



Policy Brief

Migrant Workers Need Effective Support from Governments

Good politics for source state - Good economics for destination state

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EXECUTIVE SUMMARY

Migration often happens due to lack of opportunities, lack of resources or due to the expectation of a higher income. Migration can be full-time or seasonal, which is usually happens in a thoroughly planned manner. But due to the circumstances caused by COVID 19, eventually leading to the lockdown, the migrants are leaving the cities to move away from the chaos. The migrant workers who returned to their native states said that they would not have returned home if their contractor, owner or employer at the workplace took care of their living and food expenses during the lockdown. Thus, with no safety net for the workers, an atmosphere of chaos ensued, and they started returning home. But their problems did not ease even after returning home. Despite the system of inter-state law in India, the workers are facing mismanagement and chaos due to the Covid19 situation. They are forced to return home due to workplace inconveniences. In such a situation, there is a need to initiate a dialogue between the states about the inter-state law.

The Inter-State Labor Act was formulated in the year 1979, so it is necessary to discuss the process of interstate migration in today's new context. There is a need to develop inter-state policy for the source and destination through discussion.

In this backdrop, Participatory Research in Asia (PRIA), New Delhi; Samarthan, Bhopal; Centre for Youth and Social Development (CYSD), Bhubaneswar; Unnati, Ahmedabad; Sahbhagi Shikshan Kendra (SSK), Lucknow and Martha Farrell Foundation, New Delhi along with policy makers, academic institutions, International Organisations, National and Local Voluntary Organisations came together to deliberate and frame the Policy Framework to enable Interstate Migration of workers.

KEY RECOMMENDATIONS

Actions by Central Government

- Creation of a localised central platform for registration at the panchayat level
- Make all welfare schemes inter-operable
- Digitalise compliance to be conducted by contractors
- Streamline recruitment channels to regulate labour trafficking
- Create a nation-wide skill certification drive
- Outline specific resource allocation plans for employment generation strategies.
- Legislative amendment of ISMW Act 1979
- To ensure the protection of Constitutional Rights of workers under Article 16, 19 and 21.

Common Actions by Source & Destination States

- Implementation of provisions of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979
- Following the Orissa-Andhra Pradesh MOU of 2012, Jharkhand-BRO Agreement, 2020 as model agreements between states on migration issues

- Creating a State Migration Policy
- Conduct macro-level data mapping including nature and scale of migration cycles
- Expanding the scope and pace of registration of workers
- Strengthening information channels
- Financial inclusion through bank linkages
- Setting up Migrant Support Resource Centres (MSRCs) in high migrant density districts
- Simplified registration process and portability of benefits accruing to all workers under BOCW (regulation of employment and conditions of service) Act 1996
- Formation of a social security organisation to oversee and implement social security measures for informal workers left out of primary legislations for migrant workers such as domestic workers
- Promotion of health of workers including health education, health camps.
- Legal counselling services dedicated to migrant workers
- Set-up pro-active and sensitised local committees in every district of each State mandated by Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013
- Where large scale migration takes place along migration corridors, States are encouraged to enter into Memorandums of Understanding with each other in order to lower the cost of migration

Additional Actions by Source States

- Providing access to employment opportunities
- Skill Development and Employment Opportunities
- Establish skill-certification programs
- Providing migrants mobility by choice
- Identifying and understanding the process of recruitment

Additional Actions by Destination States

- Facilitate workers' housing needs
- Providing education for migrant workers' children in vernacular languages
- Establish Mental Health Centres for Migrants
- Shelter homes and crèches, medical dispensaries dedicated to women-centric needs
- Encourage registration under PM Jan Arogya Yojana under Ayushman Bharat for medical insurance
- Community policing
- Sensitisation programs for employers' organisations
- Nodal officers from the labour department must be appointed at the District level who are easily approachable for queries

INTRODUCTION

India has over 400 million migrants; a large proportion of which are internal migrants (India census 2011). This includes inter-state migrants as well as intra-state migrants. Informal migrant workers were one of the hardest hit groups in the biggest reverse migration India has seen in recent times; most of them were not paid their wages during the lockdown; they had no access to ration shops or social welfare schemes because food was being given only to those having ration cards of the destination states. Many did not have bank accounts and also faced discrimination from locals because they spoke a different language.

