

Impact of Covid -19 on Migrant Workers in India

Bijoy Prasad Das

*Assistant Professor,
Department of Political Science
Durgapur Women's College
Durgapur - West Bengal*

ABSTRACT: *The onslaught of COVID-19 thrust upon humanity two major challenges, that of human health and that of the economy; our migrants are mired in both. They lost their means of livelihood and mass decided it would be better to return home, to their State of origin. They claimed 'it as better to die at home of the virus, rather than on the road of starvation.' Migrant workers walking towards their home, sometimes covering more than a thousand kilometres. These journeys not only exposed the vulnerabilities of migrant labourers but also brought the issue of their return into political discourse. However, the majority of workers, particularly long-distance ones, remained stranded for want of public transport. The media extensively reported their ordeal at the destination and their protests in different parts of the country demanding return journey. Questions were asked as to why the Government of India did not anticipate the mass exodus of inter-state and intra-state migrants before announcing the lockdown. Why did the government not give a one-week window for the migrants to return to their homes by public transport, particularly trains, when the caseload of corona virus was minuscule? The fundamental rights and directive principles enshrined in the Constitution lay emphasis on the right to health of the worker. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 states the responsibilities of the Contractor, Employer and Government, it lays down the requirement of special allowances for the migrant worker. The honorable Supreme Court has given detailed directions while interpreting the right to health under Art 21 of the Constitution. So, the article focuses on the fundamental right to health of the migrant worker. It traces the constitutional and legislative framework, analyses the precedents and makes suggestions.*

KEYWORDS : *COVID 19, Migrant workers, Fundamental rights, Right to life, Right to health, Social Security etc.*

Date of Submission: 05-07-2021

Date of Acceptance: 18-07-2021

I. INTRODUCTION

The COVID - 19 pandemic is wreaking havoc in the whole world. The virulent nature of the virus and the extreme exponential spread of the contagion led to large scale lockdown not only in India but in the whole world. The lockdown caused a lot of hardships to individuals especially and disproportionately to the most vulnerable. However the full impact of the tragedy that it unwittingly caused was felt in some measure with its relaxation. 'India lost its soul and moral compass during this Corona crisis.' The stress and uncertainty is definitely felt more by daily wage earners, specially when they have migrated away from their home towns. After the relaxation of this lockdown, the entire population of migrant workers decided to leave the State of work and return to the State of origin. This journey with no money, no food and mostly on foot led to unprecedented humanitarian crisis.

Initially this was largely ignored by all except a few community conscious individuals, who tried to move the honorable Supreme Court by public interest litigations. The Honourable Supreme Court gave a variety of decisions vis a vis the migrant workers during the trying times. Ranging from "How Can We Stop Them From Walking?" to taking suo moto writ petitions and giving directions that the migrants not be prosecuted for violating lockdown rules, to giving detailed instructions for mitigating their hardships, including directing the States to make arrangements for their return home. The honourable Prime Minister also launched employment schemes to avert this crisis, including, Garib Kalyan Rojgar Abhiyan offering employment to the workers who had returned home. All this is 'too little, too late.'

The economic and social crisis generated by the COVID-19 pandemic is deeper and more pervasive than any other pandemic that has affected the world since the 1900s, affecting almost every sector and its workers. When it came to migrant workers, the most affected section were unskilled and semiskilled migrants whose day-to-day livelihoods suddenly vanished. With many such migrants inhabiting the informal sector and working on a contractual basis, they faced the prospects of immediate termination of employment much before their formal counterparts. Many sought to go back to their villages, but the absence of transport prevented them

from doing so. State governments sought to set up relief camps and shelters to accommodate migrants, but implementation was skewed. Faced with increasing economic distress and the prospect of utter destitution, many were compelled to break government norms on travel and curfew and walk hundreds of kilometres to reach their home towns. For an unfortunate few, this ended in the tragedy of death.

