Chapter 11
Inter-state Labor Migration in India: The Normal and Reverse Phase

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Abstract  The novel coronavirus has started spreading from Wuhan city of mainland China in December 2019, and it spread out over several countries throughout the world. To stop the spread of this virus, the Indian Government has announced for countrywide lockdown. It has a significant impact on the Indian economy, especially in the unorganized sector. The workers of this sector, especially the migrant workers, are the worst affected section of our society. The present study tries to explore the socioeconomic shock of this crisis on interstate migrant workers. We have divided the whole discussion into two major parts. The first one is the pre-pandemic situation of interstate migration in the country and the second one is the pandemic situation. For the first one, as there is no accurate data on migrant workers countrywide, we have considered the D3 series data of the Census of India 2011. Whereas, for the second one, various study reports and news reports have been analyzed. It is revealed that migrants were going toward high developed states from the low developed states during the pre-pandemic situation. However, the pandemic shock changed the direction of migration; a reverse migration was witnessed toward their native places. This chapter brings to fore the forces of detracton at the Indian megacities, which acted as the push factors; the challenging phase of transit from cities to native villages; and the graved scenario of social stigmatization over migrants workforce in their “homeland.”

Keywords  Migration · Spatial pattern · Unemployment · COVID-19 crisis · Stigma · Joblessness

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11.1 Introduction

The first COVID-19 case was reported from Wuhan city of mainland China in December 2019. The case was from a market where wild animals were consumed (Xu et al. 2020), but in India, the first case was reported on January 30, 2020. The patient was a student studying at Wuhan University. She came back home to spend her vacation. Within 41 days, the number of COVID-19 positive patients increased to 50 (Rawat 2020). The World Health Organization (WHO) has announced the COVID-19 disease as a pandemic on March 11, 2020 (WHO 2020). After two weeks later, the Government of India has taken strict measures to control the health crisis. As an initial controlling measure, the government has announced 21 days countrywide lockdown. It imposes all kinds of human mobilities to be restricted, and all kinds of transport facilities to be paused. In his address to the nation, the prime minister of India requested people to stay wherever they were (Ghosh 2020).

This chapter will not discuss the health crisis the Indian has faced. Rather, it will be more concerned with how the initial health crisis has been transformed into the socioeconomic shock. The pandemic shock has proved itself to be absolutely asymmetric if the socioeconomic shock is concerned; it has not similarly impacted everyone. Out of this health crisis, the perpetual debate started arising as the phases of lockdowns were extended. The citizens became dissected about whether to prioritize lives or livelihoods.

Thanks to the lockdown, the screen-time most Indians spend on their mobile phones has gone up enormously. Peoples now tend to spend far more time checking out the incessant flow of WhatsApp traffic than they had ever done before the pandemic. If it is not the mobile phone people are browsing to pass their time during the lockdown, it is the television screen. The streaming services have enormously expanded the viewing menu. However, this is just half the story.

However, the “theory” of “life is not bigger than the business” simply poses “meaningless” to those whose bread and butter depend upon daily earnings. They sought that they would die if the lockdown would be extended (Arya and Ahmed 2020). The lockdown was not working for the poor. The slum dwellers who live in congested lanes, for them the precautions like social distancing, work from home, self-isolation nothing works.

The lockdown meant the shutting down of the doors of economic activities. All the factories were closed. The activities in the construction sector were discontinued (Mishra 2020b). The workers who came from different corners of the country to the Metros in search of jobs were the worst affected section. This crisis degraded their socioeconomic status (Sengupta and Jha 2020). Lockdown reached the workers of the unorganized sector into the darkness of unemployment (Sundar 2020). The unorganized sector has a significant contribution to our Gross domestic production (GDP) (GOI 2019), and not only that, but it also engages a large number of laborers (Kishore and Jha 2020). For the migrant workers, their livelihood has been “robbed.” The lockdown kept the haves at home to minimize infection risk while the have-nots migrant workers were left on the highways, exposed to the infection (Hannant...
2020). In this chapter, we will try to explore the socioeconomic shock of this crisis on interstate migrant workers.