After 3 long months of distress, a large number of migrant workers (estimated to be about 2 Crore) have reached their homes. As lockdown is being gradually opened, and economic activity is being re-started, several states (Punjab, Karnataka, Tamil Nadu, Gujarat in particular) have started appealing for their return, with promises of higher wages and better amenities. It is therefore important that major states from where migrant workers are 'sourced' take urgent steps to create appropriate policy framework for decent and safe living and working conditions for these men and women.

In a series of consultations with academic experts, government officials (both current and former) and civil society organisations working with migrant workers, a set of very concrete proposals have emerged for effective and humane return of migrant workers to destinations of work. There is an urgent need for governments of source and destination states to urgently formalise a MOU that establishes mutual responsibilities and accountabilities of both state governments. This will reduce the exploitation of migrant workers at the hands of contractors and employers, as witnessed during the corona lockdown.

ROLE OF CENTRAL AND STATE GOVERNMENTS TO CREATE EFFECTIVE MIGRATION POLICIES

There must be certain common principles that all source and destination states adhere to while coordinating with each other. Each state must recognise that all states can be source as well as destination states. Wherever there are dominant streams of migrant movements between states, states may set up an inter-state protocol for facilitating migration along the lines of Orissa and Andhra Pradesh MoU of 2012. As per Seventh Schedule of Indian Constitution (Article 246), under entry 81 of the Union List Inter-State migration and inter-State quarantine subjects to be governed by the Union Government. Being the primary responsibility of the Union Government, there is a need for advocacy with central government to play an instrumental role in implementation of this policy. Wherever there is issue of coordination between states and centre in matter of inter-state migration, centre has an upper hand. Without Centre's coordination it will not be possible to set up a central registry, nor be able to have effective templates for coordination.

Implementation of Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979

The respective states must ensure effective implementation of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979 (also referred to as "the Act"). This legislation regulates employment of inter-state migrant workers and the conditions of service connected to their employment. The law requires all establishments hiring inter-state migrants to be registered, and contractors who recruit such workers be licensed.

Specific emphasis must be given to the below mentioned provisions of the Act:

- **Registration of certain establishments:** Every principal employer of an establishment to which this Act applies shall, within such period make an application to the registering officer, in such form and manner and on payment of such fees as may be prescribed, for the registration of the establishment. (Section 4 of the Act)
- **Licensing of contractors:** No contractor to whom Act applies shall recruit any person in a State for the purpose of employing him in any establishment, situated in another State, except under and in accordance with a licence issued in that behalf. (Section 8 of the Act)
- **Payment of allowances:**
 - Displacement allowance (Section 14 of the Act)
 - Journey allowance (Section 15 of the Act)

- Displacement- cum- outward journey allowances and return journey allowances as well as maintenance of records for both journeys [Rule 51, The Inter-State Migrant Workmen (Regulation of Employment. and Conditions of Service) Central Rules, 1980 (also referred to as “the Rules”)]
- **Payment of return fare** to the migrant workman from the place of employment to the home-state of the migrant workman on the expiry of the period of employment and also on his termination of service before the expiry of the period of employment for any reason whatsoever. (Rule 22, the Rules)
- **Provision (by contractor) of suitable and adequate medical facilities** for outdoor treatment to the migrant workman free of cost for treatment of any ailment from which the migrant workman or any member of his family may suffer during his employment in the establishment or to meet any preventive measure against epidemic or any virus infection. (Rule 37; the Rules)
- **Provision for crèche facilities** in every establishment where 20 or more workmen are ordinarily employed at a convenient distance from the establishment having clean drinking water amongst other facilities. (Rule 44, the Rules)

