

**MARKING THOSE ON THE MOVE:
REVIEW OF EXISTING PARADIGM AND
TOWARDS A NEW FRAMEWORK**

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Abstract

Although the ability to collect migration figures regularly has improved, significant gaps remain in the quantity, accuracy, timeliness, disaggregation, comparability (over time and across countries) and accessibility of migration-related data. There is a lack of comprehensive data on migration within India, its nature, pattern and characteristics, which also includes a lack of consistent definition, worthy of capturing the different dimensions of such a migration. The realities of such an intra/inter-state movement have led to various micro and a few macro studies being conducted, together with many civil societies coming forward to work at major source and destination areas and often in partnership with the appropriate governments. This movement has led to a marked increase in awareness around internal migrants and the advocacy on the part of such initiatives has led to significant changes in the ground realities of a few such sections of the migrant population; however, a large section is still out of such welfare nets. The government on its part has been undertaking a few studies around migrants, and has announced schemes for their health and pension needs along with necessary changes in the implementation of the existing programmes to make them more inclusive of the migrant lives. All of these, however, have not marked any significant success on the ground, owing to a lack of concerted efforts by the different departments involved for their implementation, poor Centre-State coordination and most importantly, a lack of data on reality associated with the targeted beneficiaries. This paper looks into such issues, recent developments and good governance practises, together with a review of the relevant events during COVID-19 and recommends a model towards a more comprehensive database and digital facilitation along with an integrated model for the welfare needs of migrants in India.

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1. Introduction

1.1 Deprivation and Migration

In India, as per Census 2001, about 307 million persons have been reported as migrants by place of birth, while by virtue of last residence in India, the total number of migrants was 314 million. Of these, 41 million (13 per cent) were inter-State migrants, whereas 268 million (85 per cent) were intra-state migrants.^[1] The Economic Survey 2017 estimates that the magnitude of inter-State migration in India was close to 9 million annually between 2011 and 2016. Among the inter-State migrants, the fraction of those migrating from rural to urban areas has registered an increase in the 2007–08 round of NSS (National Sample Survey) compared to the 1999–2000 round, occupying 43.4 per cent in case of males and 31.6 per cent in case of females, the largest compared to other channels of migration for both genders.^[2] Uttar Pradesh and Bihar are the biggest source States, followed closely by Maharashtra, Rajasthan and Karnataka; the major destination States are Delhi, Maharashtra, Haryana, Gujarat and Karnataka.^[3] The reasons for such movements include work/employment, business, education, marriage, movement after birth and with household, while the single largest reason among males was due to work; whereas for females, marriage was the primary determinant of migration.^[4] Of those migrating to urban India, a majority of males are engaged in Trade & Commerce, Manufacturing, Transport & Communication, and Construction, while for female migrants, the indulgence is more in Manufacturing, Trade & Commerce, Construction and as workers in private households and in health services, while Education being another important determinant of female migration in India.^[5] Even more appealing is the statistics of those migrating; majority hail from rural India, belong to the vulnerable social categories and with a significant proportion of women engaging in the movement—alone or with family—often bearing the responsibility of their children alongside the necessity to earn and thrive.

1.2 Bearing the Brunt

The unskilled and laborious nature of their jobs

(majority) as well as the often hazardous, unhealthy and an exploitative work environment, push migrant workers out of this cycle early in their middle age—often with no savings and capital being built—forcing their children to undertake the movements, and thus continuing the cycle of poverty and other deprivations across the generations. The informal nature of the economy employing migrants has also played its part in keeping the law and safety nets out of the reach of the workers, with a lack of awareness and organisation further amplifying their hardships. Internal migrants are faced with challenges of proof of identity and residence, depriving them of the social protection schemes of the government, issues relating to education of their children and inadequate housing. They do not find a mention in the political discourse of the nation, owing to their inability to exercise their franchise in destination places and often in source places, and the crisis is not looked upon as a development issue demanding an addressal with political will and administrative effectiveness. Their bargaining capacity, in the face of exploitations, remains abysmally low with a lack of formal contract, available alternative opportunities and the poverty-stricken realities of their lives forcing them to silently bear the brunt of their employers and the negligence of the State.

The crisis around such a migrant population was evident during the outbreak of COVID-19, where being pushed out of their jobs, lakhs of migrant workers found themselves on the verge of hunger and other deprivations. They were unable to sustain themselves, owing to a serious dearth of capital and savings on their part, either with themselves or with their families in their hometown. And precisely, it is for this reason (if not the only one) that for millions in India migration is a perennial exercise in their lives, with sending remittances back and helping the family sustain a long tradition.

1.3 COVID-19 and the Harsh Realities of Migrant Workers

With time, the State has become increasingly aware of the needs of the poor and the vulnerable sections of the society, demarcating a slew of schemes for

their socio-economic empowerment and their inclusion in the development story of India. For those on the move, however, the picture is discouraging and is plagued by an absence of appreciation and understanding of their realities and needs, which naturally translates into a poor implementation on the ground. The COVID-19 has done its share to project some of these issues, particularly those related to an absence of State-driven food security and social security nets for migrant workers and their sheer number in the public eyes, highlighting alongside the non-adherence of their employers to the various provisions noted in legislations seeking to provide 'migrant rights'.

Among other issues, a few major problems that surfaced were: a failure to foresee the migrant crisis and plan accordingly, reflecting the State's negligence on its part; the unutilised Building and Other Construction Workers Cess Fund by a majority of States in India; the initial inability of the destination States to include migrants in their relief packages due to lack of registration, designated schemes and portable identity cards on the part of migrant workers; the on ground tussle to identify and register migrants for transfer of benefits, speaking about the lack of State's attention over the years to identify them; and the initial lack of coordination among the source-destination States to jointly facilitate their care and wellbeing—suggesting the lack of accountability and responsibility divisions among the States stemming from a largely undocumented and unmonitored inter-State migration of the workers,—leading to a distress movement back home and the sacrifice of many lives owing to hunger, health deprivation, road and train accidents.

1.4 Crisis Response

The State, in association with civil societies and volunteers, did try on its part to find remedies for the mistakes, and subsequently—with tracking and registering operations beginning in the major migrant States—has been facilitating their movement initially through buses and lately via special shramik trains. The Centre also released guidelines to the States for setting up migrant camps with provisions of health

checkups, food and accommodation; it did help ease the burden on the workers to some extent. The Labour Ministry had set up 20 control rooms under the office of the Chief Labour Commissioner (CLC) across the country to address the problems faced by the stranded workers. While the States soon announced relief packages for the stranded migrant workers, establishing community kitchens, distributing food packets and ration kits to them, with a few examples also appearing of inter-State coordination on the plight of migrant workers. More importantly, in a bid to push the portability of food services across the States, 5 new States were linked with each other under the 'One Nation One Ration Card' system, taking the total number of States being integrated to 17,^[6] with attempts underway to cover 83 per cent of PDS (Public Distribution System) population in 23 States by August 2020, while the government has extended the deadline for Aadhaar card-ration card linking to September 2020.

Additionally, the Central government, as part of its stimulus package for reviving the economy, lately announced some measures in relation to migrant workers, including the extension of MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act) support to the returning migrants along with plans for continuing the works during the monsoon within plantation, horticulture and livestock related sheds. The government also announced free food grain supply to migrants for two months who are neither PDS nor State card beneficiaries, with an expected outreach to 8 crore such migrants with the State governments made responsible for its implementation.^[7]

While these responses are more towards the current crisis management with little for the future of migrant workers. The government also announced the launch of Affordable Rental Housing Complexes (ARHC) under the Pradhan Mantri Awas Yojana (PMAY), converting the government-funded housing in the cities into rental housing under PPP (Public-Private Partnership) mode, while incentivising the State government agencies/Central government organisations on the similar lines to develop ARHC and operate. This along with the portability of PDS

services hold great potential towards relieving the migrant population in India. Lately, however, the mass transporting of migrants led to a resurgence in COVID-19 cases within the in-migrant States of India, with news also coming about the spread of black markets on the ground assisting in ferrying migrants across the border and has also brought criticism on the part of the government for a trust deficit among migrants who had lately started demonstrating and demanding a journey back home due to job loss and unavailability of such opportunities in the cities, despite the government making arrangements for their food and accommodation.