We have divided the whole discussion into two major parts. The first one is the pre-pandemic situation of interstate migration in the country and the second one is the pandemic situation. For the first one, as there is no authentic data on migrant workers countrywide, we have considered the D3 series data of the Census of India 2011. Whereas, for the second one, various study reports and news reports have been analyzed.

### 11.2 InterState Migration in Pre-pandemic India: Glance Back to the Normal

In this section, we will focus on the spatial pattern of short-term interstate migration. Based on the rate of migration, India’s whole is divided into five distinctive zones (Table 11.1). Uttar Pradesh and Bihar comprised 35.55% out-migrants out of the total migrants in India. These two states come under the very high out-migrating zone. These states are located on the great Gangetic plain. Most of the north-Indian states exhibit a low contribution to out-migration, excluding these two states. The western part of India, including Madhya Pradesh and West Bengal in eastern India, is at the next tier—i.e., the “High” out-migration zone. Chandigarh and Puducherry also come under this category. Alongside this, the Moderate zone comprises Andhra Pradesh, Jharkhand, Tamil Nadu, NCT of Delhi, Gujrat, Odisha, Haryana, Chhattisgarh, Punjab, and Kerala. On the other side, the north-eastern states contribute very

| States (share of migrants as percentage to total) | Very high share | High share | Moderate share | Low share | Very low share |
| --- | --- | --- | --- | --- | --- |
| Uttar Pradesh (20.64); Bihar (14.90) | Maharashstra (6.35); Madhya Pradesh (6.25); Rajasthan (5.67); West Bengal (5.04); Karnataka (4.78) | Andhra Pradesh (3.99); Jharkhand (3.79); Tamil Nadu (3.24); NCT of Delhi (3.20); Gujarat (3.06); Odisha (3.05); Haryana (2.74); Chhattisgarh (2.64); Punjab (2.23); Kerala (2.15) | Assam (1.55); Uttarakhand (1.30); Jammu & Kashmir (0.68); Himachal Pradesh (0.67); Chandigarh (0.58); Puducherry (0.38) | Goa (0.21); Manipur (0.21); Tripura (0.14); Meghalaya (0.12); Nagaland (0.11); Arunachal Pradesh (0.10); Andaman & Nicobar Islands (0.06); Mizoram (0.05); Sikkim (0.04); Daman & Diu (0.03); Dadra & Nagar Haveli (0.03); Lakshadweep (0.02) |

*Source* Computed by the authors based on Census of India 2011 datasets
Work or employment opportunity dominates male migration in the country. However, four states and two union territories are the exceptions of this. For Madhya Pradesh, Punjab, Kerala, and Lakshadweep, the primary reason is the movement with the household (Fig. 11.2a). The secondary reason for male migration is to move with the households for most of the Indian state. However, the migrants of Madhya Pradesh, Manipur, Meghalaya, Andaman, and the Nicobar Islands, Dadra and Nagar Haveli, and NCT of Delhi moved for other reasons. Education was the second dominating reason for Mizoram and Haryana (Fig. 11.2c).
Fig. 11.2 Dominating reasons for migration in India (Source Prepared by the authors based on Census of India 2011 datasets)
Migrants of Madhya Pradesh are reported to move for work or employment, and migrants of Sikkim moved for education, where for the other states, the tertiary reason is seemingly undefined (Fig. 11.2f).

Females are mostly migrated to move with the household. Whereas, most of the female migrants of West Bengal and NCT of Delhi have been reported to move for marriage (Fig. 11.2b). Marriage becomes the secondary reason for migration for the other states except these two. For the states of West Bengal, NCT of Delhi, and Dadra and Nagar Haveli, the secondary reason is posed by moving with the household. The second-largest stream of the out-migration of Haryana and Chhattisgarh is moved for education (Fig. 11.2d).

