

NITI Aayog's Draft Policy on Migrant Workers

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It took a lockdown for the country to see the precarious existence of the large migrant workforce that provides cheap labour to the industry and urban services sectors. NITI Aayog, along with a working subgroup of officials and members of civil society, has prepared a draft national migrant labour policy.

In news: NITI Aayog has prepared a draft national migrant labour policy

Placing it in syllabus: Geography

Dimensions

- COVID and Migrants
- Problems of Migrants
- Draft National Policy on Migrants
- Its importance

Content:

COVID and Migrants

- During the lockdown in India highlighted the issues of the large migrant workforce that provides cheap labour to the industry and urban services sectors.
- At least 26 lakh migrant workers were stranded across the country, according to the Chief Labour Commissioner's Office,
- the government told Parliament that at least 10 lakh of them returned home during the COVID-19 crisis.
- Thousands of people, young and old, men and women, were seen walking on the highways and along railway tracks for days to get back to villages from their workplaces

in the cities.

- This is the context in which the Niti Aayog has prepared a draft national policy on migrant workers.

Problems of Migrants:

- **Official Invisibility:** The migrant workforce is almost invisible in official data. This absence also meant that they could not access even the minimal social protection programmes offered by the state.
- **No Bargaining Power:** Migrant Workers hugely diverse and disaggregated workforce. They lack agency and thereby any power to bargain collectively. Therefore they are susceptible to exploitation.
- **Political Exclusion:** political parties do not always recognise or respect them as a political constituency and respond to their concerns
- **Exclusion from welfare schemes and developmental programs:** Most of the welfare schemes are linked to the place of origin of the migrants. They do not enjoy these benefits when they migrate to other places.

Draft National Policy on Migrants

The policy has the following major recommendations:

Adopting a rights based framework:

- The goal should not be to provide temporary or permanent economic or social aids or handouts which is a rather limited approach.
- Instead a rights-based framework seeks to remove restrictions on true agency and potential of the migrant workers
- Migration should be acknowledged as an integral part of development, and government policies should not hinder but seek to facilitate internal migration

Amending Inter State Migrant Workers Act, 1979

- The NITI Aayog's policy draft too, mentions that the Ministry of Labour and Employment should amend the 1979 Act for effective utilisation to protect migrants.
- The Inter State Migrant Workers Act, 1979, which was designed to protect labourers from exploitation by contractors by safeguarding their right to non-discriminatory wages, travel and displacement allowances, and suitable working conditions.
- However, this law covered only labourers migrating through a contractor, and left out independent migrants.
- Given the size of India's unorganised sector, a comprehensive law for these workers, which would form the legal basis for an architecture of social protection.

Creating institutional mechanisms for coordination:

- Institutional mechanisms should coordinate between Ministries, states, and local departments to implement programmes for migrants.
- The draft identifies the Ministry of Labour and Employment as the nodal Ministry for implementation of policies, and asks it to create a **special unit to help converge** the activities of other Ministries.
- This unit would manage migration resource centres in high migration zones, a national labour Helpline, links of worker households to government schemes, and inter-state migration management bodies.
- **Migration focal points** should be created in various Ministries.
- labour departments of source and destination states along major migration corridors, should work together through the **migrant worker cells**.
- Labour officers from source states can be deputed to destinations – e.g., Bihar's experiment to have a joint labour commissioner at Bihar Bhavan in New Delhi.

Ensuring political inclusion of migrant workers

- Politicisation, unionisation and mobilisation as workers in the past has forced parties and governments to see welfare as an essential aspect of industrial development.
- The draft has suggested that political inclusion could be key to bridging the gaps in their access to health services, basic entitlements, food security, education and so on.

Collecting credible data on migrants

- Creation of a central database to help employers fill the gap between demand and supply and ensure maximum benefit of social welfare schemes.
- It asks the Ministries and the Census office to be consistent with the definitions of migrants and subpopulations, capture seasonal and circular migrants, and incorporate migrant-specific variables in existing surveys.

Strengthening administrative capacity

- The draft suggests increasing the local administration's capacity.
- Presently, the lack of manpower in local administration makes it difficult to monitor migrants' condition.
- This has given an opportunity for middlemen to thrive on the situation and entrap migrants.

Other Specific recommendations

- The draft asks the **Ministries of Panchayati Raj, Rural Development, and Housing and Urban Affairs** to use Tribal Affairs migration data to help **create migration resource centres** in high migration zones.
- It asks the Ministry of Skill Development and Entrepreneurship to focus on skill-building at these centres.
- The Ministry of Education should take measures under the

Right to Education Act to **mainstream migrant children's education**, to map migrant children, and to provide local-language teachers in migrant destinations.

- The **Ministry of Housing and Urban Affairs** should address issues of night shelters, short-stay homes, and seasonal accommodation for migrants in cities.
- **The National Legal Services authority (NALSA)** and Ministry of Labour should set up grievance handling cells and fast track legal responses for trafficking, minimum wage violations, and workplace abuses and accidents for migrant workers.

The draft describes two approaches to policy design:

- **handout approach:** focussed on cash transfers, special quotas, and reservations etc. The policy rejects this approach.

rights-based framework: this enhances the agency and capability of the community and thereby removes aspects that come in the way of an individual's own natural ability to thrive. The policy recommends this approach.

Its importance

- It could be key to bridging the gaps in migrants' access to health services, basic entitlements, food security, education
- It helps to create an institutional framework for timely and targeted response in crises.
- portability of welfare schemes, especially access to the public distribution system, beyond state borders ensures nobody is left behind. This ensures achievement of the lofty goal of Sabka Sath – Sabka Vikas – Sabka Vishwas.

Mould your thought: Addressing migrant issues is necessary to build a compassionate society and a competitive economy. Comment in light of the recent draft policy on migrants.

Approach to the answer:

- Introduction
- Discuss the problems of migrants
- Mention why migrants are important
- Write about provisions of Draft policy briefly
- Conclusion