

## **COVID 19 - Was Inadequate data one of the reasons for migrant workers crisis**

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**Sushmita (Guest):** “In the Chennai Central Station, there was a train to Bihar. So, lots of people showed up for the train. They were not randomly showing up. The authorities told people that they have a seat in the train, and asked them to go to the central station. When people got there, they were told that, no, the train is full, you can't get in. There were 300-400 people outside Chennai Central Station and the authorities wanted to drive them home. There was no home to go to because these people had given up their rented rooms and had come to the station. They couldn't go back anywhere. Usually, the authorities used to put them in a shelter and take them in the next train. Now, due to the lockdown, they don't want to run trains, they don't want to be in charge of so many people for the course of 10 days. Their solution was to use more police force. The police literally beat people up. One guy I spoke to was trying to record it and his phone was snatched away and the police literally was holding on to his collar and telling him to go home. He relented only when the whole group got into an auto and set off. They literally had to go back home.”

**Vaishali Pandiyen (Host):** We sure would have heard similar incidents like this. As the pandemic began in India, there were a huge number of migrant labourers coming to the public places, as they all wanted to get back to their homes.

Hi, this is Vaishali, reporter for Suno India and with this episode, we bring back to you our explainer series - Every Indian's Checklist. In this episode, I set out to find out more on how data around migrant workers was collected at the height of the crisis & to understand more what were the gaps and challenges in this data collection. For this, I reached out to Sushmita from Chennai Covid Fund for Migrant Labour collective, who has actively been helping out migrant workers during the pandemic in Chennai. To deal with the situation, the central and the state governments decided to collect information of who all wanted to go back to their home states. In the initial days, state governments wanted this data to provide free ration and makeshift shelters to the migrant workers, & later on, to curb the reverse migrations of the workers. Often, this meant that the numbers being presented by civil society were higher than what was being shown by the governments, or in some cases, it felt like the government was inflating the figures. The lack of accurate data on migrant workers and their families meant that many thousands must have fallen through the cracks. When migrant labourers go back to their home states, they don't get paid properly. A 2018 World Bank paper [\\*](#) found that migrant's wages were 35% in Bihar's gross state domestic product. Affecting the earning affects demand. According to the 2011-12 Consumption Expenditure Survey [\\*](#), rural areas have a bigger share of total consumption expenditure in India, twice as much as in urban areas, due to the population share [\\*](#).

**Sushmita (Guest):** “It's typically just the name, mobile number, Aadhar card, where they are currently staying, to which state they want to go, and maybe, the district in the home state. It's nothing beyond that. This keeps changing. At some point, they also asked for the employer's name. I don't know how it was used in various places, but typically, this minimal information was it. Some police stations registered, some didn't register. Another thing we gradually found out was that it was quite crucial for the employer to go and tell them “please register my workers”. If the workers go on their own, it's an impossible task. In fact, there was one group of workers in Coimbatore to whom I was talking to, and they said that they have gone there so many times. When they went, the police sent them to the VAO (Village Administration Officer). The VAO sent them to the collector and the collector just drove them off. They've been doing the circle a few times, and then they realised that they're simply not managing to get registered because their employer doesn't want them to get registered.”

**Host:** Even as the news cycle tapers off about migrant workers heading back home, many thousands are still trying to go back to their villages. Take for instance in Chennai & Hyderabad alone- many migrant workers from Assam and Bihar are still trying to head back home. So, how do migrant workers get to know what's happening and whom they should approach during these distressing times? While many helplines were set up by state governments, often the workers have been able to get through the helplines and many others simply didn't know that the helplines existed. They rely on their immediate local sources for information and relief. Like Sushmita mentioned, the workers' name, Aadhar Card and contact number, which they give to the police station will be received by the Taluk officer, Tahsildar. He/she then is supposed to inform the police, and the people registered in the police station will be taken by the police to their railway stations.

**Sushmita (Guest):** “For example, Jharkhand has a system where the person in Tamil Nadu had to register in the Tamil Nadu website, and in the Jharkhand website, which they were all doing fine. Then one fine day, they realised that a lot of Jharkhandis had walked back home. So, when they were going in search of the people who had filled out the form, they realised that all those people were not there. And suddenly, they put out a call saying that all those who filled out the form are no longer valid because the data is invalid because of people leaving. So, they were asked to fill the form again. How was this information disseminated to these large groups of Jharkhandis dispersed all over Tamil Nadu and possibly other states?”