The tertiary reason for female migration is undefined for most of the states. The female migrants of Tamil Nadu, Assam, Uttar Pradesh, Puducherry, Nagaland, Arunachal Pradesh shows the tertiary reason as work or employment. Whereas, the tertiary streams of female out-migrants of Chandigarh, Manipur, Mizoram, Dadra, and Nagar Haveli is sourced by marriage (Fig. 11.2e).

11.3 On Pandemic Triggered Reverse Migration

The inequality in economic development is the key driving force for the movement of migrants from underdeveloped states to developed states (Panchamukhi 2013). The increased rate of interstate migration has been seen after 1991 when the government enacted the new economic liberalization policy (Bhagat 2010). The female members of society play a dominating role in migration, as they shift after marriage. Now contrary to the traditional trend, females are migrating for other reasons also (Panchamukhi 2013), and Male migration is chiefly due to unemployment at the source and job opportunities at the destination (Skeldon 1986). However, data reveals that the temporary migration is seven times larger than the permanent one, and the former is dominated by the economically improvised section of society (Bhagat and Keshri 2018). The short-term migrants have low income; however, they balance it with their low per capita expenditure (Handral et al. 2018). It keeps them devoid of savings or investing in insurance or other financial security schemes. Most of the migrant workers have not enrolled their name in public social security schemes as well; moreover, those who enrolled were getting contingencies only (Pandey 2020a).

Altogether, the closure of the “source of bread” posed a tremendous threat to the livelihoods of the migrants in the pandemic captured Metros. It ultimately arose the question of their access to the basic needs to live on.

11.3.1 The Sea of “Migrants” Set Out for Homeland

The worst affected section is the workers of the unorganized sector at the time of lockdown, especially the migrant workers. The situation of this section of workers
during the COVID-19 crisis is pathetic throughout the world as they do not have any social protection (Sengupta and Jha 2020). In India, 92% of the workers are engaged in the unorganized sector (Tiwary et al 2012), and workers of this sector are poor, and their situation is like they are on the epicenter of the volcano. The number of jobless people is much higher in the construction sector compared to the financial sector (Kishore and Jha 2020). An estimation made by CSDS and Azim Premji University (2019) says that about 29% of the population of Megacities are daily wage earners (Sing and Magazine 2020). Another estimation by Kundu (2020) says that there are 65 million interstate migrants in India, and out of this figure, around 33% are daily wage based workers. The total estimated figure is 12–18 million, including casual workers, workers of the informal sector, street vendors, and other vulnerable communities (Sing and Magazine 2020). The exact volume of return migrants is unknown because there is no official record at the pan-India level. However, it is clear that the pandemic has pushed lakhs of migrant workers to the darkness of joblessness; they were headed to return back (Fig. 11.3a), they faced many problems on the way, and when they reached their home, no warm welcome was there (The Hindu Net Desk March 31, 2020). Such a mammoth volume of migration has not been seen on the road since partition. On May 4, officials of Maharashtra reported that 35000 migrants were sent to their native place after completing the primary treatment (PTI 2020a). Uttar Pradesh and Bihar witnessed a high volume of migrants who wanted to return to their homes (Sing and Magazine 2020).

Fig. 11.3 Two cities witnessing the same scenario when a the desperate migrant workers gathered at Anand Vihar bus terminal, Delhi (Source ANI [view the Newsroom Post, dated 29 March 2020: https://newsroompost.com/gallery/amid-lockdown-a-sea-of-migrants-in-delhi-try-to-find-their-way-back-homeamid-lockdown-a-sea-of-migrants-in-delhi-try-to-find-their-way-back-home/511214.html. Accessed on 12 August 2020]) and b the migrants as thousands gather at Bandra station, Mumbai (Source India Today [see the India Today dated 14 April 2020: https://www.indiatoday.in/india/story/lockdown-woes-mumbai-stations-flooded-with-migrant-labourers-hoping-to-get-back-home-1666908-2020-04-14. Accessed on 15 August 2020])
11.3.2 The Force of Detraction

