REVERSE MIGRATION DURING COVID – 19

PRECARIOUS LABOUR, ECONOMIC INEQUALITY, AND INADEQUATE SOCIAL PROTECTION IN INDIA

By Asheef Iqubbal and Anoushka Jha
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Reverse Migration during COVID-19
Precarious Labour, Economic inequality, and Inadequate Social protection in India

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Migration, Reverse Migration, and Re-Migration

COVID-19 has opened a Pandora's box in India, as far as migrants are concerned. The pandemic and the lockdown because of the pandemic brought key questions into the forefront: what is migration; who is a migrant; how many migrants are there in India; which state hosts and supplies maximum migrants; how migrants lived in the cities; how migrants were treated in their cities and in their working environment; what are the rights of migrants; why migrants started leaving the cities; how migrants returned and reached their homes; how their homes treated the migrants who came back; what is the economic state of migrants; what are the contribution of migrants to the economy; the sheer size of the migrants and the apathy towards them has shaken India's social and economic ecosystem.

In light of this situation, the Digital Empowerment Foundation (DEF) realised the need to leverage its learning in working towards ameliorating the situation in which many migrants find themselves. Towards this end, DEF launched COVID-19 Digital Emergency Relief Program (CDERP), and under that initiative also formed a special project called “MIGRANTS: Connecting, Tracking, Serving” (MCTS). Under MCTS, we have been organising and conducting regular dialogues, web conferences, surveys and research analysis, writing articles and opinion pieces, and talking to migrants in live discussions in the public domain.

However, our most important engagement has been serving the migrants and tracking them and even reaching to their homes to do in-depth study about their situation.

To start with we identified several organizations to serve the migrants in various cities including Delhi, we also picked up major exit points in Delhi and Gurgaon from where the migrants were leaving. One of the major learnings came from our camp near Nuh in Haryana on KMP Expressway, through which migrants from Gurgaon, Manesar, and Bhiwadi and so on were passing. We must have individually fed and served more than 5000 migrants, several hundreds of whom we reached out to telephonically in order to track their journey and their situation after reaching home. Incidentally, DEF has hundreds of remote location-based digital resource centres, from where we have been able to meet many migrants even after they have returned. So, our deep dive into the lives of the migrants is holistic and captures a 360-degree view.

This small little booklet is the story of how the entire issue of migrants spread out and how the migration and migrants are the most important issue for the nation to think about.

Please let us know how do you like the insights into the migrants’ issue and also please be connected to look for more that we would be coming out with including an ethnographic study that DEF is doing on migrants in addition to making a documentary film capturing the conversation with more than 100 migrants in Jharkhand, Uttar Pradesh, and Bihar.

Warmly

Osama Manzar
Founder and Director
Digital Empowerment Foundation
The informal sector in India comprises of close to 81% of the employed workforce with 77% coming under the category of vulnerable employment. A significant proportion of this category is comprised of seasonal agricultural migrants. The Economic Survey of India 2017 estimated an annual 9 million interstate migration in India between 2011-2016 while the 2011 census puts an estimation at 139 million accounting for both inter- and intrastate movements.

With the cessation of economic activity as a result of the lockdown this sizeable workforce started moving towards their home states. This massive exodus of millions of people is claimed to be the largest since the Partition of India and accompanied by acute distress, hardship, and hunger. With the imposition of the lockdown train and bus services were halted and state borders were sealed to restrict movement of people. Migrant workers, most of whom were daily wage labourers with little social security, found themselves suddenly without a means of livelihood.

As the demand for casual and unorganised labour reached a sudden and absolute halt, the minimum requirement for wage payment to this precarious labour force also went into arrears. COVID-19 became the reason for most employers to hold back wages. Even the Home Ministry order to ensure payment of wages to employees during the period of lockdown was diluted by the Supreme Court on 15 May 2020. However, even while the order was operational, the non-payment of wages by employers and the inherent precarity of employment in the informal sector pushed thousands of workers on the road to undertake the difficult and perilous journey home.