1.5 Present Context

Though some of the measures taken have helped the situation at present, the ongoing public discourse has been raising questions on the future of migrant workers and their rights in India, and what should be the way forward dealing with this. Concerning the discourse, two questions are pertinent and this paper would be focusing on them: the issue of data on migration, associated response and need; a source-destination model between the States for engaging migrant workers. While the former is indispensable for building a national data portal on migration, the latter is needed for a welfare model and sharing of accountability and responsibility among the engaging States for migrant workers involved.

2. Migration Data Story: Current Status and Pertinent Issues

2.1 The Need for Data

Scholars, civil societies and policy makers in their study of the migrant crisis and its many dimensions in India have time and again unanimously stressed on the dearth of a standard methodology of taking note of migration in India, locating this failure at the centre of the inability to deliver the various rights and a social security net to migrant workers. The issue has again been a central point in the migrant crisis discourse in the context of COVID-19, focusing on the need to revisit the framework under which India records her internal migration, including the time span and the characteristics of the survey as

well as its link to the policymaking space aimed towards migrant workers. The need for a credible data source on migration in India includes, but not limited to, understanding about the reasons, demographics, sources and destinations of migration and the conditions of work; identifying the nature of seasonal/short-term migration in India; mapping the linkages with NREGA (National Rural Employment Guarantee Act) and distress migration; for inclusion of migrant population in town planning and to better predict and anticipate the pattern of urbanisation in India; to facilitate inter-State portability of services to the migrating population in the country; and to better understand the benefits from migration and the nature of remittance economy.

3. Literature Review

3.1 National Surveys

To start with, India does not have a single definition to identify migrants and the two major agencies collecting information on migration—the Census and the NSSO (National Sample Survey Office)—use different criteria to define migrants. While the Census classifies an individual as a migrant if [s]he has changed his place of residence in the past from one village/town to another village/town, the NSSO defines migration on the basis of last usual place of residence (UPR), which, unlike the Census, is defined as a place where one has stayed continuously for a period of six months or more. According to the Census, 30 per cent of the total population in 2001 were migrants. Based on the NSS definition, 28 per cent of the total population in 2007–08 were classified as migrants.

3.1.1 Census

The 2011 Census of India, conducted by the Registrar General of India, has not yet released most of the data regarding the migration, citing reasons of priority for other domains and the need for time consuming coding for the release.^[8] In this context, the data informing the national policy decisions in matters of migrants is now around two -decades old, severely constraining the strides in a positive direction. Further, the current release unit of the

Census data is district, thus denying the nation of crucial insights at the sub-district level with intensive in and out migration pockets and hampering the targeted delivery of services to those areas. The publicly available data from the Census is only on in-migration (the destination) and not on out-migration, impeding a strategic alliance between the source and destination geographies for the welfare of migrants and does not provide information on caste for inter-State migration, since the administrative list of SCs, STs and OBCs is prepared, notified and maintained at the State level under Article 341 and 342 of the Constitution of India, and a movement may result in a different administrative classification with its associated disadvantages in development schemes at the destination States. While the Census, due to its large gap, itself is ill suited for recording the real patterns associated with migration within India. A lack of comprehensive data gathering within it on the part of in- and out-migration, failing to take note of seasonal migration and secondary reasons of migration for women (and hence ill-categorising them), and a delay in releasing its findings have meant that the country does not gain at the level of policymaking from such surveys.

3.1.2 National Sample Survey

As for the NSS, in six such rounds since 1999–2000, questions on migration were asked often as part of the employment-unemployment survey. The NSS 64th Round asked questions on reasons for migration, the spatiality of migration, nature of the movement (permanent, semi-permanent or temporary), questions regarding out-migration, among others; and as such, is a better repository of crucial data on internal migration. Additionally, the 68th Round (2009–10) gathered data on migration in relation to NREGA aimed at mapping the role of the programme on distress migration, while the 58th & 69th Rounds on housing conditions asked questions relating to the availability of ration cards and land or housing benefits. However, these surveys are not free from pitfalls either. They did not locate the last place beyond the State level, important for understanding the district to district corridors, while the inter-temporal comparison of surveys is limited

due to changes in the definitions employed and lack of details in prior surveys. For example, while the NSS 55th Round (1999–2000) defined all those who stayed away from their village/town for 60 days for or in search of employment as short-term migrants, the 64th Round altered this criteria to include all those away from their village for a period of 1 to 6 months in the last year for or in search of employment and the 70th Round (2013–14) further changed this criteria to between 15 days and 6 months. Despite the relative success of these surveys in capturing migration, the time span between such rounds makes it difficult to gauge the changing patterns of migration and the scattered questions on different aspects of migration in different categories of the surveys do not allow for a complete understanding of the dimensions of migration in India. Moreover, there are fewer cases of utilisation of such survey data in framing policy response to the situation by the Centre and at State levels.

3.2 State-level Surveys

A few States in the country have conducted separate migration surveys and these are important sources of data on the intricacies of the migration nature and pattern within the sample States. Unlike the Census and the NSS, the methodology adapted here allows for a more comprehensive record keeping exercise.

For example, the Centre for Development Studies (CDS)^[9] has completed seven rounds of Kerala Migration Survey starting from 1998—the latest being in 2018—with assistance from the State and with the potential of generating estimates at the Taluk level, thus helping the State in its policy response to the migration challenges. Similarly, the CDS has also conducted a one-time survey for the States of Goa, Gujarat, and Tamil Nadu in the year 2008, 2011 and 2015 respectively. Finally, the States of Odisha and Maharashtra have released separate migration reports based on the 64th Round of NSS in 2007–08. In addition to the above mentioned, there is no record of any State-sponsored survey being conducted on migration, while those conducted by independent researchers and civil societies abound in numbers, helping in building the knowledge base

for rights-based activism.

3.3 Tracking Exercises during COVID-19

Though not quite in a way many would demand for, the COVID-19 situation necessitated a fresh compilation of migration data by the government for a timely and targeted delivery of food supplies to migrants and to facilitate their transportation back home.

3.3.1 Sources of Data

Major sources of these data come from the stranded migrants in relief camps across the nation, registration of migrants at the borders while entering their home States, data collection exercises undertaken by the district administration to prepare a record for delivery of provisional ration and to provide estimates of ration to the federal authorities, data from the helpline numbers and resource centres initiated to address migrant grievances by the States, and from the portals, websites and apps launched by the States to allow the stranded migrants to register, either to avail benefits of some direct transfers by their home State or to apply for a return back home.

3.3.2 Specifics of Data Collected

While most of this data does not provide crucial information about the migration characteristics including the work sector, wages, conditions and patterns of the movement (seasonal, permanent, etc.), it does serve as an important start towards a more holistic exercise of data collection. For example, the registration forms initiated by the States collected information on the location of the stranded migrant workers to the level of their current cities along with their mobile numbers, ID cards and detailed information on their residence in source State, thus providing a natural source-destination mapping which could not be captured in the Census or the NSS; also allowing for a fresh estimation of the magnitude of inter-State migration between the States which could further be used for administering detailed surveys in regions with a high intensity of migrants. Additionally, the State of Haryana is collecting information on the migrant occupation divided into finer categories like construction worker,

Govt/PSU contractual employee, private contractual worker, industrial labour, unorganised work, etc., along with the employer name, allowing the State to make an estimation of division of the out-migrants into different sectors. Similarly, the State of Tamil Nadu is fetching the reason for return—including loss of jobs, joining with family, among others—as possible options, allowing for an estimation of those losing jobs. While the information of this sort would help the States in their estimation and record keeping, a mandatory requirement of ID proofs like Aadhaar might exclude those unable to register themselves as a few headlines depict,^[10] ironically, because of them being away for work. Once the mandatory requirement is lifted, it would also provide governments with information on the penetration of Aadhaar among migrant workers.

