

Migrant Labour Crisis – Misplaced Laws of Displaced People

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Abstract

While the world still struggles to get itself acquainted with preventing the deadly contagion that spreads through a microscopic viral strain, work and productivity must go on. . The world's biggest democracy had quietly gone down with the world's biggest lockdown and economy did bear the brunt on its already faltering shoulders. The recent medical emergency, under which the entire world is reeling, as termed as - COVID 19 disaster, has turned out to be a novel virus that spreads through contagion and preventing which has formulated the yet new policy of Lockdown. While at one hand, the virtual work from home has saved millions from running out of employment, at the same time, it is the crucial struggle of sustenance that the migrant physical labourers have faced in this period of time. There needs to be a solution and proper protection of their intrinsic fundamental human rights that have been sadly violated. The paper attempts to analyse the situation at one hand and at the same time devote its methodology to an empirical pattern that would take into account the ground realities of the current scenario as well.

Key words: Pandemic, COVID -19, Empirical, Migrants, Human Rights, Policy

Introduction

The nationwide lockdown that the corona virus pandemic brought upon the mankind at large has been a crucial juncture for assessment of government policies of battling the contagion and at the same time, highlighting an intrinsic juxtaposition of whether lockdown restrictions were effective in saving lives or whether it simply instigated a chain reaction of unimaginable brutality and human rights violations that leaves its scar indelibly on the socio-economic matrix of the country(Malkhandi & Chatterjee, 2021). The novel viral strain was has been a moment of havoc as the nations struggled to contain it and ultimately devised strategies of lockdown – a complete curfew situation whereby all commercial and other daily activities, movements and transportation remains banned. Although the purpose was to break the chain of transmission of the disease, it ultimately disrupted not just normal productivity cycles and the economic structure of commodity market but at the same time restricted movement of a particular class of people or labourers rather who thrive on their employment dynamism. They are commonly identified by the term of –

Migrant Labourers, ironic indeed that how a particular migrating group feeding exclusively on shifting job opportunities would fend for themselves when movement closes down completely!

Rationale of the Research

Migrant labours are the people who migrate one state or country to other for view of employment (ILO2019), they are mostly unskilled, and low wages labour (Pappusamy, 2014). Which is temporary solution of shortage of workforce (Kaur,2014). During COVID 19 migrant workers are worst affected they blamed to spread disease (Lau et al. 2020)., many migrant died due to starvation, police brutality, road accidents and suicide (Guha,etal 2020) situation become more worst when migrant started walking for reverse migration to their native place without food (Dandekar & Ghai 2020; Singh et al., 2020). Migrant labours are mostly belongs to rural people who migrate from one state to another state or nation in search of their livelihood (Pandey, 2013). They have limited source of finance (Pandey and Kesari,2019) most of them have no land for agriculture and those having are unable to get livelihood from it due to scarce of resources like irrigation (Pandey et al. 2020a, b)and modern method of farming (Kumari and Pandey,2021). Topic carries immense relevance given the current situation of the country.

Objective of the Research

1. To undertake a critical analysis of migrant labour crisis during the lockdown period in India.
2. To provide suggestive course of action for the better administration of the migrant labourers.

Literature review

A suitable range of data was collected and analysed – some books, eBooks, articles and video lectures mainly were referred to in details. However given the novelty of this topic and the situation of pandemic that has arisen currently, relevant literature is scanty. Although direct literature was not available due to lack of proper research on the topic, but there were allied and correlated works on the same.

Newspaper websites have been referred like those of Indian Express and Times of India, so that daily press reports could be obtained that helped us enhance the quality of our research. The researchers have mentioned some of the important literatures and websites which provided them fruitful insight related to their topic.

The website of the ministry of home affairs was referred thoroughly for updates on the way lockdown and social distancing was being formulated in the country. This has helped in formulating our paper from a first-hand information basis and helped it to be up to date as well.