The Orissa-Andhra Pradesh MOU of 2012

The Orissa-Andhra Pradesh MOU of 2012 provides an important precedent for States to follow for creating workable migration policies between two or more states. It involved many important steps taken by both states to facilitate access to basic essential services and social protection such as health care, education, housing and safe working conditions. Some of the important measures undertaken by both states were:

- Building semi-pucca housing for migrant workers
- Providing education at work sites in vernacular languages
- Organise sensitisation programs for employers’ organisations on improving working conditions and OSH standards.
- Social dialogue for improving labour recruitment and working conditions
- Developing a code of conduct for employers.
- Organise camps for enrolment in schemes in collaboration with relevant departments.
- Promotion of health of workers including health education, health camps in collaboration with expert organisations
- Promoting labour rights education through trainings with civil society organisations and trade unions

RECOMMENDATIONS

Actions by Central Government

- **Registration**
 - Creation of a localised central platform for registration at the panchayat level
- **Make all welfare schemes inter-operable** like the one nation one ration card policy.
- **Digitalise Compliance** of contractors just as digitalisation of registration is being conducted.
- **Streamline recruitment channels to regulate labour trafficking**
- **Create a nation-wide decentralised skill mapping and certification drive** in order to map and certify prior and existing skills of workers.
- **Increase funds allocated for education and healthcare** of migrant workers
- **Outline specific resource allocation plans** for employment generation strategies.
- **Legislative amendment of ISMW Act 1979** in order to increase protection of workers and increase onus on principal employers.

Common Actions by Source & Destination States

State Migration Policy

Every source and destination state must have its own migration policy which sets out specific goals; aims and yearly targets for creating efficient channels of movement and enhances access to services for migrant workers moving in and out of the State.

- It must set out broader reforms and mechanisms to be put in place to achieve the targets set out.
- There must be strict accountability for achieving the targets and robust redressal mechanisms put in place to grant time-bound and speedy access to justice.

Data Collection and Data Mapping

- Conduct macro-level data mapping including nature and scale of migration cycles.
- Informal workers such as domestic workers who do not have any dedicated legislation for their protection should be identified and mapped as well.
- Segregated data must be collected to analyse different data groups such as children and families of migrants that are living in the State; the number of women informal workers who are single mothers, pregnant or lactating.
- Data from helpline calls must be analysed as well.

Expanding the Scope and Pace of Registration of Workers

- States must establish **Nodal Officers in high migrant density districts** who will be responsible for identifying migrants not registered under the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979 (also referred to as “the Act”) as well as identifying unlicensed contractors.
- States must proactively collect district- level data in coordination with PRIs on migrant workers.
- **Setting up App- based software to integrate data sets** in order to feed in the data in a common framework and link it with registration of workers.
- Establish a framework under which every migrant worker can be **registered through self- attestation.**
- Simplify registration procedures by getting rid of unnecessary or costly documentation required from workers.

Strengthening Information Channels

- States must establish **migrant helplines** to (i) provide information about protection from Covid-19; their travel details and other crucial information about their departure and arrival (ii) connect the migrant to support services.¹
 - Helpline desk officers must be professionally trained to handle complaints and queries of all kinds.
- Establish **helplines** dedicated to **women migrant workers.**
- **Widely disseminate information** on availability of all-women police stations, crèches, Local Committees (for redressal of sexual harassment complaints) for women informal migrant workers and support centers available for women migrants.
- Since most migrant women workers do not have access to smartphones which are usually owned by the male members of the family, **community radios and phones made available in pharmacies** can bridge the informational gap to some extent.
- Social dialogue must be created to include the voices of migrant workers within discussions about protecting their own rights.