The COVID-19 induced lockdown seized the opportunities of work and employment, which had remained the critical force of attraction to the workers to migrate in the cities. As the lockdown was announced, the daily wage earners lost their job as an immediate effect. The World Bank reports that the COVID-19 had impacted the livelihood of 40 million migrations. It has caused unemployment, and the protocols of social distancing created a more complex situation for migrant laborers (PTI 2020e). According to an estimation by SWAN (2020), about 12 crores of migrant workers suffered from livelihood crises due to lockdown (Edwin 2020). SWAN conducted a study on migrant workers, involving 11159 individuals as samples. They found that 89% of the migrant workers got their wage unpaid during the 21 days of nationwide lockdown in the country. It left them in a pathetic situation with no money and no food. The desperate struggle of the famished migrants started protesting in different pockets of the country (Edwin 2020). PTI reported that 100 migrant workers were protesting in Surat. They were suffering from an acute food crisis, and they wanted to return to their homeland (PTI 15 April 2020g). However, strict lockdown protocols did not allow them to return. Against this decision, lawyer-activist Prasanta Bhusan filed a complaint, where he wrote those who were negative to COVID-19 should be allowed to return, and the government should provide the necessary transport facilities (Pandey 2020b). The migrant workers left for home not in fear of the virus but in fear of hunger (Pandey 2020b).

Many industrial hubs, factories shut their door. In Lucknow, the plywood factory was forced to close. Surrendra Panday, a labor of that factory, started his journey toward home on bare feet, as no food and transport facilities were available (Sharma and Khanna 2020). All the vehicles, including trains and buses, were restricted from carrying passengers except transporting essential goods.

Pandey reported on April 21, hundreds of migrant workers were found under a bridge near Delhi. They had not got any meal for the last three days. They were placed in a shelter, but unfortunately, the shelter got burnt. Thus, they came out from there (Pandey 2020b). The workers who were stranded in other states not only suffering from food and money but they were also the victims of rumor. On April 14, a few hours after the announcement of the second phase of lockdown, thousands of people gathered outside the Bandra railway station (Fig. 11.3b). There was a rumor that after the end of the first phase of lockdown, they could avail trains to return back to their home. They were protesting with the demand to run the train. In response, the police force was introduced to disperse the crowd (Mengle 2020; Joshi 2020; Pandey 2020a).

The daily wage earners, stranded at the workplace during the lockdown, were worried about the harvesting of the crop at their home. Anil Yadav, a 28-year-old man, told the Economic Times on April 15, that he had lost one-acre areas of sugarcane. He used to earn Rs. 7000–8000 per month, but all has gone. Another worker Asha Devi was staying in a shelter with her 13 other group members. She has four young children. They went for work in a brick kiln in Ghaziabad. After the announcement
of the countrywide lockdown, the broker (locally called ‘contractor’) promised them to pay money, but one day suddenly, the broker disappeared, leaving them helpless (PTI 2020d). Manoj Ahriwal, a 25-year-old worker, came to Delhi to join his family members just three days before the lockdown has been announced. They were worried about the crop. His mother worried if they could not be able to harvest the crop, they would have nothing to eat throughout the year (Pandey 2020b).

The above incidents are a few of such immeasurable plights faced by migrant workers in different megacities. However, the interesting is the “reverse” direction of the migration. It is unusual in terms of the usual rural-to-urban migration trend of the country, which has been expedited for the last three decades. The understanding of the force of detraction makes it indispensable to discuss the force of attraction, which has been causing this mammoth volume of migrants to gather in the megacities for long.

So, who migrates, and why migrates? An initial push factor is prevalent in Indian scenario. It transfers people from rural-to-urban areas, and often such flows are called the mobility “by default.” The growing rural distress with agriculture failing to offer sustenance for the majority of cultivators is a critical concern, and this mainly influences the decision of those with small landholdings and those face dispossessed of land due to factors which include heavy debt burdens to set out for alternative job opportunities from the cities. State policies have often proved both inadequate and ineffective to support the ailing rural economy. With steady losses of sustainable livelihoods, there has been a continuing stream of out-migration from the rural economy.