II. METHODOLOGY

The present study attempts to analyze impact of COVID -19 on the Migrant Workers in India. It discusses the onslaught of COVID-19 thrust upon humanity two major challenges, that of human health and that of the economy; our migrants are mired in both. They lost their means of livelihood and mass decided it would be better to return home, to their State of origin. The researcher used historical method of research for the study. Both primary and secondary sources were explored for collecting relevant data of the study. Authenticity and validity of the content were established through external criticism of data. Interpretation of the data was done through content analysis to establish facts and for determining trends that data suggested.

III. DISCUSSION

Legal Framework: The Constitution of India

Constitutional provisions with regard to labour laws include fundamental rights such as right to life, prohibition of discrimination in employment, freedom of speech, movement and residence throughout India, association and assembly and of profession, prohibition of forced labour and prohibition of child labour. The Directive Principles call upon the State to provide for adequate means of livelihood and ensure the health of the worker, public assistance in times of unemployment and sickness, just and humane conditions of work and maternity relief, living wage, participatory management, The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. The Act defines migrant worker provides for displacement and journey allowance which were not given during the pandemic. The Act creates system of accountability and acts as first layer of formalizing the utilization of their labour.

Socio-economic impact of COVID-19 on migrants

The reverse migration generated by COVID-19 poses a massive challenge to migration governance. The problems with employment that predated the pandemic continue to remain at play with the added shock to the economy, making re-employment and income generation difficult. While many migrants remain resolute in not wanting to return back to the urban spaces that once housed them, they struggle to assimilate into their rural hometowns in the face of extreme impoverishment as well as suspicion of being COVID carriers (Migrants flee cities, 2020). In turn, officials in such rural hometowns grapple with ways by which the returning masses can be accommodated. Though MGNREGA has been touted as a possible short term solution, there is a limit to absorption of labour under it, and migrants will eventually be compelled to squeeze themselves into sectors like agriculture, which is already saturated.

Over 90 per cent of working population in India is currently engaged in the informal economy, with states such as Uttar Pradesh and Bihar accounting for more than 80 per cent of workers in this sector, most of them migrants (Patel, 2020). For instance, Stranded Workers Action Network (SWAN) (2020) survey chronicling the hardships faced by migrant workers during the initial weeks following the lockdown saw the largest number of respondents emerge from the states of Bihar (25 per cent), Jharkhand (28 per cent), and Uttar Pradesh (13 per cent). Also, of all the Shramik trains transporting migrants operated in May, the highest were for the states of Uttar Pradesh and Bihar (Dastidar, 2020).

Investigations like SWAN (2020) highlight how migrant distress has far exceeded any relief provided. However, the pandemic has only exploited existing vulnerabilities and injustices plaguing migrants, the presence of which has been made apparent to governments well before the advent of the pandemic. Case in point is the 2017 Report by the Working Group on Migration constituted by the Ministry of Urban Housing and Poverty Alleviation, which was tasked to look into ways by which migrant welfare could be uplifted. Their report identified 53 districts (based on Census, 2001) seeing major male inter-state migration, of which 24 belonged to the state of Uttar Pradesh, followed by 20 districts from Bihar (Government of India, 2017). Yet, to-date their recommendations remain pending with the Government of India (Prabhu, 2020; Rajan and Sami, 2020); their delayed implementation will now adversely impact the dignified rehabilitation of India's migrant labour.

COVID-19, migration, and the gender lens

Migrant women have been on the frontlines of the COVID-19 pandemic, even though the public narrative about migration has been largely masculinised. Gender norms in particular prop up their own barriers when it comes to migration in the form of policy restrictions, discrimination, violence, and exploitation. Despite this, multiple women migrate internally and outside country boundaries for social, educational, and economic

concerns. It is estimated that half of over 272 million migrants in 2019 who lived and worked outside their countries of origin were women, of which 66 million were migrants (Anonymous, 2020). This is true for within India too, where the primary cause of internal female migration was seen to have been marriage or associated migration (Rajan and Sivakumar, 2018), but many who did so subsequently also entered the labour force, though surveys have failed to adequately capture this (Prabhu, 2020; Rajan et al., 2020).