Financial inclusion through bank linkages

- Encouraging and incentivising all **informal labourers to open bank accounts** to enable them to access digital payments in emergencies as well as for a variety of purposes such as wages from employers, various allowances, etc.
- **Financial literacy** – it is important in ensuring that migrants receive fair wages, enter into contracts that are not exploitative, are aware of useful financial

¹ The 2017 Report of the Working Group of Migration, Ministry of Housing and Urban Poverty Alleviation.

services, are able to make informed decisions about the use of their money and plan their finances for emergency situations.

- Provide **financial inclusion services** – support for smooth remittances home, enable opening of Jan Dhan accounts and expansion of bank linkages (holders can be provided two debit cards – one at the village and other for the migrant worker to use in the city)
- Linking Aadhaar cards of migrant workers with bank accounts.
- Encouraging contractors to make direct bank transfers of wages of workers.
- To make public **services provided under common service centers more migration focused.**
- **Re- examine the Department of Posts’ electronic money order product**, benchmark it to private (informal) providers in terms of cost and time for delivery so that it can be a competitive option for migrant remittance transfers. Infrastructural investment must be made for post offices in high remittance receiving areas to make a success of this product.²

Setting up Migrant Support Resource Centres (MSRCs) in high migrant density districts with the help of civil society organisations for last mile support

- Provide legal services, entitlement support services and linkage to various government schemes and programme for delivery of basic services like health, education, water and sanitation, PDS, family planning and sanitary hygiene.³
- Provision of support services during emergencies.

Social Security

- Access to social welfare schemes must not be limited to people living in the state at that particular time; the benefits must reach migrants working in different regions.
- **Digital transfers of cash and ration to stranded migrants** are an efficient means of delivery of financial and social welfare services for distressed migrant workers. The **Rashtriya Swasthya Bima Yojana (RSBY) benefits were made portable** across jurisdictions by introducing a smart family card and by making benefits accessible through empanelled hospitals anywhere.
- States must ensure that under the **Building and other Construction Workers (regulation of employment and conditions of service) Act 1996** (also referred to as “BOCW Act 1996”), a **simplified registration process and portability of benefits accruing to all workers** including inter-state migrant workers as per the Supreme Court Order of March 2018.⁴

² The 2017 Report of the Working Group of Migration, Ministry of Housing and Urban Poverty Alleviation.

³ The 2017 Report of the Working Group of Migration, Ministry of Housing and Urban Poverty Alleviation.

⁴ Based on Inputs received from Prof Ravi Srivastava, Professor and Director Center for Employment Studies, Institute for Human Development, New Delhi.

- With the assistance of **welfare boards**, States must ensure that **entitlements to social security** measures also **accrue to all migrant workers**.
 - Every worker registered under the BOCW Act 1996 is a beneficiary of the welfare fund.
 - Under S.22, the Welfare Boards may provide assistance to a beneficiary in case of accident; make payment of pension to the beneficiaries who have completed the age of sixty years; sanction loans and advances to a beneficiary for construction of a house not exceeding such amount and on such terms and conditions as may be prescribed; give such financial assistance for the education of children of the beneficiaries as may be prescribed; meet medical expenses; make payment of maternity benefit to the female beneficiaries; and assist with other such welfare measures for registered workers.
 - Under S.28, State Governments can fix number of hours that will comprise normal working day; provide paid leave for a day every seven days and provide overtime payment of twice the amount of the worker's daily wage for working in excess of normal working hours.
- States must **monitor compliance** and **issue clear guidelines** for welfare boards. They must observe the functioning of the State Boards, their capacity to undertake the tasks assigned, their coordination with other departments, accountability and grievance framework and implementation protocols.⁵
- **Domestic workers** are largely migrants, a majority of whom are women. With the absence of any dedicated legislation catering to their demands and being left out of broader labour legislations which exclude domestic households as 'establishments', these workers are left without any protection at the hands of exploitative and violent employers. States must employ the following measures to protect domestic workers:
 - Formation of a social security organisation to oversee and implement social security measures.
 - Form clear guidelines for employers, outlining working conditions and safety protocols to be followed.
 - Formalisation of agreements between employers, agencies and the worker.
 - Dedicated helpline for domestic workers.
 - Standardise wage calculation for domestic workers.
 - Convert ICDS Centres into day-care centres for domestic workers' children.
- Organise camps for enrolment in schemes in collaboration with relevant departments.⁶

