

GNLU organizes a Webinar on Migrant Labour Crisis and issues in Contemporary India

Gandhinagar, May 08, 2020: Gujarat National Law University organized a webinar on “Migrant Labour Crisis and issues in Contemporary India”. Experts in the issues of Migrant Labour participated in the webinar:

01. Mr Umi Deniel

A leading activist in the area of migration in Odisha &
Head of the Migration Thematic Unit at the Aide et Action International

02. Ms Aditi Ratho

Junior Research Fellow
Observer Research Foundation
Mumbai

03. Dr Sophy Joseph

Assistant Professor
National Law University
Delhi

The session was moderated by Dr Asha Verma, Assistant Professor of Law, GNLU.

Giving an overview of the informal workforce in India, Ms Aditi Ratho stated that, The economic survey of 2018-2019 says that 93 per cent workers are in the informal economy, while NITI Aayog’s ‘Strategy for New India @75’ in 2018 says that “India’s informal sector employs approximately 85 per cent of all workers” These workers contribute to 50 per cent of India’s national income and constitute a large part of the human capital base of the country. While India has numerous policies for social security when it comes to education, healthcare, skilling, food security and pensions, most of these schemes are restricted to the organised sector. “Considering the large percentage of the population trapped in the informal net, providing legal and economic protection will be a massive undertaking during this pandemic,” she added.

“No precise data is available on the extent of the migrant labour in India — the official statistics of the number of migrant labourers mainly comes from the dated census reports. Lack of granular data is an important reason why the nation seems to have just woken up to the migrant crisis — nobody knows the magnitude of the situation, because the data we have is derived from models based on dated information. A focused drive to collate up-to-date data on migrants within states is, therefore, important to correctly gauge the funds required to provide adequate access to food supplies, housing, sanitation, and financial services — all factors that migrant seasonal workers find difficult to access currently,” Ms Ratho said.

She urged that “*small steps must be taken by collecting data and creating rosters to avoid adverse consequences*”. She particularly emphasized on the “*need for a nodal authority to register migrants and a seamless coordination mechanism between the Central and State governments*”. Along with this, she indicated the inadequacy in the existing law for providing protection to informal workers and how this must be remedied to cover a wider section of migrant labour.

Finally, Ms Ratho suggested that “a roadmap for cooperation between states to mitigate the stress on inter-state migrants should be enacted without waiting for another pandemic to force its hand”.

Dr Sophy Joseph focused on the problems faced by migrant domestic workers during the pandemic. She discussed how existing injustices against these domestic workers have aggravated during the crisis. The data concerning migrant domestic workers have not been documented properly through official sources.

Dr Joseph explained that “*social distancing is a class phenomenon*” and how it had adversely affected domestic workers who are victims of systemic and deep-rooted injustice even during usual conditions. She highlighted: “*Another component that contributes to their vulnerability is migration*” and that “*these workers are subject to discrimination based on caste and sex*”. The employers believe that domestic workers are obliged to work for them, leading to a manifold increase in the vulnerabilities of these workers during the pandemic. In conclusion, she emphasized the failure in the proper implementation of a rights-based framework to protect workers, the sporadic initiatives taken by some States to protect workers and the need for governmental action to aid the powerless workers, be it in the form of providing wages or ration, to ensure their dignity.

Mr Umi Daniel spoke of how the invisible migrant workers are now suddenly visible with the emergence of the crisis. He highlighted several issues concerning migrant workers – poverty, lack of food and employment, denial of wages, amongst many others.

“*There is a lack of infrastructure for the rehabilitation of people, and it would take over a year to provide the kind of rehabilitation promised to returning workers*”, Dr Daniel noted. He also highlighted particular problems that arise with respect to absorbing these workers into the industry post the lifting of the lockdowns across States, medical facilities for workers, and reuniting workers with their families. Dr Daniel concluded that there was a long way to go and that such challenging times bestows more responsibility on the Central government to redress the problems of migrant workers.

Mr Daniel said that while some state governments have come up with measures to deal with the labour situation arising out of the pandemic, the Central Government should appoint a task force and come up with a Standard Operating Procedure (SOP) to deal with the issue of migrant labour in the wake of the Covid-19 pandemic.

The enriching talks were followed by a question-and-answer session, which allowed the participants to engage with the panelists on complex issues of policies for social protection for informal workers and the lack of response of the ethics of care to emerging crises.



Gujarat National Law University

Gandhinagar, Gujarat, India

The webinar concluded with vote of thanks proposed by Ms. Apoorva Patel, Director, GNLU Centre for Law and Society, in which she paid “*a sincere salute to the visible and invisible migrants labours and their families for their struggles and for playing an undeniable role in shaping the past, the present, and most importantly the future of our nation*”. She further added, that “*this extraordinary crisis demanded extraordinary measures and efforts from us as a society collectively and I do hope that we make all the extraordinary efforts to understand the value of our migrant workers, their work, prioritize their wellbeing, make available all the psycho-social support and care they deserve along with the social security and stability as their right which in no case should be denied or compromised. I am sure each one of us, whether being in academics, in Civil Society Organisations, in Government or Healthcare, Education or Justice System, have a crucial role to play to address the problems of our migrant workers*”.

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