Thus, millions of people began a journey of thousands of kilometres on foot or bicycles with children, elderly, and ailing family members. This was marked by days of hunger, starvation, death, and/or pursuit by the police and sequestration in quarantine centres often without the basic amenities. Incidents emerged of deaths due to starvation, exhaustion, and people spiralling into a death trap.
On 1 May 2020 the Government operationalised the Shramik trains\(^6\). As per the Central Government, Shramik trains were operated on the basis of demands from states. News reports claimed that contrary to government assertions of 85% subsidy, the trains were priced 80% higher with financial burden shifted on to the states\(^7\). The procedure of registering and getting confirmation for train ticket was unclear; due to which many migrants resorted to agents\(^8\).

The touts took advantage of the situation and were exploiting people by providing tickets on higher rates. The misery of migrants did not end here, after getting on the Shramik train, during their journey the migrants faced water and food scarcity and even complained of unavailability of water in toilets. The frustration resulted in the form of protest at various places such as on the Bengaluru Darbhanga route and Visakhapatnam-Chhapra route where passengers blocked railway tracks and looted food packets being distributed on railway stations\(^9\).

According to Railway officials around 80 people died on Shramik Special trains meant to ferry migrant workers home\(^10\). Further, the trains themselves provided subpar service like taking more than 60 hours to reach its destination and being over 700 kilometres off route.

The migrant crisis that has unfolded in the wake of COVID-19 has thrown into sharp relief how deeply entrenched economic vulnerabilities and precarities were and how inadequate existing institutional and administrative frameworks are in dealing with crises and disasters. The article is the product of relief services provided by the Digital Empowerment Foundation (DEF) near the KMP Highway and the conversations that the staff had with migrant workers passing by. The aim of this article has been to understand the precarity that circumscribed the lives of this labour forces and how progressive policymaking should include greater legal safeguards for this section of the population.

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The journey.....to debt

Rajendra Yadav, worked in a marriage hall in Gurugram and earned Rs. 7000 (approx. USD 93) a month. “Initially things were going fine with the help of whatever savings I had but there is no work here, and I don’t even have any land. I don’t know how we will survive. With the lockdown extending and the fear that things might turn ugly, I came back”, says Yadav.

From Gurugram, Yadav managed to cycle till Agra, Uttar Pradesh after which he took a bus and kept his cycle on its roof. The bus took him to the Mugalsarai, on Uttar Pradesh – Bihar border. On reaching Mugalsarai he again started cycling for 200 kilometers and finally reached his village, Shergahi in Gaya, Bihar after three days of horrendous journey. Already a month has passed since he returned but has not been able to find any work. As soon as weddings start, I’ll go back to Gurugram” he adds.
Another migrant labour, 26 year old Nasiruddin from Malda, West Bengal had arrived in Delhi in search of work 12 years back. He has small siblings to take care of. He had to find work to earn. During lockdown he worked with a contractor as a construction labourer. Nasiruddin too, had taken a loan of Rs 14,000 at 18% interest from a local moneylender in his village. He said, "I was not getting any work after the lockdown was announced. Waiting for the work to restart, I had to get a loan of Rs. 8000 on interest from my village to manage my expenses. It seemed, I would die of hunger. So I had to take another loan of Rs. 6000 on interest from my village and with this I managed to pay for the journey back home by truck".

“When I reached on the border of the state in Asansol, police did not allow us inside the border. So I reached my village via Jharkhand. I will go back once the work starts again. How long will I be able to survive on money taken as loan that too on heavy interest rates?” he asks.

Rahul Sharma, 25, resident of Ekta Colony in Moradabad district of Uttar Pradesh used to work as a truck driver in Meerut. His work involved extensive travels to different parts of the country and helped him earn Rs. 25,000 at the end of the month. He had no work for some days due to COVID19 and subsequent lockdown and his employer did not pay him his salary till date which was due and as a result he has been forced to take loan in order to sustain his family.