- Migrant workers badly treated, more needs to be done to help them now. Live Dreze Jean, (April 14, 2020) TV, India Today Keeping migrant workers from returning home will deepen Covid-19 financial crisis

(Dreze J., April28, 2020), www.newsindianexpress.com>nation>apr>the-jean-dre

● <https://www.mha.gov.in/media/whats-new>

Critical Analysis of the Situation

The escalation of events and subsequent increase in the infections in the country had led to an emergency and hasty decision of lockdown – nationwide (Maggo, 2020) with strict restrictions and ban on travel (Pandey et al. 2020, Chatterjee et al., 2020). Quite naturally the migrant labourers had discovered to their utter dismay that they have been suddenly cloistered in alien lands where neither did they own a permanent shelter nor did they familiarise with (Malkhandi, 2018, 2019) but were nevertheless trapped bereft of an option to at least reunite with their families in the times of a fatal pandemic. Although arrangements were made for keeping them in safe housing and securing their fooding (Chand, 2020) but the scenario turned out differently. At one hand, fresh infections kept on rising in the country and on the other and these migrant labourers grew increasingly frustrated with the existing schemes of their protection, coupled with fear of their families in their homelands. Together, this fear propelled them to refuse to conform to lockdown guidelines and frantically search for means of transportation to travel homewards. In this pathetic search for peace, these migrants have been already deprived of their stable source of income and the poor fated ones did not even receive proper remuneration of their work ever since the lockdown began. With the cure of corona virus becoming the curse, starvation shattered these groups of migrants who had no choice but to somehow travel towards their houses and towards the known acquaintance of homelands, passively submitting to the pangs of hunger and starvation.

The country has witnessed how pathetic the migrants' condition was and that led them to start travelling on foot with bare minimum essentials. Suffering in the glaring heat of Indian summers and dealing with the daunting landscapes of the terrain in the country, they had showed a march of millions, the biggest ever exodus and displacement ever since the Partition of the country in 1947. While these innocent, deprived labourers who have worked tirelessly and contributed to the building of the country's infrastructure travelled and got themselves massacred at times by accidents or by other casualties on the roads, the administrative framework witnessed it silently as they failed to protect this labour force. The agony continued as the ones who could make it to their homelands were now a victim of stigma, neglected, ostracised from their own places of residence and without work as opportunities ceased and the exodus kept increasing.

Key Research Question

Is migrant labour crisis an example of administrative failure in the country during lockdown period?

Justification of Key Research Question

This key research question has been chosen by the researchers as they want to analyse existing policy failure with reference to the migrant labour crisis in India during lockdown period.

To answer the research question the researchers have used interview method for conducting a survey whereby a questionnaire is prepared containing a set of 10 questions like 5-points Likert scale and it is administered to people whose responses will be obtained and then put to analysis.

Questionnaire

Answer each of the following statements on the five-point- scale of agreement and disagreement.

- A) Strongly Agree B) Agree C) No Opinion
D) Disagree E) Strongly Disagree

- 1) Consequence to the outbreak of COVID-19, the only option for the migrant labourers is to return back to their native places.
A) B) C) D) E)
- 2) The migrant labourers will never agree to go back to their respective workplace after the end of COVID-19 pandemic.
A) B) C) D) E)
- 3) The recognition of problems of migrant workers and steps taken by the state /local Governments is the key to their rehabilitation.
A) B) C) D) E)
- 4) It is imperative to register all the new and old migrant workers by the local administration.
A) B) C) D) E)
- 5) Grass-root level administration has a key role to play in labour displacement due to outbreak of COVID-19 pandemic.
A) B) C) D) E)
- 6) The migrant labourers are the responsibility of the state Governments concerned where these workers are working.
A) B) C) D) E)
- 7) Every State Government should adopt common guidelines to resolve the problem of migrant workers.
A) B) C) D) E)
- 8) The Central Government has the sole responsibility to generate funds for providing assistance to solve the problem of migrant workers.
A) B) C) D) E)
- 9) Issuing of temporary ration card is the only solution to solve the problem of migrant workers for their food security.
A) B) C) D) E)
- 10) It is essential for migrant workers to get shelter at subsidized rate from Central or concern State Governments.
A) B) C) D) E)

Analysis and Discussion

1. The researchers strongly agree to the point that in times of a crisis like that of a pandemic, the migrant labourers think it to be in the best of their interests to stay in the security of their native places. Driven by the anxiety for their family and fear of infection as also the frustration of being stuck up at an alien place where they only go for work related purposes, fuel their desire to return back. It is also probable that the government facilities provided in the states where they work might not be adequate always, that leads to a tendency of going back to native areas even more.

