Did Labor Migration Programs & Policies Perform or Reform? Circular Migration in India

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The Government of India, through its programs and policies, intended to help migrant workers with work, food, travel, and shelter needs that were attenuated by their informal nature of work and lockdown situations during the COVID-19 pandemic. The authors were intrigued by the decision of the migrants to return to their work State despite the grave difficulties they faced during the pandemic and the struggles they underwent in returning to their home States, leading to an exodus of circular migration. Using thematic analysis, this phenomenon of circular migration was analyzed through the lens of performance and reformation of policies (and programs) by the Indian government.

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Introduction

The COVID-19 pandemic triggered multiple phases of lockdown within India. Among the most affected by these lockdowns were the migrant workers primarily employed in unorganized informal sectors. The impacted number of migrant workers in India due to the COVID-19 pandemic is estimated to be about 190 million (World Bank, 2020a; Ghosh, 2020; Vijayaraghavan, 2020), making up 15 percent of the total population in India (Sengupta & Jha, 2020). Labor-intensive sectors that employed a large migrant workforce, including agriculture (Kumar, 2020), construction, garment manufacturing, and mining, reached a complete standstill during the lockdown (Singh & Pushpendra, 2020).

Even when the migrant workforce belonged to the bottom of the economic pyramid, they contributed ten percent to India's GDP (ILO, 2020). However, they were neglected, and their vulnerability to external shocks like COVID-19 was not limited to lack of livelihood,

shelter, health (physiological and psychological), and living conditions (Pal et al., 2020). Various factors like poverty, lack of social and financial security, constrained access to affordable health, education, housing, and sanitation systems, poor representation in the legal systems, language barriers, discrimination by the local population, poor living conditions, nil occupational safety, and lack of information about rights and entitlements (Borhade, 2016; Iyer, 2020; ILO, 2020) underline the hardships faced by migrant workers in general and during the COVID-19 pandemic in particular. The policies and programs formulated by India's Union and state governments for these migrants intend to alleviate the turmoil. Analyzing the migration of the workers through the focus of these government policies at the ground level during a crisis like the pandemic not only gives us first-hand exposure to the realities of internal migration but also emphasizes the long-awaited acknowledgment for adequate protection of migrants, given their proven and potential economic and social contributions.

Inter-State Migrants

Migration is "a process of moving, either across an international border, or within a State and includes any kind of movement by people including refugees, displaced persons, uprooted people, and economic migrants." (Pandey, 2020:.6). The Census of India defines migration using two types: migration by birthplace and by place of last residence. When a person is enumerated in the census at a place, i.e., a village or town, different from her/his place of birth, she or he would be considered a migrant by place of birth. A person would be considered a migrant by place of last residence if she or he had last resided at a place other than her/his place of enumeration." (Census of India, n.d,:.1).

According to the Census of India (2011), 37% (450 million) of the Indian population are migrant workers (Omidyar Network India, April 2021), which equals 5 to 6 million people migrating annually (Pandey, 2020). Owing to the lack of employment and livelihood opportunities, migration occurs between different States in India. The States that contributed to the highest number of migrant workers are Bihar, Uttar Pradesh, Odisha, Madhya Pradesh, Jharkhand, and Chhattisgarh, and the Indian cities that received a large number of migrant workers were Mumbai, Kolkata, Hyderabad, Chennai, Bengaluru, and Delhi (Omidyar Network India, April 2021). These economic migrants who move to another State within the country outside their domicile are termed 'inter-state migrants.'

Due to poor job opportunities in the home State, the working population migrates to another State for livelihood and better living. However, owing to poor financial conditions they often settle in illegal settlements and informal work environments, where there is poor access to water, sanitation, and electricity, and face constant threats of eviction, disease, sexual abuse, underpayment, and police harassment (Deshingkar & Anderson, 2004). Additionally, they are discriminated against and exploited by the local population, sub-

jected to poor working conditions, and generally paid less than non-migrant workers (Khandelwal et al., 2012). Within these circumstances, neither the States exporting migrant workers (home States) nor the States importing migrant workers (work States) strive to improve the poor conditions of the migrant worker population within the country. It is the vulnerabilities of these migrant workers that make them a cheap resource available in large numbers that could be easily exploited (Breman, 1985; Deshingkar et al., 2008).