“I don’t think there have been any benefits from the lockdown. When the cases were few, lockdown was announced and now when it is spiralling up, the government has done away with the lockdown. The government had issued the order that employers will pay wages to their employees for the lockdown period, but I haven’t received anything even after the lockdown ended. I’m still a truck driver under the same employer, but haven’t got my salary yet. All I have is hope”, says Sharma.

I had taken a loan of Rs. 30,000 from a local moneylender, to run my household during the lockdown. But as I have not got any salary, how would I repay the loan? I have to pay 5% interest on the loan that I have taken. “Government has not given any assistance. We do get ration but it is only either rice or wheat (although the government did promise of providing pulses, he did not receive it). My wife has got Rs 500 in her account, but that is not enough. I will have to again take out a loan to feed my family,” he further adds.

Rupal Kulkarni, CEO of Shram Sarathi, Aajeevika Bureau, said that the situation is very scary. “Lockdown is new for everyone, no one was prepared. Most of the rural households have an average monthly income of Rs. 8,0000,000. When the source of income dried up, many people had to take loan on interest and now they are taking loan just to repay their previous loans. Whatever these people manage to earn goes into repaying existing loans. This is very peculiar position. During such times the government should provide loan on zero percent interest rates, although the government has given 3 months to repay the loan amount, but that is not enough” she adds.

Microfinance institutes, which often provide loan for small scale work to the rural population, are themselves going through a tough time. Most of these companies have even stopped offering new loans. Rajkumar, a 28 year old man from Dholpur in Rajasthan said, “My father has taken more than Rs. 40,000 loan from a money lender to survive. Both my father and brother are still in the village and are unable to find any job. We do have some land, but they are of no use. All those who had migrated to cities have come back, and none of them have any work now,” Raj Kumar adds.

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Putting the scale of the crisis into perspective

According to Centre for Monitoring Indian Economy, more than 122 million people lost their jobs in April itself due to lockdown\(^\text{12}\). In a rapid assessment survey done by Jan Sahas at the beginning of the lockdown showed how migrant workers were evicted from informal settlements or labour camps and abandoned by their labour contractors with unpaid wages. Nearly 93% of the workers surveyed by Jan Sahas earned between Rs. 200-600 per day and 92.5% have already lost work ranging from 1 - 3 weeks\(^\text{13}\).

Putting the scale of impact on migrant workers into perspective, more than 79% of the total labourers who have outstanding debts believe that they would not be able to pay off their debts in the near future while 50% believe this would put them in risk of violence. 42% reported not having ration on the date of the survey and a lack of livelihood for more than 3 weeks with an average of 25 dependents would lead to death by starvation\(^\text{14}\). Chinmay Tumbe, Assistant Professor at IIM Ahmedabad, is of the opinion that in just the first phase of the lockdown, around 30 million have gone back to their states and this 30 million accounted for 15 - 20% of the urban workforce\(^\text{15}\).

According to data compiled by Thejesh GN, the mayhem brought by the unplanned announcement of lockdown took away a total of 884 human lives as of 26 June 2020. As per the data, 167 migrants died due to starvation and 209 died to exhaustion by continuous walking or standing in line. Starvation and continuous walking were the most common reason of death.

While other reasons include financial distress, suicide, and death on Shramik trains\(^\text{16}\).

According to the data from the Railway Protection Force and reviewed by Hindustan Times, 80 migrants died from 937 May. The reason for death as told by a zonal railway officer to Hindustan Times was because of heat, exhaustion and thirst. Although there have been claims made by fact checking department of Press Information Bureau that cause of death was not hunger or thirst but a long standing illness, other fact checking agencies such as Alt News have claimed otherwise\(^\text{17}\).