2. The researchers disagree with the notion of the second statement. As the pandemic is an exceptional period or rather a crisis situation, any decision during this time will not substantiate itself when the crisis ceases to exist, and in the said case the migrant labourers who have returned home would definitely go back to their places of work and undertake the required travel in search of livelihood. If this does not happen, it would lead to a grave disruption of workforce, shortage of labour would intensify and affect business and other commercial enterprises. Moreover post pandemic needs and financial instability would not allow migrants to stay idle without work and would automatically all upon them to move out once again.

3. The researchers agree to the notion and clearly recognise the importance of local and state governments in managing the migrant labour force in their respective states. The federal structure of governance in India facilitates centre- state coordination and that proves to be an efficient way of decentralisation of powers and better management of crisis situations. In the case of migrant labourers, the states need to verify and document them while the centre has the important role of properly registering them so that they are not bereft of the social security schemes and not neglected by virtue of staying away from their registered addresses. State and local governments are the most proximate administrative bodies that can directly cater to the needs and look after the security of the migrants; hence their role in this is cardinaly important.

4. The researchers strongly agree with the notion of the statement. Registration is an officially designated process that is crucial to classify, segregate and identify people in direct need and the bulging population of the country makes it almost impossible to ascertain this without registration. If pecuniary benefits need to be given out or social security schemes need to be established, then registration is the way by which the process begins and operates. District, block and village levels of grass root administrative bodies are crucially important in carrying out the process. Any neglect of this process is detrimental to the system and registration has to be made mandatory in this regard.

5. Researchers agree to this point of view and acknowledge the importance of grass root governance as witnessed in this pandemic. While plans and policies often turn out as fallacies never getting fulfilled, district, block, zila,panchayat levels of governance are the proximal governing centres that facilitate actual administrative process. This pandemic has proved that better local self-sufficiency is needed – be it rehabilitating migrants, securing them or providing them with temporary employment as well. Even MGNREGA schemes can be diversified and made applicable by these bodies.

6. The researchers strongly agree to this statement. Particular state governments where the migrants are working have tremendous responsibility to shoulder. While migrant labourers have toiled all year long in the developmental projects of the state, they deserve to be owned and protected by the states as well. In this pandemic, the severe human rights violation that happened with these migrants getting massacred on roads and highways as they undertook travel from one state to another in a journey of

hundreds of miles could have been possibly prevented had the states guaranteed their security. The onus is on the state governments to protect their labour force.

7. Researchers agree to this point of view. If the states adopt common guidelines then the problem of exodus of migrants from workplaces and back to their native homelands can be effectively dealt with. While at one hand states may be overburdened with refugees, and not be able to sustain them, in many other states facing out migration, the labour scarcity will hamper development quotients leading to large scale macroeconomic effects on the country's development. In order to unify the system, common plans ought to be adopted in this case.

8. The researchers cannot agree to this, as the onus of burden cannot be unilaterally bestowed upon the centre. The researchers cannot disagree as well given the centralised management that needs to be followed in a pandemic. Hence they choose not to conform to any opinion and rest it with the stakeholders of the issue to figure out the solution that would be in the best interest of the migrants.

9. The researchers disagree with the notion presented in this statement. Issuance of temporary ration cards to the migrants may simply cater to their needs of getting food and but that is not enough for a sustainable living and the other important areas of work gets neglected as well. Furthermore, these temporary cards are not a full proof solution and tend to fail in implementation, may be viable for a very short period of time and all this would not solve the actual crisis and neither will it properly rehabilitate the displaced workers. At the same time, it is imperative to note that the public distribution system in India is flawed and there are scopes of mutualisation, corruption and at the needy section gets deprived more often thus failing the very notion of work suggested.

10. Researches disagree with the statement postulated. Although it may seem humane and it may be felt that subsidised shelters to migrants are important to rehabilitate them and help them settle in this crisis, but that is again a short term goal and not a holistic plan. Firstly this would involve tremendous state interference in this matter when it is already dealing with expanding arrangements of the pandemic preparedness and secondly this is not a sustainable economic solution as well. This is primarily due to the interconnection of economic activities that influence one another in the unit and subsidies may not go too far in retaining the overall viability of this interrelationship.

