionals are now catering to the needs of patients affected with coronavirus. And not to mention that the plight of the health professionals is any better as most doctors and nurses are succumbing to the pandemic themselves owing to less protective equipment, coupled with stress related to no leave sanctions, higher number of working hours and sometimes non-payment of salaries.

● **Suspension of Labour Laws and Subsequently Human Rights:**

To make matters worse, some of the Indian States have decided to suspend most of labour laws in the garb of saving the dying economy. These States include Uttar Pradesh, Punjab, Rajasthan, Karnataka, Tamil Nadu while others may follow. The suspended laws include minimum wage act, maternity benefit act, partial suspension of payment of wages act and industrial disputes act among others. The argument stated by the local government that the application of these laws may discourage the establishment of new industries or revival of old industries during the crisis.

The suspension shall be applicable for three years, which according to the government, will provide enough impetus, flexibility to develop and help re-skilling workers. While a section of experts believe that this suspension will give more leverage to employers and increase more hire-and-fire situation thus instilling a sense of job instability, discrimination, wage gap and non-payment of wages or welfare measures like social security payments. From gender perspective, this will decrease female job participation and push them to informal work nature, majority of whom already have been such. The details of suspended laws can also be found here.

- **Things Businesses and Industry Can Do About This in India:** If the government succeeds in implementing the suspension of labour laws, then it would demean the efforts of so many decades of national and international labour rights organizations. It would also mean that workplace assessments and monitoring would no longer have any role or purpose. Therefore, it is very important to note that the industry and businesses have a very crucial role to play in times to come, and why, because they have the money, the power to influence and make the desired changes happen.

- There is a need to create a space for **dialogue** with local government, international human rights bodies, research organizations and other stakeholders including community which would ensure a strong sense of solidarity. Businesses should renew their commitment to sustainability and compliance, including community and migrant worker assessments
- Businesses would need to build loyal and long-term relationships with its supplier base, and subcontracting practices. This can be achieved when there is complete **transparency** from both parties and wherein the transparency is respected and not penalized.
- **Redesign business models** to focus on niche supplier base and customize design and resources to a particular geographical area, to help local companies grow and develop. This can be achieved by assessing supplier production capacity and worker turnover, which would ensure the provision of regular orders where suppliers could be less prone to subcontracting.
- Businesses need to be **alert to crisis** and create channels where employees can raise their concerns on grievances to enable brands to identify issues of forced labour, harassment, discrimination and others.
- **Collaborative Efforts Needed to Win Covid-19 War Together:** Of course, businesses cannot do this alone and therefore these words – transparency, dialogue, collaboration, accountability – will not just remain mere jargons used in most presentations in almost

every business conference – but a reality. We all are in a global war – together- and thus have to win it – together.