⁵ Based on Inputs received from Prof Ravi Srivastava, Professor and Director Center for Employment Studies, Institute for Human Development, New Delhi.

⁶ Memorandum of Understanding between Governments of Orissa and Andhra Pradesh, 2012.

Health and Disability

- Promotion of health of workers including health education, health camps in collaboration with expert organisations.⁷
- Increasing access of education, services and basic essential goods to differently-abled workers.
- Promoting campaigns for equal inclusion and access to a safe and dignified livelihood for differently-abled workers.

Constitutional Rights of Workers

- Constitutional guarantees for the migrant worker's Migrant workers are guaranteed certain fundamental rights under the Constitution of India, which must be kept in mind when framing labour policies involving migrant workers' rights. Under Article 19 of the Constitution, they are guaranteed freedom of movement anywhere within the territory of India. Article 16 of the Constitution grants equality of opportunity for all citizens in matters of employment. Right to life as guaranteed in Article 21 of the Constitution has been interpreted by the Supreme Court to embody human dignity as an essential component to the right to life. These are the highest category of rights and in no circumstance can they be abdicated by the State; therefore, state migration policies must be woven around these rights to ensure migrant workers' basic human rights remain protected.
- Services for women workers should be granted not because they are women, but because they are *workers*. Therefore, recognising women as *workers* is the first step and all discussions on their entitlements should be in the ambit of labour rights.

Legal Services/ Counseling and Grievance- Redressal Mechanisms

- States must have legal counselling services dedicated to migrant workers, which can provide practical legal solutions for them to file complaints and access pro-bono lawyers.
- Promoting labour rights education through trainings with civil society organisations and trade unions.⁸
- States must set-up **pro-active and sensitised local committees** in every district of each State mandated by Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 to **create awareness and address complaints of sexual harassment at the workplace.**
- Establish **One-Stop Centers for mental health counselling** and to address sexual/physical/verbal/non-verbal abuse or **any form of gender-based violence.**

⁷ Memorandum of Understanding between Governments of Orissa and Andhra Pradesh, 2012.

⁸ Memorandum of Understanding between Governments of Orissa and Andhra Pradesh, 2012.

Migration Corridors

- Where large scale migration takes place along migration corridors, States are encouraged to enter into Memorandums of Understanding with each other in order to lower the cost of migration; to facilitate migration between States and to ensure compliance with migration- related laws, since most of the laws require intervention of more than one State.
- Support networks must be created along migration corridors.

Additional Actions by Source States

Access to employment opportunities

- Source states must lay more emphasis on job creation, and lay out specific resources for employment generation and development projects with a focus on regeneration of rural areas and Micro, Small and Medium Enterprises, using skills of migrant workers. States must also integrate provisions of Scheme of Fund for Regeneration of Traditional Industries (SFURTI)⁹ to generate employment opportunities by providing sustained employment for traditional industry artisans and rural entrepreneurs.

Skill Development and Employment Opportunities

- Five essential strategies in preparing the migrant labour force for mobility include:¹⁰
 - alignment of qualifications with global standards,
 - infrastructure development,
 - credible assessment and certification framework
 - pre-departure orientation,
 - job linkage.
- Revisit and redesign traditional skill-training programs. Skill-building must be sensitive to the workers' cultural context.
- Include workers in the gig economy in skill-building programs.
- Identifying workers' skill sets and collaborate with the Department of Micro, Small and Medium Enterprises to help workers set up new enterprises.
- Regulating skill-building agents who can be the biggest exploiters of migrant workers.