3.3.3 Petition/RTI and Data

The petition/RTI filled by activists also provide an important source of data on the aggregate magnitude of migrants across the nation as well as information on the (un)availability of the data on the State's record itself. A petition filed with the Apex court was responded by the Union Government along with information which highlighted around 6 lakh migrants stranded in relief camps across the nation.^[11] Another RTI filed, dated April 21, 2020, with the CLC requiring data on stranded migrants, occupation- and sector-wise data was returned empty handed claiming lack of details based on requisite information,^[12] which was sought much after the call of the CLC, dated April 8, 2020, to the heads of its 20 regional offices across the country to collect data on relief camps and district- and State-wise migrant workers in three days, reiterating the dearth and the need for such data alongside the administrative flaws and negligence in collecting them.

3.3.4 Fresh Outlook and Approach to Data Collection During the Crisis

Finally, with the Centre allowing the travel of stranded State population, including migrant workers, back to home and with an increasing number of in-migrants burdening the State to look after their livelihood requirements, it is further imperative that new data on

aggregate inter-State migration would be generated and that surveys be undertaken with records maintained vis-à-vis the skills of the in-migrants to engage them meaningfully in the economic revival of the State. In this regard, the State of Uttar Pradesh had conducted the exercise of preparing skill set data of returning migrant workers from quarantine centres for providing employment locally while also allowing to take note of the important migrant corridors associated with out-migrants from the State. The State anticipates 20 lakh jobs to migrants after it relieved industries from the purview of a series of labour laws for the next three years and seeks to carry forward the dual task of easing business activities within the State and to provide job opportunities to those coming in. The Central government launched a National Migration Information System (NMIS) on the existing NDMA-GIS portal to monitor and facilitate smooth movement of migrant workers and their contact tracing during the lockdown across the country. This data repository could provide the latest estimates around the extent of inter-State migration among the States with location of the destination and source States at the level of their cities (in destination) and villages/cities (in source areas).^[13]

3.4 Prior Attempts to Identify and Include Migrants

In addition to the ongoing exercises on mapping migrants, it is also important for a complete understanding of the history accompanying migrant registration that note be taken of the prior attempts by the Centre and the State governments—either self-led or with civil-society collaboration—in registering their migrant population and integrating them with the welfare schemes on the go. This section briefs on this aspect, drawing from the publicly available records on the registration and welfare of migrants.

3.4.1. Attempts at the Union Level

The launch of the Unique Identification programme (Aadhaar), to issue every citizen a unique identification number linked to resident's information and biometric information, holds the greatest potential for being an enabling instrument in the lives of migrant workers in the country, allowing

the portability of welfare services to them. In this regard, the UIDAI (Unique Identification Authority of India) signed a Memorandum of Understanding (MoU) in 2010 with the National Coalition of Organisations for the Security of Migrant Workers, which outlined the framework of the UIDAI-Coalition partnership for ensuring inclusion of migrants in the unique identification project, and ensuring they are issued a secure and unique identification number. This included special enrolment drives for migrants alongside spreading communication and awareness about Aadhaar within the migrant communities to help them understand its potential benefits, along with envisioning Aadhaar-enabled applications to serve the needs of the migrant communities.^[14]

Similarly, for boosting financial inclusion, the government had eased KYC norms for migrants allowing them to open bank accounts through a self-declared local address as sufficient proof of residence in case it is different from the one mentioned in their Aadhaar document.^[15] In the education sector, the Sarva Shiksha Abhiyan (SSA) includes provision for extending the schooling services to children affected by migration under the equity component of the scheme where an innovation fund of Rs 50 Lakh per district per year is available.^[16] For ensuring food security and portability of ration services, the government in 2017 launched IPDS-Management system in the name of 'One Nation One Ration Card' for inter-State migrants in which, as noted earlier, 17 States Have been enrolled and efforts are underway for a complete inclusion by March 2021. Similarly, the National AIDS Control Programme (NACP) Phase II had identified migrants as one of the risk populations to be reached, in order to accelerate the HIV prevention response in the country and efforts are undertaken in association with civil societies to this end.^[17] Finally, the National Urban Health Mission (NUHM)^[18] too noted special provisions for reaching out to migrant workers, providing them with health cards and including them in the National Health Mission. However, there is an absence of data in this regard and while the ASHAs (Accredited Social Health Activists) are empowered towards this end, they are not being incentivised,

which impedes a successful implementation of this on the ground.

3.4.2 Attempts at the State Level

A few States in India have been taking strides towards registering and issuing identity cards to their migrant population. For example, the identity card issued by Aajeevika Bureau to migrant workers in Rajasthan was recognised as a valid identity proof by the Labour Ministry in Rajasthan in 2007, while the card itself becoming a gateway for opening bank accounts, enrolment for social security schemes and for employer verification along with the prevention of police harassment for around 70,000 registered migrant workers. Details provided by migrants are digitised and shared with the Rajasthan Labour Department on a quarterly basis, thus building strong evidence on inter-State labour mobility from southern Rajasthan and impacting the policy agenda of the State. The service was then replicated by 32 organisations across 41 districts in the State, funded by the Tata Trusts, covering areas of high migration intensity and around one lakh workers. Similarly, Disha Foundation in Nashik had been issuing trade union cards to migrants, authorised by the gram panchayats of source villages and have till now issued cards to around 15,000 such workers.^[19]

The State government of Odisha has approved the “creation of Odisha Migrant Labour Help Desks in 5 States namely Delhi, Karnataka, Tamil Nadu, Andhra Pradesh and Telangana to develop a database of Odia migrant workers and provide all required help to ensure worksite facilities and source them with welfare schemes of the Govt. in Destination States. Voluntary registration of migrant workers was initiated at G.P. level, in six migration prone districts in Odisha which would be helpful in tracking migrant workers in Destination States.”^[20]

Tracking and Educating Migrant Children

In the education sector, the Gujarat government’s Migration Card initiative has been tracking the inter-State and intra-State migration of school-going children; while the Migration Monitoring Software, introduced in 2009, is enabling tracking and

streamlining of implementation in real time and the SSA in Gujarat has used this programme to educate and accommodate migrant children in seasonal hostels.^[21] Similarly, the postcard programme launched in Tamil Nadu in 2014 is a way of tracking the education of children migrating with their families and requires the family to send back a postcard stamped by the principal of the village school, saying that the child has been successfully enrolled in his/her native village school as the family moves back from the State after the work to their home State. The programme has tempted other States like Andhra Pradesh to join in.^[22] The Maharashtra Education Department in association with the Tata Trusts has been working on the Digital Education Guarantee Card for migrant children in and around the Someshwar Sugar Factory near Baramati, Pune reaching out to around 2500 school-going migrant children. The trust is also working towards developing the concept of a migrant-friendly village to facilitate the Gram Panchayat Development Plan (GPDP) in Maharashtra.^[23]

Law & Order Connections to Registering Workers

The State of Kerala in 2016 launched a health insurance scheme, Awaaz, with the purpose of incentivising voluntary registrations by migrants to take control in situations of crime by building a database as well as working in the State and had seen an enrolment of around 5 lakh migrants by January 2020 as against the expected 25 lakh migrants in the State.^[24] Likewise, the Bihar government worked on the proposal for issuing smart cards to its out-migrant population to provide them with a proof of identity and to prevent them from law and order hassles in the destination States, however, with no follow up report on its on-ground implementation.^[25] Similarly, the city police in Kozhikode district in Kerala took a drive to distribute identity cards to inter-State migrant workers employed in the city hotels, to create a database of such workers and to help confirm their identity in situations of law and order.^[26]

A Small Fraction of What is Needed

While the above-mentioned initiatives are steps in the

positive direction, the issue pertaining to its scale begs a wider consideration as in the absence of an enabling environment on the part of the majority of States, the outreach and coverage of such movements are at best limited and represent less than a percentage of over a hundred million migrant workers within the nation. An insight into the absence of identity cards on the part of migrant workers comes from the recent migrant surveys conducted by the civil society organisations amid the COVID-19 crisis and from the news articles published by the Indian media, where a lack of voter cards and Aadhaar cards were cited by the stranded workers.^[27, 28]

4. Guarding those on Move: Towards a Model for Welfare

While the above section noted in detail about the existing scenario pertaining to the data collection exercise on internal migration and the ways in which governments are tackling the issues relating to registering and tracking migrants, the following section delves into the aspect of welfare legislations and initiatives for migrant workers, following the history of attempts made towards reviving the legislations, the path being taken towards this end, and proposing an inter-State migrant workmen welfare model, drawing from the past experience in such an implementation.