**Host:** The migrant workers we are speaking about here are those who move to other states for lower level blue collar jobs like those working at construction sites, brick kilns, government canteens, garment factories, packaging and delivery, and many others. Many migrate out of their home states in search for better paying wages and opportunities. Not equipped with English or even their guest state's language, the crisis created a new kind of

chaos for these workers. Many workers relied on information being provided by the media regarding movement of trains and buses- which if you remember- were stopped. At a time when the governments were faced with the challenge of reaching these migrant workers, here's what father Francis Bosco of Don Bosco migrant services in Chennai told us about how challenging a task it was to coordinate with the public authorities

**Francis Bosco (Guest):** "DISH (Department of Industry Safety and Health) is supposed to take care of the employees whenever there is disaster or any sickness or anything. With their and the labour department's help, we were trying to get commodities for the brick chambers, and other factories and companies. But, it has not reached. When we complain or tell them, they say we gave or the employees/contractors gave. But the poor people will say that they haven't received anything. So, we were taking surveys to get to know all the details. You know what the helplines will say? I'm happy that all their joint directors knew what was going on. They'll ask us to give the data. At the end, they'll say that they have given it to the companies. One of them asked us to bring the things to Kancheepuram to distribute. Then immediately they said that only the government can give. All the helplines, DISH and the labour department's are senior people. They were nicely talking but they didn't have data. Many people (labourers) who asked me don't have Aadhar, basic entitlements or don't know how to speak in English or approach people. They have been kept out of the registration. These helplines are all only in Chennai, not in other districts. I don't think even Kancheepuram has a helpline. I tried my best. No helpline. You have to contact the top officials only. I called the collector in the morning. I WhatsApp-ed saying such a number of people are waiting. I called Tahsildar, no response. Some of them are very good, some were afraid to come out during the lockdown. Sometimes, they speak very lethargically. "

**Host:** The National Human Rights Commission (NHRC) had asked the center and states to come up with measures to protect migrant workers' health, employment and dignity during and after the COVID-19 pandemic this June. To plan for quarantine and relief, the commission said that the states should collect who all are leaving and who all are arriving. A State-wide and Nation-wide database was asked to be prepared and each State should identify the industry where the migrant labour is working i.e. construction, agriculture, brick kiln, etc.

In the beginning of June, the labour ministry's first batch of data for 26.17 lakh migrant labourers were published on the chief labour commissioner's website. Times of India had reported that instead of having the names, age, contact, work, current and native address, bank and aadhar details, a state-wise break-up of the migrants living in relief camps or shelter homes were published. The data showed migrants had registered more in Chhattisgarh, Maharashtra and Kerala. Uttar Pradesh and Bihar are usually the biggest hubs of migrant labourers [\\*](#).

**Francis Bosco (Guest):** “If there's a train today, you should inform them. In the beginning, there will be a big rush. It is okay. If today, a Manipur train is going from Kancheepuram, we somehow have to find out where the train is and tell the labourers. Imagine, if the revenue officials don't know the language, how will they go and talk to the people? If you create a shelter, you will appoint a hindi man. You then tell the shelter/him that there is a train. What happened to the other sites? Construction sites, brick chamber sites and the casual labours staying in the rented houses, who will tell them? No timetable of the train is visible. Everybody saw only the walking, but the other side is, they've been thrown out, either without money or rent or food. Those sufferings have not come into the main light. The department which doesn't work is the labour department. I have been in the child welfare committee. When I catch child labour, they will say “you have to catch during the work”. Whether during the work or not, a child is there. See the loopholes in the act. ”

**Sushmita (Guest):** “When they run a train from a place, they will inform them of that. For example, there is a train running from Madurai to Assam. So, they will tell the entire Madurai district that “if there are any Assamese people registered in the list, please call them, we have a seat for them”. And then, if those people are not enough, they will also tell neighbouring districts to call everybody to the district centre. From the district centre, they will transport them to Madurai, they'll arrange a bus. That's how it's supposed to work. You arrange, you register yourself at the smallest administrative level (taluk office), and from there, multiple districts will get together and run a train. So, the local officials will get you to the district centre and transport you in the bus to the railway station and they will bring you home. This process has sometimes operated successfully. As you can see, this is a very complicated process. You know, once this train from Madurai has left, suddenly there are some other workers in Madurai and neighbouring districts who decide they want to go home because they're not getting work. And now do you think the district administration will undertake collecting the data again and figuring out where to put them? They simply can't.”