This initial force has created the initial stream. Some migrate on a ‘permanent’ basis, having no plan to return; some are the ‘seasonal’ migrants who temporarily return from urban areas to their villages during the harvest times, and then go back to urban centers; and the rest, the ‘footloose’ who have no means to decide on their future plans. Both the ‘seasonal’ and ‘footloose’ are often escorted by local contractors on the basis of payments to cover the initial travel costs and also as cuts from the meager wages they receive by migrant workers in the urban centers. Migration has also been facilitated by the prevailing familial links between the rural folks and the urban workmen.

Out of all these things, the irony is that the inflows of migrants to urban areas provided only cheap labor having no legal compulsion for employers. So, the current miseries are not all about an accident; instead, it unfolded a long history of deprivation and injustice to the migrant workers on the part of the employers to enjoy the benefit from the “footloose” migrants. They had never been given any legal status as the working population. The factories, construction sites, and other labor-intensive activities made use of the migrants in their cost-cutting exercises as they could be hired at wages, which could dip lower than the statutory minimum. The surplus migrants who were not absorbed in the formal or informal workplaces became self-employed in different activities, ranging from vendors to shop-keepers and petty services. So, the rural migrants accomplished the urban economy significantly, providing cheap labor to factories, cheap services to households, and in various other forms, keeping their job securities at acutely vulnerable condition consciously or unconsciously.
It was worrying but not astonishing that this vulnerable community lost their livelihood and shelter in their workplaces with the four-hour notice from the state for a complete shutdown. The sufferings by those uprooted people—lacking access to shelter, food, or sources of income, or even means of transport to return to their places of origin continued to follow them throughout their entire trajectory of reverse migration, which will be the subject matter of the following columns.

11.3.3 Problems in Transit

The Home Ministry of the Indian Government, at the onset of the crisis, had issued an advisory to all state governments to control the exodus of migrants; and, the permission was given to utilize the National Disaster Response Fund (NDRF) for arranging their food and shelter (PTI May 23, 2020b). However, the reverse migration stream could not be managed. The issues of insecurity loomed large in the cognition of the migrants, which drove their thought that if they could reach their home, they could survive.

Throughout the month of April, Indian highways witnessed the plightful procession of the thousands of migrants heading toward their homeland by walking a few hundreds of kilometers. Many of them were walking on bare feet, and those who could afford traveled through hired vehicles (Fig. 11.4a) (PTI 10 May 2020f). The situation was out of control, and no one could stop the migrants. Hunger, cashlessness, panic, and rumors captured the distressed migrants. Confusions made them undertake desperate attempts in heading toward homeland like walking along highways, along rail tracks, by cycling with managing all their belongings, minors, babies, old family members, and pets (Fig. 11.4b).

![Fig. 11.4 a](https://www.indiatoday.in/india/story/fake-news-triggered-large-scale-migration-during-lockdown-mha-1722102-2020-09-15. Accessed on 20 September 2020](). Migrant workers are returning their homeland being piled on a truck (Source PTI [see the India Today dated 18 September 2020: https://www.indiatoday.in/india/story/fake-news-triggered-large-scale-migration-during-lockdown-mha-1722102-2020-09-15. Accessed on 20 September 2020]). b Migrant workers returning back by walking along the rail track (Source ANI [see the Newsroom Post dated 29 March 2020, https://newsroompost.com/gallery/amid-lockdown-a-sea-of-migrants-in-delhi-try-to-find-their-way-back-homeamid-lockdown-a-sea-of-migrants-in-delhi-try-to-find-their-way-back-home/511214.html. Accessed on 20 August 2020])
Under this circumstance, the railway authority, from May 1, 2020, started plying hundreds of “Shramik Special Trains” for transporting stranded migrants. The number of trains plied for this purpose came inadequate as everyone became desperate to quit the cities. Many could not register themselves for the train (Babu et al. 2020). Besides, the trains were not maintaining scheduled time, and there was no availability of food and water on board due to COVID-19 protocol. Seven people were reported to have died on the train (PTI 28 May 2020c).