It is too early to find the research gap as the topic belongs to the situation that arises due to the spread of corona virus in our country.

Research Design

For the purpose of our research endeavour, we have used the method of Convenience Sampling. The reason behind choosing this method by the researchers is due to the fact that the research universe is not well defined. Besides this fact, the complete source is also not available, with us in this context. Given the situation of a pandemic, and all restrictions on physical movement as also concerns of safety, we had to take sample from our easily available list – that is the contact information of students and teachers in the acquaintance of the researchers and their accessibility for the survey session.

We have selected a self-prepared sample on this said basis- taking contact details of 50 people and dividing them into two classificatory groups of students (social science) and teachers (College & University) 25 from each group have been ascertained as the sample size for the survey. 25 students and 25 teachers were approached and the data collection process facilitated. There was a fixed time frame for research, and it was restricted to 72 hours;

From 10 AM of 14.06.2020 to 10 AM of 17.06.2020.

The decision to restrict time frame was taken in order to obtain quick responses from the respondents and to investigate their accuracy in this similar type of an opinion poll.

For gathering primary data researchers have used interview method. For this we use ordinal scale like likert scale data. For analysing primary data descriptive method has been used by the researchers.

Brainstorming method was used to articulate the questionnaire that has been made keeping in mind the objectives and the relevance of the research study.

EXPERIMENT AND DATA ANALYSIS

1st Set of Data: Students

No of Respondents -25

Age Group- 20-35 Years

2nd Set of Data: Teachers

No of Respondents -25

Age Group-40 Years & Above

Time Frame- 72 Hours (10 am of 16.6.2020 to 10 am of 17.6.2020)

After compiling following responses have been recorded by the researchers.

TABLE-I (Responses of students and teachers respectively)

Question No	Strongly Agree(A)	Agree(B)	No Opinion(C)	Disagree(D)	Strongly Disagree(E)
1	2,7	4,3	1,2	13,13	5,0
2	1,1	1,5	1,2	15,14	7,3
3	8,10	13,10	0,2	3,3	1,0
4	15,8	6,17	3,0	0,0	1,0
5	10,8	12,13	1,4	1,0	1,0
6	10,7	11,12	0,0	3,6	1,0
7	10,10	6,12	0,1	8,2	1,0
8	5,4	7,6	0,2	12,8	1,5
9	2,2	4,5	1,1	16,15	2,2
10	10,9	15,13	0,2	0,1	0,0

Source: Online Survey

Analysis of Table-I

Discussion on responses of students of social science

- Majority pointed out option D; they have disagreed with the notion of the statement. In the view of our respondents, the only option of returning has not been supported, rather they have disagreed and pointed out that micro level identification of the migrants is essential and direct money transfers should have been made to eradicate their misery in the situation. Very small percentage has agreed with the notion of their returning to respective lands.
- Majority of our respondents have disagreed with the notion of this statement, which shows that they are rationalising the service opportunities that would once again throw open out migration of returned migrants. They have also suggested keeping a track of those places where these migrants were previously engaged in labour so that their employment scope does not cease post this pandemic.
- Respondents have vehemently agreed with option B; that is to say they agreed on the onus of responsibility being on the state governments. They have pointed out that since the lockdown states should have efficiently tracked down the migrant labour force of their respective states and given them protection that was needed. Further our respondents suggest that interstate and centre state politics should not jeopardise human rights protection of its labourers.
- Majority have strongly agreed with the notion presented in this statement, and others have agreed as well. This shows a high rate of agreeability with the registration process and the need to implement it also the benefits it brings along.
- There is maximum agreeability with option B and most others with option A- this shows that all of our respondents have emphasised and recognised that local administration can cater to basic needs more specifically and in a better fashion as well. It has been widely suggested to empower local self-governing bodies during such emergencies in order to facilitate administrative efficacy.
- Once again, our respondents agree with the notion of responsibility of state governments in the largest proportion. They have also suggested federal schemes whereby migrants can have social security benefits from both sides – states of origin and work so as to prevent such a recurrence of a crisis.
- Respondents seem torn in their view of analysing this situation whereby we find ,that there is a substantial agreement with option A; they agree to a uniform scheme of policies but many have disagreed and chosen option D – shows that they feel states should circumstantially decide on course of action as well.
- We find majority to disagree with the entire burden being put on the centre, while many have agreed with the notion as well. This confusion suggests absence of Federal planning to deal with Migrant labour crisis or better prevent it.
- Substantial disagreement with this notion of temporary ration cards. Respondents don't think simple ration cards and food provision would solve the problem, rather they have suggested proper rehabilitation measures, health and shelter needs and hygiene standards for migrants in this pandemic.