4.1 Inter-State Migrant Workmen Act

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 is the existing legal protective framework for migrant workers and aims at protecting the interests of

labourers who are recruited and subjected to exploitation by contractors via displacement and home journey allowances, suitable residential accommodation and medical facilities, and the right to lodge a complaint with the authorities within three months of any incident or accident. This section looks into the developments relating to this Act and highlights the gaps within the draft and impediments to its effective implementation.

4.1.4 Challenges and Gaps

The challenges to an effective implementation of the migrant legislation includes: an incomplete draft of the policy with regard to the definitions and a stricter norm of enforcement; missing out the 121.2 million intra-State migrants (as against 56.3 million inter-State migrants^[29] from the policy purview; a lack of comprehensive national data on internal migration; ineffectiveness in guiding policy changes and administrative reforms through available data on ground; exclusion of urban migrants from the development planning; inability to deliver existing entitlements to migrants; and an absence of fast learning and response in the changing dynamics of migration within the national context. The draft of the Inter-State Migrant Workmen Act also does not address the particular aspects relating to female internal migration in India.

4.1.2 Report by the Standing Committee^[30]

The report by the standing committee presents the following State-wise list of the number of registered principal employers/contractors:

Table 1: Number of Registered Employers and Contractors in Various States.

STATE	PRINCIPAL EMPLOYERS	PRINCIPAL CONTRACTORS	STATE	PRINCIPAL EMPLOYERS	PRINCIPAL CONTRACTORS
Andhra Pradesh	46	7	Chandigarh	-	-
Bihar	56	20	Haryana	-	-
North-Eastern States	46	179	Jammu & Kashmir	-	-
Himachal Pradesh	7	1	Jharkhand	-	-
Maharashtra	10	17	Karnataka	-	-
Orissa	5	9	Madhya Pradesh	-	-
Rajasthan	11	7	New Delhi	-	-
Tamil Nadu	6	23	Punjab	-	-
Chhattisgarh	-	2	Uttar Pradesh	-	-
Kerala	53	-	Uttaranchal	-	-
Gujarat	-	20	West Bengal	-	-
India(TOTAL)	240	285			

Source: Adapted from the Standing Committee Report

It is evident that the minuscule of 240 registered principal employers and 285 registered contractors is far from reality, which affects the lives of millions of migrants in ways that stand outside the purview of legislation. While a plausible reason for such low numbers could be the absence of data in the State record itself. It nonetheless points at the State's ineffectiveness in maintaining such records and hence towards enforcing the contracts, implying a need to ensure timely registering of such persons. The report further noted that there were 25 principal employers and 83 contractors who hired migrant labours without the licence/approval of the appropriate government and as of December 2016, it had seen merely four prosecutions.^[31]

4.1.3 On Women Migration and the Challenges

While the committee (noted earlier) reports that there has yet not been any instances where female workers are denied justice on the basis of the nomenclature of the legislation, there is no denying that exploitation, discrimination and violence against female migrants are rampant and often the cases do not make their way into court proceedings.

A report by the UNESCO (United Nations Educational, Scientific and Cultural Organisation) highlights the problems faced by migrant women, from hygiene to sexual harassment^[32]. Unsafe migration—particularly for domestic workers—through unregistered channels, informal sector occupations, absence of maternity leave and other maternity entitlements, and a lack of access to proper sanitation have serious health consequences with women suffering in silence owing to lack of education and awareness on entitlements, poor representation in advocacy groups including unions, and the stigma around women's personal hygiene issues.

As the report by the Task Force on Domestic Workers, Ministry of Labour and Employment notes:

"The nature of work, the specificity of the employee-employer relationship, and the work in private households instead of public and private establishments, make the coverage of domestic workers under the existing laws more challenging.

The definition of the workmen or the employer also excludes the domestic workers from the scope of these laws. Even the placement agencies get out from the ambit of the labour laws (especially the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979) because of these definitional issues."^[29]

Undernutrition is a major problem among the migrant population, especially the women, together with a low access to government food security scheme.^[33] Further, immunisation coverage is low among the migrated population compared to the general population.^[34] Similarly, with respect to the pregnant women, a study found that most of the female migrants delivered in their homes, reflecting the poor health care available to migrant women.^[35]

This lack of inclusion of the realities of women migrants in India within the ambit of labour laws and a corresponding poor implementation of the provisions on ground have accumulated into a stack of pending reforms in the country. The Inter-State Migrant Workmen Act also does not make any provisions for the safety, maternity and hygiene needs of the women migrants, with no norms for integrating the female migrants with the existing health care infrastructure.

4.2 Towards a New Reform

It is noteworthy here that subsequent to the report by the standing committee in 2011, "a Tripartite Expert Committee was constituted on 09.09.2014 to bring comprehensive amendments in the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 and based on its recommendations the Government decided to explore the option for amendments in the Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979 through executive order. However, it was later decided that four Codes will be formulated which will cover all the existing Legislations on Labour. It is proposed to incorporate the above-mentioned recommendations with respect to migrant workers in the Code on Occupational

Safety, Health and Working Conditions (OSH).^[36]”

4.2.1 Towards a Gender Inclusive Legislation

In a move towards acknowledging the migration of women within the nation, an amendment bill^[37] was presented in the ensuing session of Parliament in 2011 to make the act gender-neutral in its documentation by replacing ‘workman’ with ‘worker’ and ‘workmen’ with ‘workers’. The amendment was proposed upon the recommendation of the Ministry of Women and Child Development during its review of the Labour Laws concerning women and children and was referred to a standing committee which after consultations with the Ministry of Labour and Employment reported back with a request for drafting a comprehensive amendment bill, in line with the current challenges, on the inter-State migration.^[38] However, the proposed amendment could not be carried out in lieu of the need for a more comprehensive reform.

4.2.2 Code on Occupational Safety, Health and Working Conditions

While the number of migrants within the nation is on the rise, with more workers moving into cities and involving in varied livelihood activities, it is imperative that provisions be made, safeguarding their rights and providing them with socio-economic and political inclusions. The age-old act regulating inter-State migration needs an amendment and the Bill, Code on Occupational Safety, Health and Working Conditions,^[39] presented in the Lok Sabha in 2019 attempts to achieve this.

The proposed Code incorporates the essential features of the 13 enactments, including the Inter-State Migrant Workmen Act, 1979 and seeks to simplify, rationalise and amalgamate the provisions of these Labour Laws. The salient features of the Code include, applicability to all establishments employing 10 or more workers (except mines) including the service sector; modification in the definition of inter-state migrant worker to also include those migrant workers who have been directly recruited by the employer besides those employed through a contractor as in the original edition; increasing

the ambit of regulation by the safety, health and working conditions of the Code; and making it liable for employers to provide free of cost annual health check-up for employees above prescribed age for prescribed test, apart from the provision of appointment letter to every employee, resulting in formalisation of employment. Further, it is proposed that the inspector cum facilitator be also assigned to establishments outside his/her jurisdiction through a randomised computer system, discouraging the nexus formation between the inspector and the employer of that region. Finally, for an integration of the various legislations into the Code and for the purpose of bringing convergence, the proposed Code allows for a single registration for an establishment compared to separate ones for the past six labour acts; substitutes the multiple committees under five labour laws by one National Occupational Safety and Health Advisory Board, allowing for simplified and coordinated policymaking, rationalisation of penalties and increase in fine amount to serve as an effective deterrent; and proposal of a single return to be filed as against the separate in the past nine labour acts.