Disruptions Caused by Lockdown

After the first announcement of a nationwide lockdown on 24th March 2020, India went into three more lockdown episodes to enable its public health system to handle the mass health crisis caused by the pandemic (Sengupta & Jha, 2020). The unemployment rate had risen to 24 percent by March 2020 (CMIE, 2020). The absence of proper State and National government support systems like restricted access to public health and the non-availability of social security, along with depleting cash reserves caused by the uncertainty, forced the migrant workers to leave for their home towns even when safe modes of transport were not available (Rao et al., 2020; Das, 2020).

With no available job options and often left to the mercy of employers, there were also instances of hungry migrant laborers attempting to reach home through desperate means (Ray, 2020). Sometimes, they did not mind walking several hundred kilometers (Suresh et al., 2020). It is estimated that the harsh conditions under which the migrant workers walked led to two hundred migrant workers' deaths and critical injuries to six hundred of them (Shahare, 2021). It is also estimated that seventy-two percent of the COVID-19 spread in India was due to the panic and unsafe movement of migrant workers (Pal et al., 2020).

Tepid Response

The government had an uncompromising colossal responsibility to care for and support its citizens, particularly when they were in difficult situations and could not fend for themselves. The quality and quantity of government support processes and procedures reflect or result from the policies and programs deployed in the broader social environment (Paauwe & Boselie, 2003). During the pandemic, policies already in existence were either amended or new policies were created by the government to contain the vulnerabilities of inter-state migrants.

The lockdown imposed to contain the pandemic meant that most daily-wage earners lost their jobs, directly impacting their survival. The bulk of such migrant laborers were left unprotected even when there was an Interstate Migrant Workmen [ISMW] Act of 1979 that was initially passed as the Contract Labor Act of 1970. Only an estimated figure of 5 percent of migrant laborers reported to be registered with the Government as mandated by the Act (Chauhan, 2020). It was revised to create inter-state migrant workmen rules that protected wages, work safety, accommodation, and medical facilities (Kumar & Choudhury,

2021). However, its revised design also fell short of implementing minimum wages, work safety, work security, welfare, health, and housing of migrant workers (Srivastava & Sutradhar, 2016). The COVID-19 situation further exposed these gaps (Das, 2020).

The policies and programs intended to help migrant workers, though all did not exclusively target them and cope with the COVID-19 crisis alone, included the following.

Access to free food grains under the National Food Security Act 2013. Each month, the government will give five kgs of grains (rice or wheat) and one kg of pulses to each individual, free of cost, through the public distribution system.

Garib Kalyan Yojana (as amended form of Mahatma Gandhi National Rural Employment Guarantee Act [MGNREGA], 2005) that generated employment for 24.2 million rural households.

The government extended access to public hospitals and pharmacies under the National Health Policy 2017 and Employment State Insurance Schemes.

The Ministry of Labor and Employment announced a fund of INR 3000 for construction workers under the Building and Other Construction Workers Act 1996.

The Railway Ministry started the shramik trains to transport the migrants and essential commodities on 1st May 2020 after one month of the lockdown.

The government converted schools, hotels, and hostels into shelter homes for migrant workers under disaster management legislation.

Given the fluid situation, in April 2020, the Supreme Court of India (SCI) directed the Union Government to take measures that could assist migrant workers in returning to their homes (Bindra, 2020). As per the SCI record of proceedings, the Union Government had set up 21,064 relief camps, 666,291 people had been provided shelter, and 2,288,279 persons had been provided food (SCI, 2020). While some migrants in these camps expressed relief at providing food, shelter, and medical resources, their concerns about reaching their homes were mounting due to the uncertain and indefinite duration of the lockdowns (Kumar, 2020).