10. There is absolute agreement with the subsidised shelter provision scheme. Respondents have wholly agreed in this case and the data is uniform to suggest that people feel for these migrants and want them to reside in safe housing which they cannot afford unless subsidised.

Discussion on responses of teachers (University and College)

1. Majority of our respondents have agreed with option D; that is to say, they are in disagreement with the option of migrants to return back to their native places in this pandemic and they wholly sympathise with the misery of the migrants and the safety concerns in this period. They have suggested that rehabilitation in places of work to be mandatorily done in the states. We although do find some agreement with the notion, suggesting a varying trend of data.

2. Respondents have disagreed with this statement and they do believe that migrants will still search for work and go to respective work places post pandemic . There is however minor agreement with this suggesting that some think that post this crisis many would stop migrating for substantial period of time in this new Normal.

3. There is a complete and wholesome agreement with the statement as equal numbers of respondents have agreed with option A and option B in this case. They largely think that state and local governments have a crucial role to play. Many have even suggested that local identification and initiatives to support migrants should have been recognised and encouraged since the beginning of lockdown.

4. Respondents have shown a huge agreement with option B – they deem registration as an essential legal process by which the migrants shall be easily identified, social security schemes made available to them and their identities tracked properly. Many have suggested the issue of population to be the main reason why registration needs to be mandatorily done. No one has disagreed with the notion – this suggests that the response is uniformly directed towards agreeability with the statement.

5. Regarding grass root governance, our respondents have yet again agreed in a wholesome percentage with option B and A – while strong agreeability is less than just agreeability. This suggests that while respondents think that grass root governance can solve the problems, such models are yet to prove success in the national context, hence they have suggested that grassroots administrative councils should encourage local initiatives and people should own up the cause and extend help in times of crisis, rather than depending entirely on the governments.

6. Respondents have majorly agreed with option B and option A – suggesting that they indeed feel that it is the duty of state governments to manage the migrant labourers as they have worked in these states all year long and deserve dignity and protection in the times of a crisis. Respondents have also given suggestions that proper recognition of states of origin and employment be done with respect to the migrant labourers, so that the accountability of states can be ascertained.

7. With respect to the formulation of common guidelines, the respondents have agreed to have a uniformity – they feel that a crisis situation can be better managed when there is agreement and uniform system of policies. This would also save some trouble of the migrating population from one state to another.

8. A variegated data noticed with identification in each category with a comparative higher agreeability with option D – this shows that our respondents are confused and cannot settle any proper opinion on the issue of ascertaining of funds. This issue is further complicated due to the increased expenditure on health facilities in combating the pandemic.

9. High agreement noticed with option D – this means that our respondents have clearly rejected the notion, that issuance of temporary ration cards will be of help. We do however notice a minor agreement with this given the fact that many migrants have been starving to death with less food affordable by them. But our respondents have emphasised on holistic rehabilitation and not simply arranging for the provisions of food.

10. We find a wholesome agreement with the statement and our respondents have personally suggested that subsidised shelter coupled with free medical aid to be provided to the migrants so that they do not miss out a chance to survive this pandemic and are duly protected at the same time.