Establish skill-certification programs

- Prior recognition of skills of workers and their Certification.

⁹ Revised Guidelines for Scheme of Fund for Regeneration of Traditional Industries (SFURTI) (as approved on 2.3.2020).

¹⁰ The Standing Committee on External Affairs (Chairperson: Dr Shashi Tharoor) submitted its report on 'Issues Relating to Migrant Workers including Appropriate Legislative Framework and Skill Development Initiatives for Prospective Emigrants' on January 2, 2019.

Coordination with Urban local bodies and Panchayati Raj Institutions (PRIs)

- Coordinate with Panchayati Raj Institutions (PRIs) to document migrants moving out of rural areas.¹¹
- Conduct registration of migrant workers at the local body level, which should serve as a common platform, from where the data should be linked to all other departments of the State Government.
- Enhance coordination between state governments and urban-local bodies as well as PRIs to use the data gathered effectively by holding quarterly reviews of documented data.

Mobility by choice

- Instead of vigilante committees telling migrants, especially women to migrate or not to migrate, women workers must be given an informed choice about migration and opportunities available to them.

Identifying and understanding the process of recruitment

- There are large recruiters and small-scale recruiters. While bargaining capacity is lower with large recruiters, smaller agents provide workers a kind of social insurance and higher bargaining power for wages.
- Analyse the kinship network and skill-training providers within the recruitment process in order to create a structural framework for the same; pin accountability on different actors to improve transparency.
- Identifying areas where largescale recruitment of workers takes place to regulate and prevent illegal trafficking of such workers.

Additional Actions by Destination States

Digitalising Compliance (This requires the Central Government's intervention)

- Just as registration of migrant workers has been made easier by creating a digital portal, compliance carried out by contractors must also be digitalized.
- Digital due diligence must be conducted of organisations employing migrant workers as well as of contractors at the district level.

Facilitate workers' housing needs

- Seasonal migrants do not have access to short-duration accommodation. **Community living** or creating safe **rental accommodations** must be set up for providing migrant workers clean and affordable living.

¹¹ The 2017 Report of the Working Group of Migration, Ministry of Housing and Urban Poverty Alleviation.

- Building semi-pucca housing for migrant workers.¹²
- Liaising with Municipalities for provision of infrastructural and service facilities.

Providing education for migrant workers' children in vernacular languages

- Enabling entry in government schools teaching in the **vernacular language** of the origin state of the migrants' children
- **Providing education at work sites** in vernacular languages.¹³
- **Provision of quota** in Navadoya, Kasturba or other such schools.

Mental Health Centres for Migrants

- Providing medical care for improving mental health and well-being of migrants who spend months or even years away from their families, and are exposed to extremely hazardous work environments. These factors cause heightened mental health issues amongst migrant workers.

Gender and Migration

- **Shelter homes and crèches** catering to pregnant and lactating women, children and elderly.
- **Medical facilities specially catering to** female migrants for providing easy access to contraceptives, condoms, children's medicines, etc.
- **Special corners in large establishments/construction sites** for women to access reproductive health care products. These could be in Anganwadi centres or any other safe place.
- **Provision of menstrual hygiene kits** to each migrant woman and adolescent girl who are travelling from the State.

Encourage registration under PM Jan Arogya Yojana under Ayushman Bharat so that migrant workers get medical insurance.

- This scheme must be made **fully portable** to enable migrants working in destination states to access the benefits offered under the scheme.

Community policing

- States must partner with community residents and create **safe living environments** within migrant neighbourhoods.

¹² Orissa and Andhra Pradesh MOU of 2012.

¹³ Orissa and Andhra Pradesh MOU of 2012.