While a majority of the proposed changes are a welcome step, the proposed Bill still does not include domestic work, engaging many women migrants, within its purview and does not include establishments employing less than 10 contract labourers, possibly on account of not burdening them with administrative burdens and ensuring ease of doing business. However, with an absence of credible data and independent study on the magnitude of employees working within such small establishments, it is not feasible to make a priori estimate on the cost of such an exemption on the part of migrant workers. Further, the proposal to substitute physical inspection by online modality could encourage the employers to not make suitable provisions on the site, unless the online modality is made strict and the protocol requirements are fine tuned to the needs of the workers employed. Also, in equal, and perhaps in more proportion than the changes in the legislation itself, the need would be to ensure a strict adherence to the implementation. It includes, enforcing stricter mechanisms for the registration of employers and

contractors; issuing identity cards to migrant workers along with portability of entitlements as in the existing case of PDS; conducting awareness drives at source or destination States to educate women migrant workers of their rights; establishment of migrant support centres in each State and that of Urban Health Centres and Health Kiosks under the NUHM with outreach drives to provide maternal care to women workers.

5. Approach at the State Level: Good Governance Practices

While the previous section discussed how the Indian States are attempting to solve the identity issues of migrant workers and migrant children, this section looks into the specific schemes and initiatives launched by them towards the welfare of migrant workers.

5.1 Meeting the Housing Needs

While the outlook of the National Urban Housing and Habitat Policy 2007 was to reduce the rate of migration to mega and metro cities,^[40] the new drafts of the States in India reflect the changing dynamics of housing entitlements and need in the urban spaces, a step towards inclusion of the urban poor and migrants. The Compendium of Best Practices in States regarding housing policy, 2015, a compilation by the Ministry of Housing & Urban Poverty Alleviation,^[41] mentions the commitment of Rajasthan and Odisha for transit housing for migrants in the States. Similarly, Andhra Pradesh, in its draft of Urban Housing and Habitat Policy, includes rental accommodation for meeting the needs of migrants in the State.^[42] In addition, the Urban Housing Policy, 2016 of Jharkhand noted an objective of the development of Affordable Housing for existing demand and new migrants,^[43] while the housing policy of West Bengal contains no mention of migrants but that of urban poor within its ambit.^[44] Similarly, Maharashtra State New Housing Policy & Action Plan, 2015 contains no mention of migrants but of rental housing, based on the availability of economic opportunity and connectivity which might in turn capture migrants.^[45] The Karnataka Affordable Housing Policy, 2016 does not contain a mention of

housing for migrants but acknowledges the need for such and includes rental housing provisions.^[46] Finally, Kerala has initiated a project, 'apna ghar', for the accommodation of migrant workers in the State, under which the first building housing 640 migrants was completed in 2019.^[47]

5.2 Insurance Schemes

In Bihar, State Migrant Labour Accident Grants Scheme, 2008^[48] grants migrant workers, who are domicile of the State of Bihar and falling in the age group of 18 to 65 years, ₹1 (One) lakh in case of death by external violence (train or road accident, electric shock, snake-bite, drowning, fire, falling from tree or building, attack by wild animals, terrorist or criminal attack, etc.). The 'Aawaz' scheme in Kerala (as noted earlier) for migrants (aged 18–60 years) provides them with free treatment worth Rs 15,000 from government hospitals in the State as well as empanelled private hospitals along with an accident coverage of ₹2 lakh. By April 2020, 5 lakh registered migrant workers were issued an identity card by the State. Likewise, a Draft Policy Framework for Improving the Conditions of Labour Migrants from Bihar, 2017 was announced by the State in consultations with Aajeevika Bureau, TISS, and the International Labour Organisation (ILO).^[49]

5.3 Education and Women & Children Welfare

Kerala initiated the 'Changathi Scheme' in 2017, which aims to teach migrant labourers read and write Malayalam and Hindi within four months; and after its initial success at Perumbavoor, it is being taken across the districts in Kerala.^[50] In 2018, the State announced 14 mobile crèches, exclusively for the care and protection of children of migrant workers, after a pilot run at Ernakulam in 2017.^[51] The crèches will have a vehicle that will collect children from various places to be taken care of till their parents are back home after work, covering children between six months and three-years-old. The initiative is a step towards facilitating migrant women their working hours within the State, ensuring their safety. In 2018, the State, in coordination with Tamil Nadu Institute

of Labour Studies and ILO, decided to undertake a survey on women migrant labourers in four districts—Tirupur, Coimbatore, Salem and Erode—and assess their working condition.^[52]

5.4 Food, Safety, and Grievance

Kerala has a Migrant Suraksha project for AIDS control with eight working centres in the State.^[53] Tamil Nadu, in 2013 launched an innovative programme financed by municipal corporations—Amma Unavagams (canteens)—to address urban food insecurity of the poor and migrant workers, and by 2019, 407 such canteens were operational in the State. In Odisha, “Memorandums of Understanding (MoUs) have been signed with Odia Associations in Karnataka, Tamil Nadu and Andhra Pradesh for ensuring safety and better worksite facilities for Odia Migrant Workers. A Shramik Sahayata Helpline (155368) is operational in the Labour Directorate which has been sourced to a Grievance Redressal Software. 1235 migrant workers have been rescued from other States within a period from January, 2016 to December, 2016.^[54]”

6. A Source-Destination Model for Migrant Welfare

This penultimate section of the paper, looks into the possibility of a source-destination model between the States, and draws from the experience of its implementation on ground by taking the Odisha-Andhra Pradesh memorandum as a case study, while also including further inputs from other such initiatives by civil societies in India. Such a model allows for a sharing of responsibility between the participating States, together with ensuring complete welfare across different dimensions for migrant workers.

6.1 The Case of Odisha-Andhra Pradesh Memorandum

In a first and the only such case in the nation, in 2012, the Government of India signed a Memorandum^[55] of Understanding (MoU) with the States of Odisha and erstwhile Andhra Pradesh with regard to an ILO project to improve the living and working conditions of migrant workers from Odisha at brick kilns in Andhra Pradesh. The project included social protection to brick kiln workers by converging government

schemes at source and destination States; improving workplace facilities; promoting collective bargaining by imparting rights-based education to workers; social dialogue for improving labour recruitment and working conditions; and focused approach towards elimination of child labour in brick kilns.

The Memorandum led to the constitution of Inter-State Coordination Cell for Migrant Workers in the source and the recipient States, with the objective of maintaining a database of workers and coordinating with the district level facilitation cell that are primarily responsible for convergence of schemes and services. The document also notes the responsibilities of the States in pursuing different activities with respect to the welfare of migrant workers.

6.1.2 Action Taken: Tracking and Registering

In order to track the movement of migrant workers along with information on their employers/contractors/agents, etc., data collection formats were circulated to the District Labour Officers (DLOs) in the month of October, 2012 to capture data at the Grama Panchayat level by the Odisha Government.^[56] The data was shared with the Department of Labour, Andhra Pradesh for necessary action as per the Memorandum. Discussions were held with the ILO to develop a Tracking Software to track migrant workers online who migrate to Andhra Pradesh every year to work in the Brick Kiln sectors, however with no result on ground.

6.1.3 Action Taken: Support at the Source

A pilot project was initiated in Bolangir district, one of the 11 migration-prone districts in Odisha, with support from the ILO to implement a work plan for migrant families, and seasonal hostels were opened in the districts of Nuapada, Bolangir and Bargarh of Odisha by the School and Mass Education Department for the education of the children of Migrant Workers during the seasonal migration. Similarly, a Shramik Sahayata Helpline for migrant workmen had been set up at the Labour Directorate with information being published in the leading Odia daily newspapers.

