



Migrant Issues and Safeguards

For Prelims: Human Migration, India's migrant workers, Labour Codes.

For Mains: Legal framework for migrant welfare, Issues with Labour Codes, Need for a migration-centric policy.

Why in News?

[Tamil Nadu's industrial and manufacturing sectors are concerned about possibility of migrant worker exodus](#) after purported attacks on Hindi-speaking men.

- The state's industries heavily rely on the estimated one million migrant workers.

What are the Issues Faced by Migrant Workers?

- **Social and Psychological Aspects:**
 - Many times, migrants are **not easily accepted** by the host place, and they always **remain as a second-class citizen**.
 - Any person migrating to a new culture faces **multiple challenges, from cultural adaptation and language barriers** to homesickness and loneliness.
- **Exclusion from Political Rights and Social Benefits:**
 - Migrant workers are **deprived of many opportunities** to exercise their political rights like the **right to vote**.
 - Moreover, the need to provide **proof of address, Voter IDs and Aadhaar cards**, which is difficult due to the fluidity of their lives, deprive them from accessing welfare schemes and policies.
- **Issues faced by Marginalised Sections:**
 - Whereas the people who are poor or belong to a **marginalised section do not find it easy to** mix up.

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SHARE OF MIGRANT WORKERS AMONG TOTAL WORKERS BY MAJOR SECTORS

Sector	RURAL		URBAN	
	Male	Female	Male	Female
Primary	4%	75%	20%	65%
Manufacturing	13%	59%	38%	51%
Public Services	16%	69%	40%	56%
Construction	8%	73%	32%	67%
Traditional Services	10%	65%	29%	55%
Modern Services	16%	66%	40%	52%
Total	6%	73%	33%	56%

What is the Legal Framework for Migrant Labour Welfare?

- The [legal framework](#) for migrant labour welfare in India is provided by the [Inter-State Migrant Workmen Act, 1979](#).
 - The Act **mandates the registration of establishments that employ migrant workers** and requires contractors to obtain licenses from both the home and host states. However, the Act has not been fully implemented in practice.
 - The Act has been subsumed into four broader labor codes, which are:
 - [The Code on Wages, 2018](#)
 - [The Industrial Relations Code, 2020](#)
 - [The Code on Social Security, 2020](#)
 - [The Occupational Safety, Health and Working Conditions Code, 2020](#)
- The **implementation process is delayed** as states are yet to finalise their rules under these codes.

What are the Issues with Legal Framework for Migrant Workers?

- Inter-State Migrant Workmen Act, 1979 has **not been fully implemented** in states.
- **Small Startups and Informal Sector Left out From Social Security Coverage.** There are no specific provisions for social security of employees in small startups, [Micro, Small and Medium Enterprises](#) or workers in small establishments having less than 300 workers.
- **Migrant workers, self-employed workers, home-based workers, and other vulnerable groups** in rural areas are not covered under social security benefits.
 - This would enable companies to introduce arbitrary service conditions for their workers.

What are the Steps taken by Government for Migrant Welfare?

- **Central Government's Steps:**
 - The Union Government has approved the proposal for the continuation of the 7 existing sub-schemes under the **"Relief and Rehabilitation of Migrants and Repatriates"** scheme.
 - In 2021, [NITI Aayog](#), along with a working subgroup of officials and members of civil society, has prepared a [draft National Migrant Labour policy](#).

- The ramping up of **One Nation One Ration Card (ONORC)** project and introduction of the **Affordable Rental Housing Complexes (ARHC)**, **PM Garib Kalyan Yojna scheme** and **e-Shram portal** reflected a ray of hope for migrants.
- **State Governments' Steps:**
 - In 2012, with the help of the **International Labour Organisation**, an **MoU was signed between Odisha and Andhra Pradesh** to track labourers migrating from 11 districts of Odisha to work in brick kilns in then-united Andhra Pradesh.
 - **Kerala has set up facilitation centres for migrant workers** to maintain data regarding migrant workers arriving in Kerala as well as help migrant workers navigate any problems they might face.
 - Jharkhand has started the **Safe and Responsible Migration Initiative (SRMI)** in 2021, which aims at enabling systemic registration of migrant workers for monitoring and analysis in the source as well as the destination districts.
 - **Jharkhand government will have help desks** which will be known as '**labour consulates**' in various states.

Way Forward

- Merely enrolling workers in a registry will not be effective unless they also have access to social security benefits. Therefore, it is **crucial for the central government to collaborate with states and coordinate their actions in safeguarding the rights of workers.**

UPSC Civil Services Exam, Previous Year Questions (PYQ)

Q. What are the main socio-economic implications arising out of the development of IT industries in major cities of India? **(2021)**

Q. Discuss the changes in the trends of labour migration within and outside India in the last four decades. **(2015)**

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