Suraj Bhan Sing was working at Surat in Gujrat, failed to register himself for travel because he had no Aadhaar card. So, there were only two options left either to walk or to die hungry (Babu et al. 2020). Mohammad Imran, a daily wage earner, started his 600 km long, unpredictable journey to reach home by walking. He accompanied his parents, children, and wife (Babu et al. 2020). Some of them could not fulfill their desire; they breathed their last on the way. Fifteen migrants, returning along the railway track, were hit by a goods train and died on the spot at Aurangabad at early in the morning on May 8. It was reported that the fatigue due to the long journey made them taking rest along the track to face the absolute fatality, keeping their journey to home unfulfilled (Sharma 2020). Six persons were found dead and 14 injured badly in a truck accident in Narsinghpur district of Madhya Pradesh. All of them were coming from Hyderabad and wanted to go to Uttar Pradesh (PTI 10 May 2020f).

Sanju Yadav and her family went to dream city Mumbai 10 years ago to fulfill their dream. Her husband was working in a factory, and besides that, they were selling snacks in the evening time from 4 pm to 10 pm. They applied for tickets for ‘Shramik special’ trains, but they had not got the chance. Without any options, they started their journey on 9 May towards home with the e-rickshaw they owned. Her husband drove from 5 am to 11 am and 6 pm to 11 pm. They ate whatever dry food they had, and for sleeping, they used the footpath. In this way, they overcome 1300 km out of 1500 km, but suddenly one truck hit their vehicle from behind. The accident snatched away, Sanju Yadav and her daughter’s life. (Pandey 2020c)

Road accidents, heatstroke, fatigue caused several fatalities, which are merely a “number” rather, they are the terminations of the source of bread for the families concerned. Woefully, none of these fatalities were attributed by the coronavirus, rather the failure of the system to giving protection to the economically vulnerable groups of the society.

11.3.4 The Welcome at Homeland Was Not “Warm” Always

The coronavirus pandemic dealt yet another blow to vulnerable migrants. Blamed for leaving their homes in defiance of the lockdown, hungry, and cash-strapped, migrants struggled, while those who managed to reach their native places face hostility. Reaching their homeland after a long journey, those people discovered themselves being pointed with raising fingers toward them as the bearers of the virus.
Isolating the migrating laborers at destination points was imposed as a part of the strategic measures of limiting the spread of the disease. However, the local administration was not ready to manage the situation. Under this mismanaged situation, ostracism and stigmatization emerged as the vital issues in most parts of the states receiving a higher volume of migrants.

In many villages, inhabitants and local leaders barricaded the entry and exit points of villages and placed posters saying something like “Outsiders are not allowed”; they were mandating those who return to self-report (Fig. 11.5a). If the self-report was not made, the villagers reported it to the authorities. The fear that outsiders will bring COVID-19 was rampant across Indian villages. People frequently called up hospitals, police stations, and district government officials to report COVID-19-related issues (Agrawal 2020).

The state of West Bengal was the receiver of mammoth volumes of migrating workers returning from Delhi, Gujrat, Kerala, Tamilnadu, and Maharastra. The state government has arranged the quarantine centers almost at each of the C.D. Blocks where the school and college premises, community halls were temporarily converted to quarantine centers with the supervision of the government health officials at the district level. However, the lack of proper infrastructures, adequate PPE kits, insufficient SWAB tests, and the non-experience of the health workers remained the key constraints. Besides, the issues of nonfulfillment of basic services, e.g., electricity, food, water, cleanliness in toilets, are often raised by the borders of different quarantine centers in the state (Kundu 2020).

It was also reported from different corners of the state that the local villagers had opposed opening the quarantine centers in the school premises within the village. Under that circumstance, the returned workers were compelled to spend the nights under the sky until the local administration managed the situation (Kundu 2020).