After assigning value to the options in Likert scale like 5, 4, 3, 2,1 and using Excel we obtain following results

Value	NO of Responses (Students)	% of Responses (Students)	No of Responses (Teachers)	% of Responses(Teachers)
5	73	29.2	66	26.4
4	79	31.6	96	38.4
3	7	2.8	16	6.4
2	71	28.4	62	24.8
1	20	8	10	4
	250		250	

Cumulative Data Analysis for Responses Of Students

1. Data trends show that there is a highest count of agreeability with option B- respondents have tended to agree with the set of notions present. They have thoughts on the contrary but nevertheless choose to agree.
2. Second highest count rests with Option A – respondents could strongly agree with many notions where they did not have any dilemma and wholly agreed.
3. Meagre percentage had no opinions with option C – which shows our respondents are opinionated and have put forward their ideologies as well.
4. Option D; has also seen substantial support which points out that our respondents freely disagreed with the notions that they did not support. They have suggested alternatives as well.
5. Strong disagreeability is less in this research with a very small percentage indeed. This shows that with the present set of statements our respondents do not feel uncomfortable so as to strongly disagree, or rather condemn them.

Cumulative Data Analysis for Responses of Teachers

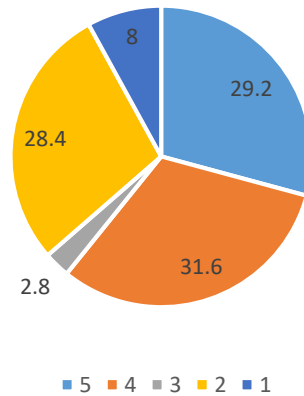
1. Highest agreeability has rested with option B – respondents seem to generally agree with the pattern of statements that have been presented to them.
2. There is a high percentage of respondents who have strongly agreed – this shows that respondents were free to identify some grounds as beyond any doubts and they proceeded with full conformity of opinions.
3. A meagre percentage of option C suggests that the respondents are opinionated and choose to identify, agree and disagree with the statements presented for survey.
4. Substantial percentage has also chosen option D – suggests that respondents did feel some disagreeability and showed it out, also suggested their own viewpoints in the survey.
5. A very small percentage of Option E – shows that the statements presented are not uncomfortable to the respondents and they did not condemn them, rather productively disagreed with.

COMPARATIVE ANALYSIS

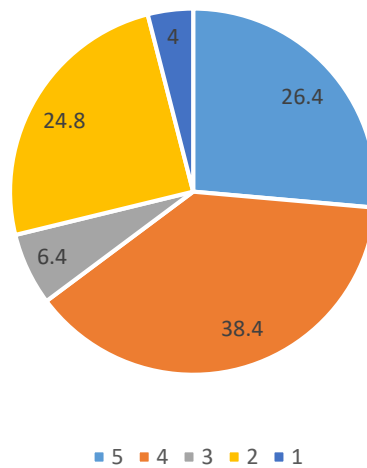
1. Trend of highest agreeability with option B is evident in both the data sets- shows that there is uniform agreement among the two sets of sample and they have overall agreed with the viewpoints presented.
2. Strong disagreement is very less in both the sets of data – showing that the set of statements were relatable with our sample.
3. No option category has meagre response- suggests an opinionated survey with practical insights.
4. Data trend is uniform in both the sets – agreeability and disagreeability parameters finds a parity in both the sets – suggests a uniform evaluation of the scenario with our respondents.

Pie chart can be used to see % of responses of students and teachers.

% of Responses of students



% of Responses of Teachers



Conclusion

Most of the respondents (students and teachers) agree with the questionnaire as the **Modal value of response = 4**.

Limitations of Research

1. The pandemic and related restrictions as also the safety concerns of respondents and researchers prohibited an in depth physical survey with people and there was excessive dependence on telephonic conversations as also internet connectivity with the respondents. Hence the data collection has suffered for lack of physical authenticity of responses.
2. The respondents have given their data through virtual platforms and it was not possible for the researchers to note their reactions and other opinions through a distant data collection model.
3. The research area is limited to India and its prevailing migrant crisis, but due to shortage of time, the sample chosen is not holistic enough and may have compromised the scope of the study.

Suggestions of The Study

1. Research suggests that the present migrant labour crisis is a result of mal-application or a void in formulation of requisite laws that are needed and the amendments that should have been made – this paper suggests many such administrative reforms in this present case.
2. There is a comprehensive detailing on not only the crisis but the data analysis has given viewpoints on how the crisis can be better managed at the same time further similar incidents to be prevented as well.
3. There is a broad view point administered in this paper about micro and macro level planning as also different administrative

policies to which a large number of respondents have given their views as well. This surely makes a suggestion for better implementation and formulation of the policies of the Ministry.

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