Similarly, an MoU—with Utkal Association of Madras in Chennai, Tamil Nadu and Orissa Cultural Association

in Bengaluru, Karnataka, and Utkal Sanskrutika Samaj, Visakhapatnam, Andhra Pradesh—had been signed for the safety and welfare of Odia migrant workers in Tamil Nadu.^[57]

6.1.4 Action Taken: Support at the Destination

Housing and Food Security

The concern of hygiene living for the migrant workers of Odisha in Andhra Pradesh was reported as being taken care of by an initiative to build semi pucca houses for them where the Government of Andhra Pradesh had agreed to ensure the same and the expenditure for this was borne equally by the States of Odisha and Andhra Pradesh. A prototype designed by civil society organisations was used to construct temporary houses for the brick kiln workers. Similarly, the enrolment of migrant workers was initiated at local PDS shops with the support of the district administration so that they could claim food grains and other basic entitlements. The entire effort was coordinated by the Labour Commissioner of Andhra Pradesh.

Insurance

Awareness activities for migrant workers were reported as being under progress, by the Odisha Labour Department, to use portable smart cards under Rashtriya Swasthya Bima Yojana (RSBY) Scheme which will insure their health in the destination States, however, with no further updates on its implementation.

Education of Migrant Children

Finally, the Orissa Primary Education Programme Authority (OPEPA) had been requested to send Odia Teachers and Odia Text Books for at least 100 schools in Andhra Pradesh to ensure education at the work sites for the children of migrant workers.

While the above initiatives by the State were well planned, there is no report on their successful implementation, raising concerns on the effectiveness of such drafts. The memorandum also neglects the case of workers migrating without any contractors and on their own to the destination States, thus being unable to document them.

6.2 Another Source-Destination Approach: Lessons from a Civil Society^[58]

Aajeevika Bureau working in the pockets of high out migration in Rajasthan in the western part of India has been experimenting with its own approach towards the welfare of migrant workers aiming at addressing rural deprivation and urban exclusion, and working with migrant groups at both the source and the destination areas.

6.2.1 Walk-in Resource Centres at Source and Destination Spots

The initiative is facilitated by a network of walk-in migrant resource centres, offering pre-departure counselling access to information and targeted services to workers at both ends of the migration. While they are based at the block level at the source, at the destination, they are set up either close to work sites or residence of the targeted community. The centres carry out the process of registration and issuing photo IDs to workers, where the verification is provided with the help of the Panchayat head and the photo IDs, as noted earlier, are being recognised by the Rajasthan Labour Department.

The walk-in centres also offer legal counselling, arbitration services and legal literacy to the workers and the process of intermediation is institutionalised through regular legal clinic days, which are adaptations of the formal court mechanism wherein disputing parties are given an objective hearing and advice by a trained lawyer, while the organisation also runs a labour line from 2011 in the small destination city of Udaipur, which has been receiving an increasing number of calls from the workers. This has helped resolve 550 disputes and facilitated compensations worth Rs 52 lakh, highlighting the need to provide a fast-track dispute redressal forum to the workers in the unorganised sector. Finally, the centres also offer job counselling and linkages to placement opportunities.

6.2.2 Support Systems at the Source

The organisation conducts family support and empowerment programmes at the source, addressing

the vulnerabilities faced by migrant households, while also playing a crucial role in helping migrants complete their migration cycle. This includes mobilisation of women from migrant households into common-interest groups that serve as platforms to facilitate negotiation in the public space and enable mutual support under the leadership of change agents from the community. It also includes initiatives for promoting food security and agricultural outcomes, and linking families to specialised health care services, while the family support programmes are carried out in partnership with the Panchayat representatives. Micro-loans are also offered by a specialised agency of the organisation to help migrants prevent abrupt breaks in their migration cycle and help women to manage volatility in cash flows through informal savings instruments at the source areas.

6.2.3 Initiatives at the Destination

The organisation also conducts short-term training courses at the destination markets, designed to provide rigorous inputs on both theoretical and practical aspects of the trade, where trainees spend close to 60 per cent of the training time on worksites. Sessions are also conducted on improving communication, self-confidence and interaction with customers with the intention of improving employability and retention of the youth in the labour market. By December 2011, Aajeevika had trained 1822 youths and provided placements for 3026 youths.

The facilitation centres at the destination help migrants link up with health and banking services, where some banks had started accepting the issued ID card as a valid document to satisfy their KYC requirements. Similarly, the concept of trade-based collectives serves as unique platforms for workers to come together, find solutions to the common problems and negotiate with governments for their rights, while also serving as vehicles for service delivery on food, health and banking.

These two examples, the Odisha-Andhra Pradesh MoU and the Aajeevika's approach to internal migration, provide an insight into the ways in which the needs of such a population could be addressed. However,

the issues around their scalability and applicability for the heterogeneity of the migrant population in India warrant establishing synergies with the government, the various schemes and State-led programmes already in place and those in pipeline.

7. Policy Recommendations towards a New Synthesis

This section concludes the paper, with recommendations towards a more comprehensive database and policy recommendation towards an integrated model for the welfare needs of migrants in India.

7.1 Towards a National Migration Data Portal

7.1.1 Changes in the Existing Surveys

As a first step, India needs a consistent and robust definition to identify migrants inclusive of the seasonal/circular reality of the internal migration within the country. There is a need to accommodate more questions in the existing Census and NSS on migration to move away from a mere recording of the reasons for such movements and the associated areas, towards also gathering inputs on the secondary reasons for migration, characteristics of work and the extent of inclusion into the public services of such a population, as also mentioned in detail by the working group on migration in its report. The data from such surveys should be released without much delay as noted in the case of Census 2011 and the data should be released at the level of sub-district and village, wherever possible, to better inform the policy process and targeted implementation on the ground.

7.1.2 Need for a New Survey

Such surveys that are carried out once in a while and are ill-suited to record the pattern and trends associated with the internal migration need an upgrade. Thus, the situation warrants a dedicated survey launched at regular intervals and with more detailing to be able to capture the picture more clearly. This could be undertaken by the NSSO in coordination with the State Labour Departments.

The survey design could also benefit from the few independent macro-studies being conducted around the topic, as the one in Kerala Migration Survey; could include worksites as part of the design; and would serve as the single largest data repository for guiding policymaking in the subject.

7.1.3 Proposed Data Portal

The idea of a National Migration Data/Information Portal aligns well with the current approach of the government towards a technology-aided delivery of services. Maintained by the National Information Centre (NIC), the portal could help bring together the different fragmented pieces of actions aimed at ensuring the welfare of the moving population within the nation.

A One-Stop Portal for Migrants

The proposed migration data/information portal should serve as a one-stop destination for information on the available Central and State Acts, rights and schemes for the welfare of migrant workers and their family. It should give information on the registration process and facilitate registration digitally to the extent possible, along with the information of physical locations of the centres established and hospitals registered under such schemes through geo-tagged display of such sites, thus helping in increasing the accessibility of the services. The State Labour Departments could be directed for creating their websites for this purpose, integrated within the portal in the format as may be decided for the purposes of migrant workers. Such information should include but need not be limited to information on: the legislations relevant to migrant workers and their families; the insurance and pension schemes initiated by the government like the Pradhan Mantri Jan Arogya Yojana (PMJAY), Rashtriya Swasthya Bima Yojana (RSBY), Pradhan Mantri Shram Yogi Maan-dhan (PMSYM) etc., along with statistics around the number of such beneficiaries at the State level; grievance redressal helplines at the National and State level; crèches and ICDS (Integrated Child Development Services) centres; and the provisions of schooling for migrant children. The portal could also play an important role towards inter-State

coordination between the source and receiving States, allowing for the portability of services between the States.

Two Valuable Sources of Data on Migration

Additionally, the data portal on the 'One Nation One Ration' scheme could be integrated within the portal along with a real time release of statistics of the inter-State beneficiary at the district level within the destination States and information of their source State at the district level, allowing for a data repository on the extent of inter-State migration, along with the major corridors which could be utilised for planning interventions in future. The portal should also contain the necessary information on the upcoming Affordable Rental Housing Complexes, as proposed by the Union government as a part of the Covid-19 stimulus, along with their location (through the integrated State websites), availability, charges and provision of services, and aggregated statistics on its coverage in each State and information on the source States and district of migrants (in case of inter-State migrants). These two statistics could serve as a valuable source of information on the extent and corridors of internal migration, and would also serve to keep track of the coverage of such services.