Gender norms and societal barriers result in women being excluded from the formal labour market, and even in an informal one, they are found at the bottom of the pyramid, employed in low-paid, insecure, and informal spaces like domestic workers, sanitation workers, and care givers. The ILO estimates the highest percentage of women (58.2 per cent) to be employed in the service sector (World Bank, 2020a) and they have been hardest hit by COVID-19 (Sharma, 2020; Sapra, 2020), putting women migrants in a far more precarious situation as compared to their male counterparts. Rukmini (2020) estimates that in India alone, within 2 months of lockdown, 4 out of every 10 working women lost their jobs, resulting in over 17 million women being rendered jobless. Despite such sizeable distress, the absence of inclusivity in the labour economy and the general lack of gender sensitive policy-making have rendered the suffering of women migrants invisible (Sapra, 2020).

Paid work aside, all other factors that constrain women in the labour force have also been exaggerated as a result of the pandemic. Women bear a disproportionate amount of the care work globally; UN Women 2015– 2016 (Nandi, 2017) reveals how in India alone, women do 7 times as much unpaid work as men yet are treated as non-workers because they do not engage in work considered 'economically productive'. During COVID-19, the lockdown, coupled with social and gender norms, has forced women to put in greater number of hours into domestic labour, which run counter to social distancing norms thereby increasing their risk of contracting virus (The Week, 2020). They have also been at the receiving end of greater sexual violence as well as domestic abuse, and many report health issues due to their inability to access health, sanitation, and nutritional services due to the disruption and re-routing of, public services to fight the pandemic.

The inter sectionality of migration is such that women, who are urbane and educated, and who have overcome social, economic, and gender barriers have fared better in general, and continue to do so regardless of the pandemic. But for those who are economically disenfranchised and those who belong to disadvantaged castes and communities, who form the vast majority of migrant women, the economic downturn coupled with the vagaries of working in the informal sector has rendered them far more vulnerable than they have ever been before. Experts suspect that in the aftermath of the pandemic, problems of debt, loans and mortgage will end up burdening these women, resulting in distress sales of property, child marriage, and even prostitution (Rajan et al., 2020). Unless the gendered aspect of migrant distress is recognized, and sound, inclusive, and gender-responsive policies are quickly enacted, such women will be forced to contend with a far worse exploitative environment in the new economic normal.

IV. FINDINGS

The impact of Covid-19 in India was worsened as the migrants were not in a position to take any health precautions including the much recommended one of social distancing. No government help, loss of employment and large scale panic due to the sudden onslaught of virus and consequent lockdown, left no choice of means except the long, long, walk home with no food, no masks, no water, absolutely nothing, which took a toll on the already weakened migrant worker. Many of the migrants fell ill and lost their lives during the exodus. The existing literature evidences the fact that during the pandemic the health of the migrant worker was affected and many times lives were also lost due to the same. The World Health Organization defines health as 'a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity'. 'Migrant population, being a non-native population, is vulnerable and is exposed to many health problems. Poor working condition, poor living condition, lack of job security, meager salary, inability to fulfill their own needs, exploitation by contractors are the other factors which also contribute to stress,' which in turn leads to loss of immunity and health.

V. CONCLUSION

In summing up it can be said that work of internal migrants should be acknowledged through effective implementation of social protection code. Every loss of migrant labour is an economic loss as this segment is decisive contributor to the industries. Integrated and focused government interventions are enablers for abolition of arching exposures and poverty. The inequalities facing migrants during COVID-19 cannot be addressed without rectifying existing migrant concerns, none more so than their political disenfranchisement. It is a sad reality that migrants remain an ignored category because state governments do not see themselves gaining from addressing migrant concerns. Currently political rights, namely that to vote, remain tied to permanent residences, depriving migrants off the ability to politically participate in the state they currently reside in. Granting migrants political visibility would help make their concerns take centre stage during elections. That

said, the portability of political rights and particularly its ties to social welfare, is a controversial one; migrant communities are usually excluded from mainstream societies in the states they reside in, and often viewed with suspicion; therefore, enabling political franchise could also lead to parochialism. Nevertheless, political franchise remains a key enabler to migrant welfare, so states should commit to it.