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The government's policy response suggests, at best, a knee-jerk reaction to an existing policy vacuum. There have been reports of migrant workers who could not benefit from the Public Distribution System (PDS) in their work cities. They were often left undocumented and unregistered in contravention of the ISMW Act. They also could not receive wages under the MGNREGA until they reached their native villages (Singh & Pushpendra, 2020). These shortcomings in the proper documentation and inclusion of migrant workers may have been

due to the limited spending by the Government, which was only to the tune of 0.2 percent of GDP on the relief measures (IMF, 2020).

The schemes available to locals did not apply to migrant workers since they did not have the identity cards to show that they had lived in these regions for a long tenure, as most of them had identity cards bearing their home State addresses (Aggarwal et al., 2020). Although the government authorities issue identity cards for migrant workers, the responsibility for their registration with the government department lies with the employers of these workers (Rao et al., 2020). In India, 95 percent of work is informal, and 50 percent of the informal sector workers are in micro-enterprises, which decreases the employer's responsibility of registering migrant workers with the government departments and further makes migrant workers' access to social benefits almost unattainable (Ghosh, 2020).

It is evident from the existing literature and news articles that migrant workers faced numerous problems during the COVID-19 pandemic. With the temporary closure of commercial activities, many migrant workers had no work, livelihood, or access to governmental support and, hence, decided to travel to their home States. Given such heartrending experiences, there was a felt likelihood that even when the situation eased, and things returned to normalcy, there might be a hesitancy on the part of the migrants to return to their previous jobs. Further, they may instead opt to stay close to their families creating labor shortages and cost impacts for employers in urban centers (Patel, 2020). On the contrary, it was observed from the field that when companies resumed work amid the relaxation of pandemic lockdowns, the migrants who had earlier gone to their home States either returned or were planning to return to their previous work State, leading to a pattern of circular migration. This scenario of returning to their work State made us curious, and we decided to understand the rationale that forced many migrant workers to return to work States through the lens of government policies and programs.

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Research Question

The research question to be answered by this paper is:

- What led to the circular migration of migrant workers during the COVID-19 pandemic in India?

We started by understanding the experiences of migrant workers with government support policies and programs during the pandemic in the work State while traveling to their hometowns and at home States.

Methodology

The research employed qualitative research methodology. The data collec-

tion started with personal visits to the bus and railway stations to interview migrant workers returning to their home States. However, the pandemic restriction made it difficult to converse with the migrant workers, and the reluctance of migrant workers to talk about the cons of government policies made us shift our data collection method to telephonic interviews. Data were collected from thirty migrant workers between April 2020 and December 2020. However, only twenty-seven migrant data were used for the study since the three migrant workers who were excluded did not work in the State of Tamil Nadu and were considered as out of the scope of this study.

The sample was drawn from the migrants who worked in the State of Tamil Nadu but hailed from several different Indian States. Tamil Nadu is one of the States that receive the highest number of internal migrants owing to its urbanized and industrialized nature (Ministry of Finance, 2017). Within this geography, the snowball sampling technique was followed, and research participants were asked to assist researchers in identifying other potential participants (Goodman, 1961). In this study, the snowball sampling approach was used a semi-structured interview was conducted with each migrant for around 20 to 30 minutes.

Of the twenty-seven research participants, three migrants did not go home during the lockdown and stayed back with a plan to resume work once their workplace resumed operations. Four migrants who went back to their home States during the lockdown did not have any plans to emigrate to their previous work State. They decided to find job opportunities in their home States, even if it pays comparatively less, and stay close to their families. However, the remaining twenty participants undertook a circular migration process. The critical discussions of this study are based on the experiences of migrant workers who were part of circular migration. Demographic details such as the origin, State, age, and family size (number of dependents) were used to gauge the differences in their experience and decisions, if any. As per the assurance given to the participants, the names of the respondents were kept confidential to maintain their anonymity and were replaced with pseudo-names.