India’s social protection infrastructure is failing to be the vehicle for relief measures

"After I reached my village, I was quarantined for ten days. Government had assured assistance but I hadn’t received any, had even applied online for Corona Sahayata”, but even that time I didn’t get it”, says Yadav.

Bihar government had assured to provide Rs. 1000 each to every returning migrant labour. It was said that those holding Jan Dhan account will get this amount. Bihar government had also promised to reimburse the train ticket and additional Rs. 500 to the returning migrants”. But those migrant labourers who came on foot or by any other means like cycle and truck are disappointed, as they did not get any assistance.

Migrant labourers like Yadav could not get any money, despite getting registered as they did not have a Jan Dhan account. He said, “I had heard that those coming to Bihar from other states will get Rs. 500 from the government. I didn’t get even this amount”.

Anil Kumar, 17, another resident of Bihar has just passed his 12th standard exams and is searching for a job. Kumar said, “My father works in the construction sector, he came home before lockdown and since then has been staying here. After my exams I had gone to Gurugram to in search of work but got stuck there as the lockdown was announced. Now my father has no work and this has aggravated our economic hardship, if I get any work I’m ready to do it”.

He said, “Government did not help us while we were on our way back neither it helped when we reached home. The food grains that I received on my ration card are the only thing I’m still getting”. He adds, “After staying for 14 days in quarantine centre nothing happened. I had heard the government will give Rs. 500 but this was just hearsay and that’s all”.

Migrant workers in cities or urban areas do not receive social protection benefits such as access to health insurance, housing benefits, PDS (public distribution system) rations and educational rights among others, which mostly remain on the paper. This occurs as a result of lack of portability of social protection systems that ends up raising the cost of living for migrant labour.

According to a report by Jan Sahas, migrant workers are protected under legislation such as National Disaster Management Act (2005), the Interstate Migrant Worker Act (1979), and the Street Vendors Act (2014), and they are even entitled to receive full and timely payment of their

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wages along with displacement allowance and home journey allowance but again none of it was implemented as it should ideally have been²¹.

The Public Distribution System

The Union Finance Minister, Nirmala Sitharaman announced a 1.73 lakh crore (USD 22.6 billion) relief package of Pradhan Mantri Garib Kalyaan Yojana²² (Prime Minister’s Poor Welfare Scheme) on 26 March 2020 to support urban and rural poor during the lockdown. The package promised to provide extra 5 kilograms of grain (wheat or rice) along with 1kg pulses for free for three months. On 26 May 2020, it was reported that the government is planning to extend this up to 3 more months. However, there are two reasons why the promise of free rations failed to reach the intended beneficiaries -

Saturation of new ration cards that can be issued:

According to the National Food Security Act (NFSA), 2013, all families falling below the poverty line get food grain at subsidised rates. As per the NFSA, the Public Distribution System (PDS) is supposed to cover 75% of the population in rural areas and 50% in urban areas, which is 67% of the overall population (using rural-urban population ratio as per the 2011 census)²³.

Calculations by economists Jean Dreze, Reetika Khera, and Meghana Mungikar show that using census 2011 data as the basis for calculating food security eligibility has left 100 million eligible individuals the equivalent of the population of Egypt outside the food safety net²⁴.

Deactivation of ration cards:

Many migrant workers have had their names removed from the ration card list as they left their villages for work, said Siraj Dutta, who is affiliated with the Right to Food Campaign, an advocacy. Ration cards are deactivated if beneficiaries have not purchased essential commodities for three consecutive months.

As they return home amidst the lockdown, this erasure is becoming the cause for their exclusion. According to many families, the process for applying for a new ration card is complicated and often protracted²⁵.

According to Dipa Sinha, Assistant Professor of Economics, Ambedkar University, “In general, the process of making a ration card has always been complicated; (in the current scenario) there is no time to be lost in applying for a new ration card and to then determine who is eligible and who isn’t. The government needs to ensure that anyone with documents that proves one’s identity should be granted ration²⁶.”