A Resource for All Stakeholders

The portal could also serve as a repository of the past surveys on migration along with a categorised collection of studies being conducted around the subject to act as the single largest source of information for different stakeholders. Finally, the portal could highlight the good governance practises from different fields undertaken either solely by the government or in partnership with civil society organisations. Together with such additions to the portal as mentioned above, it could become an invaluable source for migrants, policymakers, administration, civil societies and the researchers alike in responding to the growing and much undocumented migration within the country.

7.2 Recommendations for a Model of Welfare for Internal Migrants

7.2.1 A Source-Destination Approach to the Migrant Crisis

Migration Support Centres: The Current Stand and Operating Model

Evident from many such experiences across the country, the migration support centres established and run by civil societies^[59] in their operating areas have been acting as a center-point to the migrant population for accessing various services, as noted above, offered by such societies. A similar model has been adopted by the government under the Deen Dayal Upadhyaya-Grameen Kaushalya Yojana (DDU-GKY) where such centres are established at the source and destination for providing support to the vulnerable categories at the source and to the trainees placed at the destination in finding accommodation, alternate/better paying jobs, sorting out problems with the local administration and dealing with personal issues by providing access to a professional counsellor. Funding for this is available from the DDU-GKY budget of the Ministry of Rural Development (MoRD) at the rate of up to ₹10,00,000/- per centre per year and they are to be established under the State Rural Livelihood Missions. Consequently, many such centres have been established by the source States in major destination areas. Such centres are also expected to cover those migrating on their own with due time, however, with no guidelines for such a service extension.^[60]

Building upon a similar experience, the State governments should consider opening migration support centres in major source and destination areas for those not covered within the DDU-GKY Scheme. The centres could be established based on available data on the major migration hotspots and are to be administered by the respective State governments in source and destination areas. In case of unavailability of sufficient information, surveys should be conducted by the Urban Local Bodies (ULBs) in association with the civil societies for such purposes. The operation of such centres could be given to the native civil societies under the authority

of ULBs at destination cities, and under the Zilla Parishad/Block Development Office at the source with centres to be built at the block level, until an initial period to be decided by the government, after which the centres be expected to start functioning on their own on the steps of the earlier protocols already established and in operation. There are many civil societies working with migrants and for this initiative the NASCOM could be roped in. Whereas for those support centres already established under the DDU-GKY Scheme, guidelines should be put in place to integrate the surrounding migrant workers population as well. The financing of such centres should come jointly from the States and the Union government with allocations depending on the population of such migrant workers and could be initiated in a phased manner as decided by the governments.

Migration Support Centres: At Destination

Such Migrant Support Centres at the destination areas should be empowered to offer services on awareness regarding the existing laws and rights, Central and State schemes, facilitating migrant workers' enrolment in such eligible schemes, legal aid for dispute resolution, banking and financial services, integrating them into the formal banking and providing them with ways of remitting back home, facilitation of on-the-job training under the appropriate skill development programme of the government and sessions on life skills. For the purpose of meeting the remittance needs of migrant workers, the 'Shramik Sahajog/Money Remittance System' intervention of Adhikar^[61] to meet the needs of Odisha migrant workers in areas of Gujarat and Maharashtra, and the FINO Paytech model^[62] as an alternative channel for banking services to provide safe, prompt, low cost and reliable remittance services to its customers, could be consulted. While for the purposes of skill-building sessions, the model worked by the civil society Disha along with the Industrial Training Institute in Nasik and that of Aajeevika Bureau could be consulted. It is required, however, that such programmes, as designed by the National Skill Development Corporation (NSDC) be commensurate with the time constraints and living realities faced by such migrant workers.

The centres should also have basic provision of medical health services and connectivity with the nearest government hospital in case of any emergencies. For this purpose, Aajeevika's AMRIT Clinics could be consulted.^[63] Each such centre should be equipped with a computer and Internet connection and have access to the proposed National Portal for the purpose of service delivery to migrants. The centres should be given charge of facilitation of registration of workers and their family into the existing Central and State-level schemes by coordinating with the respective departments. This facilitation could be made simpler by the use of a proposed national portal, allowing for one-stop communication between the concerned authorities. The centres should also facilitate them to meet and find solutions to common problems and become the centre-point for reaching out to migrant workers and their families for various outreach programmes on health, AIDS control and other such initiatives aimed at them. The migrant resource centres should also facilitate inter-State coordination of fast-track redressal of legal issues relating to wages and other working conditions of migrant workers in destination areas in collaboration with the source States. The source State should play a role in fast-tracking the legal response at the destination State through an internal model which may benefit from the proposed national migration portal. Creation of migrant helplines in major source and destination States for such purposes would be needed, while filing complaints and grievances needs to be made accessible to migrant workers.

Migration Support Centres: At Source

Similarly, such centres—in the source areas at the block level—should help in building the database on out-migration from the region, helping migrants obtaining identity and other documents to avail the benefits of government schemes through coordinating with the respective departments/agencies, awareness on such schemes and legislations relevant to them, providing financial literacy and encouraging and facilitating opening of bank accounts for savings and for sending remittances back, supporting the migrant family at the source by facilitating them to access the eligible schemes and benefits and by collectivising

them into groups (like Self Help Groups) for mutual support and for solving their common problems. Finally, such centres, through their documentation of the extent of out-migration from the operational areas, could help the government in designing plans for the retention and inclusion of migrant children into the schools via seasonal hostels/residential camps in major migration-prone areas and in ensuring that those away with their families during the season are integrated back into the schools. Such a survey for gauging the out of school children is already required to be conducted by all States and Union Territories,^[64] and needs strict adherence to implementation.

Migration Support Centres: The Necessities

The centres should also have operating persons from the native migrant speaking region to enable ease of communication and to facilitate services to migrant workers. Since a significant fraction of such migrant workers might not be able to read brochures on their own, the workers in the centres will be required to engage with them through organised discussions and awareness sessions. The case of Awaz Health Insurance Scheme in Kerala points towards the low awareness level among the eligible beneficiaries by a mere distribution of pamphlets, which many were not able to read.^[65] The study also points towards the importance of local civil societies to assist in registration of migrant workers in relevant schemes and for data purposes, owing to a large number of them not being employed in establishment-oriented works and scattered across many sectors with no permanent employer. Finally, there is also a need to provide training for such service providers in resource-centres with issues pertaining to migrants in India, which could be done through the associated civil societies.

Welfare Boards

As an example of a welfare board for migrant workers, the one initiated by Kerala in 2010 could guide the way,^[66] or inclusion of migrant workers within the building and other construction workers' welfare board^[67] in States where such boards exist, or with the creation of such boards and inclusion of migrant workers in them would also lead to

their welfare extension. This could be initiated by a central advisory released to the Indian States along with model examples to consider and uptake. Such registration should be done at the destination States and awareness needs to spread through outreach programmes on the major migrant sites, residents and near the proposed ARHCs along with awareness in the source areas through the migration resource centres, village-level representatives or through the Gram Sabhas. Digital registration should be allowed for each State through the proposed national portal and should be provided at the migration resource/facilitation centres.

It is also worth noting that for registration in the Construction Workers Welfare Board, the current requirement of proof of employment for 90 days in the last one year might not be feasible for many seasonal migrants who might not have enough incentives to register themselves towards the end of their current cycle when they might have completed 90 days, and hence requires a relook into the requirement, making it more in tune with the realities of such workers.