Thematic analysis exhibited the role of policy institutions in circular migration adopted by migrant workers during the COVID-19 pandemic (Braun & Clarke, 2006). Initially, the researchers familiarized themselves with the collected data. Then, the initial codes of performance and reformation of government policies and programs were created. Later, these codes were divided into their performance and reformation in the work and home States to make inferences. Further, a qualitative inter-rater assessment was done to check the reliability of the coding (Campbell et al., 2013)

Performance in Work State

Loss of Livelihood: Since the whole country was locked down and places of work were not permitted to operate to combat the spread of the COVID-19 virus, businesses could not conduct their operations. Payment of wages became an

unviable option for small business employers, and hence, they stopped paying their workers. With no livelihood, the migrant workers were stranded in their work States. During such circumstances, the government's direct deposit benefit schemes for construction workers aimed to compensate for the loss of livelihood. It was available only to migrant workers registered with the labor department. Most of them could not avail of the money under this program because their employers did not register them with the government department. "I came to know about this scheme only after my friend got money in his bank account," said Taufeeq helplessly. Similarly, the migrant workers could not avail themselves of alternate employment in the work state for the lockdown period under the MGNREGA program because their identity cards (proof of address) had their home state address. This made them eligible for employment only in their home State.

Constrained Access to Government Programs: Like MGNREGA, PDS distributes supplies using government-issued identity cards (ration cards). Since most migrant workers had not changed the address on their identity cards because of the tedious address change process and/or because part of their family lived in the home state address, they could access PDS supplies only in their home States. The government of Tamil Nadu provided shelter homes with food and a place to live. The rooms were overcrowded, and thirty to forty inmates had to share one washroom. "Will I reach home? Will Corona end? My landlord is not allowing me to stay without paying him rent. My head spins when I think about all this," expressed Umesh. In such circumstances, even if the migrant did not like to stay at the shelter home, they had no other option but to live in it.

Reformation in work state

Rough Transit to Home State: Considering the desperation of migrant workers to go back to their home States, Shramik trains were started by the Union Government to ensure safe travel amidst the pandemic. However, it was not easy for the migrant workers to board the train. They had to wait a few months for their turn to arrive after registering for the reservation on the government portal. Some of them also paid bribes to jump the waiting list, while some others had to abandon all their belongings to be on the train. A migrant couple from Tripura had to leave behind all the household items they had purchased with their hard-earned wages owing to the traveling norms.

Most Shramik train services onboarded migrants in cities like Chennai, Madurai, and Coimbatore. Migrants from the suburbs of these cities could not avail of these train services because of the lack of transport to reach the major railway stations. A migrant worker from a marble factory in Ambur had to pay double the amount for a taxi he took to reach the railway station. As Tabark quoted, "All my friends left and I was left alone. Since I was staying all alone, I had to bear the entire rent that was previously shared among the eight of us. I lost a lot of money on this, and now I took a high-cost private taxi to reach Chennai railway station". Sunil agonized, "I was informed at

the last minute about my confirmation on the train. I spent 1500 rupees for a 15-kilometer travel by autorickshaw to the station". They walked for those who could not afford the local travel to the railway station (from towns to cities).

In addition to limited transportation, the administration of the free transportation policy was in shambles. A migrant worker could not board the train even when his name was listed on the passenger list because his location was incorrectly registered on the booking form. The destination was captured as 'Tiruvotriyur,' a part of the Chennai district, instead of 'Tiruvallur,' which is 120 kilometers from Chennai. He was not allowed to travel owing to incorrect information, and he had to wait a few more months before his train ticket was confirmed.

Limited Awareness of Policy Reforms

To overcome the challenge of accessing free food grain through the PDS system that was marred by the difference in the home State and work State domicile address on ration cards, the government reformed its policy of free food grain distribution by making the Aadhar card, a digital identification issued by the government from 2009, as an acceptable identity proof. Most of the migrant workers were not aware of this change in the policy and continued to remain unprotected. Many migrant workers returning to their home State remarked that their everyday survival would have been much more manageable if they had known about that earlier. In addition to limited awareness, the meager quantity of the free food supplies-5kg rice and 1kg dhal (lentils) every month and the shorter duration (two months) of availability of free food supplies did not suffice the needs of a four-member family for more extended lock period.