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Some states, such as Jharkhand, Chhattisgarh and Delhi have done so but have made the Aadhar number mandatory. “Amidst this pandemic, they should make any document of identity enough to qualify for ration,” said Sinha.

However on 12 May 2020, the government announced that food grains would be provided free of cost for two months under Aatma Nirbhar Bharat (Self Reliant India) package to 80 million people who were not covered under National Food Security Act or State scheme PDS card. However as of 2 July 2020, only 13% beneficiaries have received the food grains as was promised under the Aatma Nirbhar Bharat package. Thus out of 80 million promised beneficiaries, only 21.34 million beneficiaries received food grains, wherein 12.1 million people got rations in the month of May and 9.24 million people got rations in the month of June.

Mahatma Gandhi National Rural Employment Guarantee Scheme

In the times of pandemic when there is no sign of revival of economic activities, migrants are looking forward to work under Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGA). But MGNREGA already has been grappling with poor implementation caused by over centralization and delay in disbursement of wages along with lack of funds.

As per the report by Centre for Policy Research, the average day of work generated under MGNREGA has been declining. The report highlights that the average day of work during 2015/16 was 49 which further declined to 41 days of work per rural household during 2018/19. There have been recommendations to diversify the work being undertaken in MGNREGA during the pandemic to accommodate interstate migrants because currently work under farm operations which are repetitive are not taken up such as agricultural operations or removing grass etc. If agricultural work is considered then the overall demand for labour in poor areas will decrease.

Ravi Srivastava, Professor and Director, Centre for Employment Studies at the Institute of Development Studies said that the “Government is wrongly claiming that only 1 crore (10 million) migrants have returned to their villages. Migrants are still returning home, it is just that they are no longer visible walking on roads. It is difficult to provide livelihood to so many people in such conditions.” He is critical with the recent announcement of the central government, which claims about employment generation in 116 districts of Bihar, Uttar Pradesh, Madhya Pradesh, Jharkhand and Odisha.

Prof. Srivastava said, “The Government is not even adding any extra money in these programs; rather they are just trying to tweak the existing programs. There can be some relief if at all money is pumped, like Odisha state government did, the state government had announced a new scheme of Rs.17, 000 crore,” he further adds,
I along with my economist colleagues, have written to the government to provide them Rs. 6,000 per month at least for three months. This could have infused some life into the limping economy and this could not have ballooned into such a huge crisis.”

No respite in labour laws

In a notification issued on 29 March 2020, during the first phase of lockdown, Ministry of Home Affairs announced, “all the employers, be it in the industry, shops or commercial establishments, shall make payment of wages to their workers, at their workplaces on the due date, without any deduction for the period their establishments are under closure during the lockdown”. Mujib Ur Rahman from Godda, Jharkhand worked in a factory in Sohna, Haryana. He was assured of getting paid even during the lockdown, but after giving him Rs. 3000, out of Rs. 6400 his employer stopped taking his calls. Mujib said, “I stay in a 5x5 jhuggi along with my family, it was very difficult to remain locked inside such a small room.”

Mujib further said, “Lockdown was being extended and shopkeeper refused to give anything on credit further. The state government was distributing cooked food for migrant workers during the lockdown; even we got khichadi, but only for 45 day. After which we stopped getting any food from the government. On many occasions I and my family had to go to sleep without any food. It was heart breaking to see my six month pregnant wife and children remain hungry.”

Mujib further adds, “I asked a money lender in my village to send me Rs 6,000 on interest so that I could leave this place. By the time I reached Kaimur, Bihar all my money was exhausted. Somehow I got into the train that was going to Bhagalpur. From Bhagalpur, I along with my children and wife walked 200 kilometres and managed to reach my village, I had blisters all over my feet. I have no work in my village, and moneylenders refuse money at 10% interest per month which I cannot afford. I do not know how I will repay my debt and feed my family”. Interestingly, on 15 May 2020, the Supreme Court diluted the notification by saying, that no coercive action will be taken against those who have not been able to pay full wages during the nationwide lockdown. However, later, National Executive Committee under the Disaster Management Act, 2005, issued another notification on 17 May 2020, saying that the earlier order of ‘mandatory wages’ will cease to effect from 18 May 2020. Since the labour laws fall under the concurrent list of the constitution, it allows states to go ahead with the changes.