The fake news, rumors, and unscientific information spread rapidly amongst the
villagers, getting facilitated by the low literacy level of the vast rural areas. Migrant workers who returned from Chennai to their home at Purulia were not allowed to enter the home. The villagers asked them to stay in quarantine on the branches of trees (Fig. 11.5b) (Rai and Ramashankar 2020).

Gita Sen, an expert in public health, says three types of people are more vulnerable to stigmatization. People who are in quarantine, health workers, and those who are suffering from discrimination throughout ages like migrant workers, religious minorities, and people of north-eastern states (Perappadan 2020). The resistance of the society toward the returning migrants also posed challenges to their livelihood in their homeland. After coming back, they faced difficulties with running their families. This problem was particularly critical for those who had no cultivable land in their possession. Returning migrants those were under home quarantine, government officials pasted poster on their wall, this became a matter of stigmatization. They were not accepted by society to getting involved in the wage-earning system (Mishra 2020a).

Even amidst those pandemic times, the incidences of caste discrimination on migrant workers were reported. The incidences of lynching or attempt to lynching on migrants belonging to tribal communities questions on the social security issues, even at the homeland, which had seemed to be “secured” to them as they attempted leaving the cities. Some migrants of Uttar Pradesh was reported to face caste discrimination. “Upper caste” people harassed Ravi Maury and his fellow workers from Prayagraj after returning home (Kumar and Mohanty 2020). Samu Munda from West Singhbhum district of Jharkhand returned home, but the villagers did not allow them to enter the village. His family members were also restricted from meeting with him. He claimed that he had no symptoms of COVID-19, and he had even agreed to the COVID-19 test, but no one listened (Kumar and Mohanty 2020). Surin Soren from Jharkhand’s Dumka district came from Varanasi faced social boycott. The villagers barricaded his house. They declared that all the members of his family had been infected (Kumar and Mohanty 2020). Kishore Behra, who was a mason, came back from Mumbai, forced to take shelter under a culvert with his co-workers near Birpali village of Bolangir district of Odisha (Barik 2020).

11.4 Legislations: Facts and Trivia

There are several legislative measures, but most of them are confined in papers. The state of Indian has long been witnessing the non-implementation and weak enforcement of different laws, which makes them non-functionals on the ground. Migrant worker issues faced the same reality. There are several laws that are not appropriately enforced (Table 11.2). In 1970 an act was launched to regulate and abolish the contract labor whatever necessary. It states about the registration of establishment, licensing the contractors and make provisions for the welfare of the contract laborers and provide legal support to them. The disobey of this law is a punishable offence (GOI 1970). The experts thought this law was not sufficient to protect the interest
of migrant workers (Sinha 2020). Besides, the interstate migrant workmen law 1979 was enacted to protect the migrant workers from exploitation. The act says every migrant worker should be registered by the contractor in both the home state and host state. There should be more detailed records about the terms and conditions of work. The most interesting point the article says that there should be a database for all migrant workers (Sinha 2020).

The national disaster management act, 2005, made provisions for managing any disaster. It says that the government should be prepared for any upcoming disaster. Disaster management is a continuous process that demands proper planning about it, organizing citizens, making coordination with various departments, and implementing various measures, which are essentials (Phukan 2020). Preparedness is the tool that is possible to be tested only during a disaster. The present crisis speaks about it.

The unorganized workers’ social security act of 2008 has been introduced to secure the livelihood of the working class, including the landless poor. Although, some of the welfare schemes dedicated to unorganized workers were already in vogue (Mishra 2018). Similarly, the vendors’ act, 2014, has been launched to protect their livelihood and to regulate the street-vending. It highlighted the measures like conduct a survey of street vendors every five years, issuance of certificates (GOI 2014).

All the legal provisions could have provided an excellent shield to the rights and security of the migrant workers; however, the real situation speaks something different. One can ask about the legal status of the migrants and about the authorized contractors and employers, as mentioned under the 1979 Act. Unfortunately, the long forty years since enactment has turned out to be inadequate to implement it properly (Sinha 2020).