ICDS for Migrant Women and Children

The ICDS guidelines by the SC,^[68] allows the women to continue the services of Anganwadi at the destination area upon an issue of a certificate in a prescribed format from the Anganwadi at the source areas, which needs to be submitted to the Anganwadi at the destination. For easing the process of certification and enrolment at the destination, there is a need to spread awareness on the same to the village ASHAs and ICDS teachers at source areas as well as in the major destination areas. For accessing the name of ICDS project at the destination area, as required in the certificate, it should not be made necessary to fill in the entry within the certificate, considering that the exact location in the destination area and the project name would not be known a priori. Also, considering the fact that many such women are currently left out of such services, efforts should be made by the source State, through the village ASHAs and the village ICDS centres, to increase awareness about such a provision and make arrangements for such certificates to be sent digitally to the destination ICDS centre when visited by eligible women at the destination. For the

purpose of digital certification, it would be helpful to integrate a repository of Anganwadi for each State within the proposed national portal on migration, allowing for communication between them for the purpose of facilitating the transfer of such certificates upon demand from the destination area and upon fulfilment of certain minimal criteria as decided by the government for this purpose. Also, considering the distance of the ICDS Anganwadi from the residence and work sites of migrant women and a mis-match in time, special provisions need to be made under the ULBs of the destination areas to provide such services to the eligible women by outreach programmes or through making provisions for development of such centres within or nearby the proposed ARHCs.

Crèches and Schools for Migrant Children

The migration resource centres would also act as the contact point for gauging demand and making provisions for the education of migrant children. Such centres could also be given responsibility to map other such children in nearby regions, to be decided by the government. Finally, the centres under the authority of the corresponding ULB and following the guidelines enshrined in the SSA should facilitate the arrangements for the education of such identified children either in nearby schools or in cases of large number of such children (to be decided), by making provisions for construction of schools nearby their residence. An arrangement of such education service should be made in the native language of migrant children by the source State in coordination with the recipient State, where for such a framework, the initiative for education of Odia migrant children in Andhra Pradesh, Tamil Nadu and Telangana could be consulted, along with an integration of the Tamil Nadu's postcard programme or something of the sort to help integrate the children back into the village school after the migration cycle ends. For this purpose, the operational models in Gujarat and Maharashtra, as noted earlier in this article, could also be looked into. Similarly, the facility of crèches^[69] for eligible children could be integrated with the Anganwadi mentioned above, as in the case of Kerala.^[69] If feasible, such facility can also be integrated or could be established in close proximity to the migration resource centres,

ensuring ease of accessing the services for the migrant community. With central funding for such crèches going down and a corresponding drop in the number of such facilities operational in the nation, such an integration would also ensure reduced costs for the States along with ensuring that they operate effectively. For financing such facilities, the collections to the proposed welfare boards could be utilised, along with an initial investment from the Centre and the involved States (source-destination) through a mutually agreed model.

7.2.2 Affordable Rental Housing Complexes: Beyond Mere Housing

The recent proposal of Affordable Rental Housing Complexes (ARHCs), in addition to being a boon for the city migrants, holds potential for addressing other needs of migrant workers, if planned suitably.

Ground Work Required for Such Establishments

To begin, there is a need for a careful analysis of the locality for the construction of such ARHCs, considering that work (especially the construction work) would not always be taken in a few selected areas and that old spots may get obsolete with newer ones emerging, making it difficult to make arrangements for the mobility of workers to work places and hence posing difficulties to ease of doing businesses, and embarking newer such projects in future without hindering the existing urban planning. For this, an initial survey of the residential spots in major in-migrant cities is needed, which though largely comprising sub-urban slums are also located in other small peripheries of the town, and also there is a need for the integration of such projects with the existing town plans. Also, for estimating the need for ARHCs, it is first required to estimate the number of migrant workers who would require such facilities. This will inevitably require a ground report from the urban centres, on the corresponding migrant population, their magnitude, locations of current residence along with density, and nature of migration (seasonal or long-term). Estimation needs to be made on the need for such housing throughout the year and seasonal hikes in the demand in different regions. Estimation would also be needed of

the gender demographics of the migrant population, which might call for separate housing facilities. In all, before creating a DPR (Detailed Project Report) for such infrastructure projects, the Central government should direct the State for conducting a standard survey through respective ULBs and in partnership with the civil societies, to gauge various aspects of the migration in the city.

To this end, the 'apna ghar' project initiated by the Kerala Government for migrant workers could be analysed for its project location planning and the particular PPP model adopted. The project can house 640 people and comprises a four-storeyed building with 64 rooms, 32 kitchens, 96 bathrooms, eight dining halls and laundry spaces.

Other Significant Opportunities

Similarly, to turn the opportunity for providing ARH services into a larger one meeting with obligations from different legislations concerning migrant workers, the need is to create a plan for the provision of necessary facilities within the proposed complexes. This could be achieved by integrating the facilities of migration support centres and Anganwadi cum Crèches in the proposal of such Rental Housing. Also, such complexes could have provision for schooling and ration in its vicinity. Shifting the focus from a mere provision of housing facilities to the migrating population, the governments could capitalise on this opportunity by extending the project area and making such provisions as mentioned above and in the last section of recommendations for the welfare of migrant workers and their families. Such an integration of services will also save costs of separate surveys required for the establishment of such Rental Housing and that of the proposed Migration Support Centres, Anganwadi and crèches, while allowing the population to access the services in a seamless manner. The government could fix the number of such rental facilities in a complex, commensurate with the establishment of the migration support centres, Anganwadi cum crèches, schools and ration shops, considering the cost, feasibility and operation of such facilities. These complexes would also serve as natural outreach centres for various government programmes like the targeted interventions by the

National AIDS Control Authority and the National Urban Health Mission,^[70] bringing such services closer to the vulnerable sections of the society.

Regulations Required and the Need for a Multi-Stakeholder Approach

Additionally, there is a need to put forth regulations and rules in place to avoid any denial of such a housing facility for seasonal migrants by the project managers, along with rules on the price. Similarly, there might be cases where those coming to cities but not employed might be restricted from such housing, and those coming with their families with only one wage earner might face similar issues due to risks of them permanently occupying such places and for these, regulations must be put in place.

To achieve all these, there is a need for the involvement of the private enterprises for building and maintenance of ARHC, and that of local civil societies as facilitators for bringing a convergence between the involved States and the existing schemes (mentioned above) under the authority of ULBs. This would also warrant empowering the ULBs and incentivising them towards the above-mentioned objectives, with incentives being placed for the frontline workers at the ULB level, like ASHA and the likes, to deliver outcomes as deemed suitable considering the different welfare schemes rolled out for the migrant population.

8. Resurgence towards Urbanisation

Just as the policy actions from the State are not without their unintended consequences, the above listed welfare model for migrant workers and their family—though a step towards enabling a better provision of work and life for them—could in turn highly incentivise mass movements from villages towards the urban centres, gradually stressing the urban ecosystem. A series of better provisions as mentioned above, would also mean that an increasing number of present seasonal migrants would aspire for turning

and indeed turn into a permanent one, gradually coming to occupy the existing rental accommodations for entirety. Also, with provisions being made for the education of children of migrants in crèches and other schooling facilities as discussed, it could lead to an increasing number of migrants flocking with their children, putting pressure on such existing provisions to expand and to adapt. This, however, needs to be supported and driven by a proportionate increase in availability of jobs in such urban pockets, which—with initiatives under the Make in India and with the government making amendments towards easing the businesses and encouraging expansion of MSMEs—might in fact turn a reality with time. This, together with the existing and upcoming initiatives towards skilling the labour in tune with the changing market realities, an example being the DDU-GKY, would gradually lead towards a phase of steady urbanisation, and as such, warrants a relook into the existing take on urban planning and into the notion of who the cities belong and would eventually belong to. The move towards building rental housings, along with the accompanying amenities, earmarked for migrant workers is perhaps the first move at such a national scale towards legitimising the existence of such workers in urban space. However, doing so in isolation and a failure to foresee the deep-rooted connections of the urban space and urbanisation with the existing thrust towards evolving and implementing a comprehensive welfare drive for our guest (migrant) workers, could well lead to another set of problems we would soon need to grapple with. Good governance of labour migration, protection and empowerment of migrant workers and their families, and linking migration and development processes is the need of the hour. However, the government needs to balance the fulcrum alongside treading a dual road of easing businesses and promoting labour welfare. If planned and implemented well, this series of reforms could lead to increasing opportunities for a significant proportion of Indians and translate into enhanced living standards for millions.

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