**Host:** Even if the government or any NGO provides these migrant labourers shelter and food for a month or two now, how would they leave the place they've paid the rent for and would also have to come back again to stay in? How will they be assured of a job at all after this? Uncertainty seems to be the answer to these questions at this point. Labour is a subject on the concurrent list, and is governed by 100 states and about 40 central laws. Inter-state migration is a central subject [\\*](#). The commission sought directions from the Supreme Court for consideration of implementation of its proposed short term and long term measures. They said that a special provision should be inserted in the Inter-State Migrant Workmen Act, 1979 to deal with emergency situations like COVID-19, natural disasters etc [\\*](#). One can ask what about the existing act that asks the state governments to have a record of migrant labourers on a normal day. The commission also proposed compensation to family members of those who died while migrating to their respective states, funds allocation to states from centre, Universal Ration Card and extension of

maximum benefits as provided for under the Unorganised Workers' Social Security Act, 2008. The NHRC also said that the government should implement its scheme, that it had announced to launch, for affordable rental housing complexes for migrant workers and urban poor as soon as possible. As of now, this is what Sushmitha tells us, how it is to appeal for the migrant workers' basic issues.

**Sushmita (Guest):** "You know, in our team, people try to file these complaints to the labour commissioner. And none of those cases made any progress really. So, you know, we made progress through other means maybe like one or two cases. You know, they are ongoing, you know, some unions have taken them up and they are ongoing, but it's not that we got some extra support from the labour Commissioner in this matter in recovery of breaches that simply didn't happen. And the problem really magnified because of the pandemic because employers knew they have workers who are just going to go home & once they go home, there's no way for them to demand their lost wages. MGNREGA would have been a good solution to keep workers employed in villages, but the workers I have talked to, they said there, they are simply not finding work."

**Francis Bosco (Guest):** "During the lockdown, salary is supposed to be a relief. But what happened to the salary during the lockdown? Even getting the salary for the days they worked in march is very difficult. If you go through the survey, I'm just doing a list of people to give to the DISH, as to how many people are there, I was asking the labourer "You are working in the company, where is your ID?" No ID! He doesn't know the company. He only knows the agent. Some fellows don't know the agent also. They're working there because their relative is working. Imagine the PF, ESI and other rights. The funniest thing is, when I asked why haven't you given to this particular company, they are saying "Father we haven't registered this company in our government itself". Imagine such a situation. They don't have any data. People have a right to move, right? They can go study, they can go vote, blue collar, white collar and all are okay. But this is a dirty collar."

**Host:** In the beginning of June, the Chief Labour Commissioner's office has counted over 26 lakh migrant workers stranded across the country, of which 10% are in relief camps or shelter homes, while 43% are in-situ at workplaces and 46% are in other clusters \*. However, when RTI activist Venkatesh Nayak requested information about district-wise information on relief camps and other places, and details of employers, the Chief Labour Commissioner's office replied that the information was not available \*. Only after that, the information was put on their website, after an urgent hearing was held internally. Around the same time in June, the Supreme Court gave 15 days time for the centre to send all the migrants back home. The Indian Railways said that it allows 4,270 trains. Over 1,600 trains reached Uttar Pradesh. Justice Bhushan asked how many workers were still stranded and what was the government's estimate. Mehta replied that the Centre was continuously in touch with states and they can only give exact figures. Solicitor General Tushar Mehta refuted charges of negligence by railway authorities, claiming no deaths happened in

Shramik trains due to hunger or lack of treatment. Deaths happened due to pre-existing ailments and heart attacks, he said. This was when people were dying out of hunger and starvation in the trains, back home. The pandemic has only made the underlying issues obvious and unavoidable, when the migrant workers could no longer hold their stay nor work, and had to come out of their homes. This migrant labour issue should lead to legal and structural reforms.

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