Have the rights of the weaker sections always been safeguarded? The answer is “no,” unfortunately. Instead, the forces of liberal capitalism worked critically. The greatest possible number of economic decisions, having been organized on individual lines, are made by individuals or households rather than collective institutions or organizations. It appeared as true for the cases of legislations that were enacted to safeguard the rights of the vulnerable labor forces. The 2nd National Commission on Labor (2002) suggested minimal social protection for workers in the unorganized sector (PRS 2005). In 2006 the National Commission on Enterprises in Unorganized Sector (NCEUS) published a report where it was mentioned that the employers of the

| Act                                      | Year of enactment |
|------------------------------------------|-------------------|
| Contract Labor (Regulation & Abolition) Act | 1970              |
| Inter-state Migrant Workmen Act          | 1979              |
| Disaster Management Act                   | 2005              |
| Unorganized Workers Social Security Act   | 2008              |
| The Street Vendors Act                    | 2014              |

*Source* Compiled by the authors from different sources
The unorganized sector would get legal protection. However, it is also said to give social security to unorganized workers. The commission highlighted issues like health and education, low wages, and employment opportunities (GOI 2007).

Amid this pandemic situation, the ordinances of state governments ultimately favor the employers and worsen the condition of workers. Four states of India—Uttar Pradesh, Madhya Pradesh, Rajasthan, and Assam passed the ordinances which derogate the rights of workers. The government of Uttar Pradesh suspended all labor rights for the next three years (Gaur 2020). Except for some basic laws, the Madhya Pradesh government also freezes the labor laws (Haq et al. 2020). The new manufacturing units in Gujrat are exempted from prevailing labor laws for at least 1200 days. The state of Rajasthan also revoked the existing labor laws. The ordinances replaced the existing 8 h working norms per day to 12 h per day. It has snatched away the earned right of the working class, which has a long history of bloody struggle. The ordinance also says that the laborers will not get any remuneration as overtime duty for the mentioned 12 h (Sen 2020). India is readily a labor surplus country where there is every possibility for this section to be deprived if not safeguarded by the state. Still, the arguments from the corporate sectors and employers often corroborate their faints about the slip of cheap labors from their grips. The government of India needs serious intervention.

11.5 Conclusion

The pandemic has changed the world. However, the shock is not equal to everyone. For some people, it is only a health emergency; for others, it is a threat to their livelihoods. It has badly impacted the lower economic section of the society, especially the migrant workers. Amid this crisis and the frightful ambiance for the migrants, the Supreme Court of India has sincerely intervened with the governments after looking at the pathetic condition of migrant workers. On March 30, the Court asked the central government a status report regarding the measures taken for migrant laborers. The apex court also expressed that the big problem for a migrant is fear and panic, not the virus (Bureau 2020). On May 26, the Supreme Court questioned the role of central and state government. The three judges bench ordered both governments to take necessary steps as soon as possible to tackle the migrant crisis (Rajagopal 2020).

On May 28, three judges bench directed the state and union territories:

- to reach stranded workers to their respective home within 15 days;
- to smoothen the registration process for traveling of the migrant workers by decentralizing the process;
- to ensure the information related to transport options should be made available on local media;
- to provide essentials facilities that are needed at the destinations (Venkatesan 2020).
The present paper tries to trace how the initial health crisis of the pandemic has transformed into a severe socioeconomic shock with particular reference to migrant workers in India. Economic insecurity in their homeland has forced them to migrate to metros and cities; the social insecurity during the pandemic carries the panic for them. When these peoples desperately return to their homeland for survival during the crisis, their homelands treat them as “exotic” and stigmatize them as the “carrier of the virus.” The pandemic exposed the hackneyed condition of migrant workers. These peoples are the people of “nowhere” in reality. When will the civil society think for this most economically and socially vulnerable workforce of the nation?

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