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Amidst all these, migrant laborers have been struggling on the street of cities without any means of livelihood, and the post lockdown scenario of work in India doesn’t seem healthy either. In the times of pandemic, the Uttar Pradesh government suspended important labour laws like the Minimum Wages Act including, The Maternity Benefit Act year, The Equal Remuneration Act year, The Trade Unions Act, The Industrial Employment Act, The Industrial Disputes Act, The Factories Act. Following the

suit of Uttar Pradesh, at least 10 states including highly industrialized Gujarat and Haryana have suspended their labour laws to “attract investors” in the states. The suspension of labour laws might increase the further exploitation of informal workers, as it will allow the employers to downsize their workforce at will and force workers to work for more than eight hours during a day, as opposed to what is currently mandated by the law.

Avinash Kumar, professor at the Centre for Informal Sector and Labour Studies at Jawaharlal Nehru University, said, “Increasing contractualisation has strained access to social security provided under the BOCW Welfare Cess Act, 1996. In most of the companies, there are no records of these workers. They work on a contractual basis. They do not even get anything in the name of security. These workers have been exploited for years, even before the COVID19 crisis hit them. COVID19 has only exposed the broken system”.

Journey of a thousand miles

Rakesh Pal, 27, of Cuttack district in Odisha was working on the contract basis, in the garment pressing/ironing department in Tirupur district of Tamil Nadu - one of India’s largest garment manufacturing hubs. In this job he was earning Rs. 900 per day, but due to the lockdown, he stopped getting work there as the production was shut down due to lockdown.

“My father, grandfather, and many more generations used to weave sarees. Due to a lack of opportunities, I left this traditional work of weaving a few years ago”, he says.

Rakesh paid Rs. 6,000 bus fare to return back home. “Weaving can be done from home as long as the raw materials are supplied, so in this hope, I left Tirupur. But there is no work here either. Now, once the market will resume, I’ll head back to Tirupur again,” he said.

While State Governments have promised to provide livelihood opportunities to the returning migrants, it is not yet clear how such provision will be made. The government does not have any data on migrant workers that can be used to design effective policymaking. Even the National Sample Survey fails to adequately capture migrant workers. Moreover social protection benefits are linked to domicile certificates, or documents of permanent residence, which are of their home villages. Nor do they have employer IDs since they work in the unorganised sector with many working small factories and employed on a contractual basis.

The pandemic has highlighted the highly precarious nature of employment in the unorganised sector as well the inability of social protection

As of 2 July 2020, only 13% beneficiaries have received the food grains as was promised under the Aatma Nirbhar Bharat package. Thus out of 80 million promised beneficiaries, only 21.34 million beneficiaries received food grains, wherein 12.1 million people got rations in the month of May and 9.24 million people got rations in the month of June.

As social protection schemes suffer from their existing systemic and process flaws in acting as the vehicle for relief measure in the times of an emergency, it gives rise to important questions about the tradeoffs between rights protective labour laws and steps towards boosting a sluggish postlockdown economy. Whether labour rights should become the first casualty on the pathway to economic regeneration is question that should answered in the context of what inadequate protections did to the lives and livelihoods of migrant workers.

In the times of a crisis like the present -rapid and urgent deployment of state action is required to ameliorate the sufferings of a large section of citizens on the back of whose labour economic futures of the country are built. It also requires a deep introspection and commitment towards systemic improvement and progressive and rightsprotective legislation that can strengthen the foundations of the country’s society and economy.

Note
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