Growing Anxiousness & Habitation Needs

Based on the experiences of migrant workers, the programs devised to support them during the COVID-19 pandemic, such as direct benefit transfer for construction workers and free food grains under Garib Kalyan Yojana and shelter homes, did not benefit these migrants as intended in the work State due to lack of awareness, absence of proper domicile records and insufficient documentation of migrant workers. Further, its failure exposed these migrants to a high cost of living. With poor propagation and design, even the reformed policies grossly fell short of creating the intended impact. The failure of the institutions of government policy in the work State led to limited economic, health, and social support in the work States, resulting in a feeling of loneliness. The migrant workers were also worried about their family members whom they had left in their home States. Similarly, family members in their home States were also willing to sacrifice their small savings to bring their migrant family members back home. A migrant worker in a carton factory was not listed on the Shramik train even after waiting for two months. His family sent him INR 6000 (a month's earnings for the whole family in the home State) to take a privately run

van service from Tamil Nadu to Chhattisgarh. According to him, "My family wanted me home at any cost. The local trains were not in operation and my name was not coming up in the Sharmik portal. So, I had to take a private van. My family pledged their gold jewels to bring me back."

Habitation with their families became a priority for anxious migrant workers.

A Bricklin worker from West Bengal could not avail seats on the Shramik train for all his family members, so they started to walk. They walked throughout the night and rested under trees during the day to avoid getting exhausted by walking during the hot days. They had walked for 22 days with food that could be quickly cooked on the way. These incidents further underline the depth of desperation the migrant workers had in reaching their home States to join their families.

Performance in Home State

Limited Job Opportunities: First, migration resulted from a need for more job opportunities in the home States. On returning to their home States amidst the pandemic challenges, migrant workers continued to face similar problems of limited job opportunities and abysmal pay levels. Due to the lockdown-induced hardships, most returnee workers accepted any job available in their home States, irrespective of the wages or working conditions. Upon returning to their home State, the initial expectation of finding work under the MGNREGA program also turned futile since there was not enough work for all the returnees. "I did not go 100-day work because, those who had already worked are yet to get their salaries. So, I work for a painting contractor even if he pays me less", said Sanjay hopelessly. Most migrant workers resumed agriculture, their only occupation, before going to cities for better jobs and higher wages.

Performance in Home State

Poor Quality of Government Programs: After returning to their home States, the migrant workers were quarantined for fourteen days in the nearby quarantine centers. The poor quality of food provided in these shelters forced the families of the migrant workers to bring all three meals for all quarantine days. The free healthcare programs offered by the government in the shelter homes were also intermittent and poor. In the home States, migrant workers and their families could access the free food supplies from fair-price shops. Yet, the smaller quantity of rice, dal, sugar, and oil could not suffice the needs of a whole family. Further, the Jharkhand government support program included the distribution of free Liquefied Petroleum Gas cylinders for a few months during the lockdown and a direct deposit transfer of INR 1000

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to the local population of the State. None of these programs were sans corruption. It was poorly and tardily implemented and grossly fell short of identifying the proper beneficiaries for the program.

The lack of availability of food and medical supplies, and employment schemes re-confirms the underperformance of government programs even in their home States leaving minimal choice for migrant workers to stay back in their home States and aggressively look for options to return to work States.

Reformation in Home State

Status quo of Programs & Policies: According to a Tripura couple who returned to their home State during the lockdown, "Finding jobs for all the family members (father, wife, and son) here, is very difficult". No change was observed in the status quo of government programs and policies in the home States even after the workers had migrated several decades to other States for better job opportunities and living conditions. The non-availability of job opportunities in the private sector with a limited tenure of 125 days of work under the Garib Kalyan Yojana in the home States continued to be a reality.

Economic Needs: Circular Migration

Based on the above analysis of migrant workers' experiences, it is evident that the institution of programs and policies by the Indian government failed to meet the immediate and desperate primary needs of the migrants in both home and work States. While the feeling of being deserted and left stranded without support made the migrants return to their home states and habit with their families, their economic needs again compelled them to return to the work state. The availability of private employment and assured wages by previous employers in the work State persuaded most migrant workers to return and rejoin their previous employers. This led to the circular migration of workers during the COVID-19 pandemic.