Migrant concerns are unique, yet they cannot be seen in isolation of other concerns plaguing the Indian economy right now. COVID-19 has not created the migrant crisis but merely made its faultlines visible. With the pandemic likely to stretch on indefinitely, future migration patterns remain uncertain, likely to intercept with reverse migration and remigration, both. However, is the need for a paradigm shift from the piecemeal way migrant worker issues have been framed thus far. Instead, it is apparent that the crisis requires not a stop-gap arrangement but a humane, dignified, and long-term solution to address migrant needs.

REFERENCES

- [1]. Van de Pas, R. (2020). *Globalization Paradox and the Coronavirus pandemic* (pp. 4-5, Rep.). Clingendael Institute. doi:10.2307/resrep24671.5
- [2]. Javed, S., Kishwar, S., & Imran, W. (2020). (Rep.). *Sustainable Development Policy Institute*. doi:10.2307/resrep24354
- [3]. Abraham Thomas Migrant workers must be sent home in 15 days, says Supreme Court Hindustan Times, New Delhi Jun 10, 2020 available at <https://www.hindustantimes.com/india-news/migrant-workers-must-be-senthome-in-15-days-says-supreme-court/story-YQsRZroVIJFzUdw2GaTgCL.html> accessed on 18 June 2020
- [4]. Nitika, Lohiya, A., Nongkynrih, B., & Gupta, S. K. (2014). Migrants to urban India: need for public health action. *Indian journal of community medicine : official publication of Indian Association of Preventive & Social Medicine*, 39(2), 73–75.
- [5]. Mahendra Pal Singh, V.N. Shukla's *Constitution of India*, (Revised) Edition: 13th Edition, 2017 with Supplement 2019
- [6]. De, Supriyo, 2019. *Internal Migration in India Grows, But Inter-State Movements Remain Low*. Retrieved from <https://blogs.worldbank.org/peoplemove/internal-migration-india-grows-inter-state-movements-remain-low>. Accessed on 12 October 2020.
- [7]. Deshingkar, Priya, 2006. *'Internal migration, poverty and development in Asia'*, ODI Briefing Paper 11. London: Overseas Development Institute.
- [8]. Migration Data Portal, 2019. *Migration & Development: Sustainable Development Goals*. Retrieved from <https://migrationdataportal.org/resource/migration-development-and-evaluation-where-we-stand-today-and-why>. Accessed on 30 August 2020, 12 October 2020.
- [9]. Rajan, S.I., P Sivakumar and Aditya Srinivasan, 2020. *'The COVID-19 pandemic and internal labour migration in India: A "Crisis of Mobility"'*, *Indian Journal of Labour Economics*, 63(4).
- [10]. Rajan, S.I. and M. Sumeetha, 2019. *Handbook on Internal Migration in India*. Delhi: SAGE.
- [11]. Rajan, S.I. and B.D Sami, 2020. *'The way forward on migrant issues'*, *Frontline*, 22 May
- [12]. Venugopal, Vasudha and Vatsala Gaur, 2020. *'3 states finalising databases for benefit of migrant workers'*, *The Economic Times*. Retrieved from <https://economictimes.indiatimes.com>.
- [13]. Siddique, Iram, Ajay Jadhav. 2020. "Covid-19: Exodus from Mumbai, Pune as migrant workers pack trains headed East." *The Indian Express*, March 21.
- [14]. Bhattacharya, P (1998). *The Informal Sector and Rural-to-Urban Migration: Some Indian Evidence*. *Economic and Political Weekly*, 33(21), 1255-1262.
- [15]. Gray BH, van Ginneken E. (2012). *Health care for undocumented migrants: European approaches*. Issue Brief (Common Fund).

Bijoy Prasad Das. "Impact of Covid -19 on Migrant Workers in India." *International Journal of Humanities and Social Science Invention (IJHSSI)*, vol. 10(07), 2021, pp 39-42. Journal DOI-10.35629/7722