The limitations in the existing and reformed government programs and policies in the work State increased the feeling of habitation with their close social circle in their home States. But, the failure of these institutions in their home States to meet their economic needs, only made way for their return, thus sacrificing habitation need for economic needs. This is more evident with the migrant worker who had walked along with his family for nearly two thousand kilometers in twenty-two days to reach his home in West Bengal from Tamil Nadu and still wanted to go back in search of job opportunities, most probably to the same work State. It contrasts the initial assumption that government policy institutions either performed or reformed to benefit the migrant worker navigating the circular migration.

Discussion

The purpose of the migrant workers to leave their home States and live in another State for livelihood initially convulsed during the COVID-19 pandemic and the resultant lockdown. Additionally, the gov-

ernment policies and programs intended to be institutions of support during desperate times were not of use to most of these workers. Non-registration of migrant workers with the government agencies by their employers under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979 left migrant workers devoid of direct benefit transfers (Sivaraman, 2020). The rationale for the non-registration of migrant workers by their employers was embedded in the features of the Act. The employer must pay at least the minimum wages prescribed by the Minimum Wages Act, 1948, applicable in the particular State of work at par with other workers, and provide them with benefits that include free accommodation, accessible medical facilities, displacement allowance, journey allowance, and payment of wages during the period of journey and dispute redressal (under the Industrial Disputes Act 1947). Poor supervision on behalf of the government made it convenient for employers to bypass the Act and its requirements. If the employers had adhered to the provisions of the 1979 Act or if the government had ensured that all employers who were employing migrant workers complied with these provisions, the government would have had an exact count of the migrant workers and they could have accessed government support during the crisis.

This paper provides sufficient evidence for inter-state migration even in a crisis situation when individuals were exposed to the COVID-19 pandemic-induced vulnerabilities. This reveals that inter-state migration will continue to prevail for livelihood needs, irrespective of the inherent challenges. Hence, it becomes imperative for the government to devise policy interventions that ensure the safety, security, and welfare of migrant workers and fix the existing gaps in the supervision and implementation of government programs and policies.

For the policies to perform and reform, there has to be an increase in cooperative federalism to include social and economic cooperation among the States and between the State and Union governments. A migrant registered for the PDS in one State must be able to access the same from anywhere in India if he/she chooses not to return to his/her home State for some reason. In the present arrangement, this universal access to the PDS is possible only if the migrant workers deregister from their home State and re-register in the work State (Iyer, 2020). Although the utility of this policy has been criticized, the gaps in its design could be bridged and dovetailed with a practical implementation (Krishnan et al., 2020), especially after the lessons learned during the COVID-19 pandemic. The recently developed application "Mera Ration" (My Ration) under the "One Nation One Ration" card system is a first step towards unifying workers instead of dividing them into local and migrant workers.

The reforms that could be implemented soon can be learned from the Government of Kerala. Under the Kerala Migrant Workers Welfare Scheme, the State government set the target of enrolling half a million workers (Haseena, 2015). In 2016, the Kerala State government also began a project to establish a data bank to register migrant workers (PTI, 2016). Around 400,000 workers were registered

under this scheme by 2020. In this initiative, the government referred to migrant laborers as 'guest workers' and took steps to secure their safety and welfare in their new working environment. The "Awas" scheme provided them with health and accidental death benefits, and the "Apna Khar" project targeted providing suitable accommodation for them (TNN, 2020). This scheme also provides financial support to workers whose children complete class tenth education (Haseena, 2015). There is a need for such schemes to be replicated across the country with a long-term view toward protecting the interests of laborers who contribute to the economy of their host States.

Although the study took a deep dive into the vulnerabilities of Indian migrant workers as a result of gaps in the policy institutions in home and work states during the pandemic, it is not devoid of limitations. The three critical aspects of the research that constrain its generalization could be the data size, research method, and region of study. However, the current study could be used as a basis to extend further research that aims at an in-depth analysis of each of the seven policies mentioned in this study, the inclusion of a higher number of migrant workers, and adopting other data collection methods with a broader scope of collecting diverse data from different work States. This would expose us to peculiar vulnerabilities migrant workers face and distinct gaps in policy institutions that need attention.

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