Engaging with employers

- Organise sensitisation programs for employers' organisations on improving working conditions and OSH standards.¹⁴
- Social dialogue for improving labour recruitment and working conditions¹⁵
- Developing a code of conduct for employers.¹⁶
- Ensuring decent workplaces and better living at worksites

Nodal Officers

- Nodal officers from the labour department must be appointed at the District level who are easily approachable for queries, emergency support, supervision of safe worksites and enforcement of labour laws.

NEXT STEPS

Migrant workers have been critical for economic development in the country. Despite their substantial economic contributions, and provisions of various legislations over the past four decades, central and state governments did not ensure decent work and life for them. As the Covid-19 pandemic exposed this reality, it is important that concrete efforts are made to improve the working and living conditions of millions of men and women who migrate for work around the country.

Through various consultations and research undertaken in the past three months, this document provides recommendations for a series of measures that all governments need to put in place. Additionally, associations of workers, civil society organisations, researchers and media have to monitor regularly compliances and implementations of social protection measures. Through Migrant Support Centres (MSC) set up in economic zones of destination states, facilitation of access to services and realisation of entitlements of migrant workers can be ensured as they begin to return for livelihood.

¹⁴ Memorandum of Understanding between Governments of Orissa and Andhra Pradesh, 2012.

¹⁵ Memorandum of Understanding between Governments of Orissa and Andhra Pradesh, 2012.

¹⁶ Memorandum of Understanding between Governments of Orissa and Andhra Pradesh, 2012.

ANNEXURES

ORISSA-ANDHRA PRADESH MOU, 2012

Governments of Orissa and Andhra Pradesh signed a Memorandum of Understanding for reducing vulnerability to bondage and exploitative practices in brick manufacturing activities engaging poor and vulnerable migrant workers through promotion of decent work. The project focussed on affording social protection to brick kiln workers by converging government schemes at source and destination states; improving workplace facilities; promoting collective bargaining by importing rights based education to workers; promoting social dialogue to improve labour recruitment and working conditions and finally eliminating child labour in brick kilns.

Important measures undertaken were:

- Constitution of high level inter-state coordination committee to advise and supervise operations of inter-state coordination cell that would be set up in the two states for ensuring welfare of workers. The high level committee would also develop methods of registration and regulate recruitment practices.
- Constitution of inter-state coordination cell for maintaining database of workers and coordinating with destination state for ensuring reciprocal access of schemes by workers as well as coordinate legal assistance.
- Duties of source state included undertaking household surveys in districts with high density migrants; concurrent registration of eligible target group under Orissa BOCWWB's social security scheme and under RSBY; promoting financial inclusion and education of children of workers; coordination with PRIs for ensuring data collection, registration and better living conditions of workers.
- Duties of destination states included education in vernacular language for children of migrant workers; organising crèche facilities; facilitating PDS entitlements; ensuring payment of wages through bank accounts; promote community based organisation of workers and carry out required activities for promoting health of workers.

JHARKHAND-BRO AGREEMENT, 2020

Chief minister Hemant Soren led Jharkhand Government has entered an agreement with Border Roads Organisation (BRO) this year to do away with contractors and instead, directly recruit labourers from the State.

According to the agreement, BRO will undertake the following:-

- Direct recruitment of workers from Jharkhand under BRO projects in specific states
- Payment of benefits (medical, injury, ration etc.) as per directions of BRO

District administration of Jharkhand will have the following functions:-

- Facilitate establishment of Responsible Migration Facilitation Centres for providing strategic guidance for workers communication, mobilisation identification, selection and registration.
- Review and support due diligence of organisation seeking supply of labour force from Jharkhand.
- Send recommendations to state-level committee which would form the basis of approving engagement with organisations seeking supply of labour force.
- Support and guide migration facilitation centres at the district- level for recruitment of workmen from Jharkhand with various organisations.

MODEL MIGRANT RESOURCE SUPPORT CENTRE

A Migrant Support Resource Centre is envisioned as a common point where all the services related to migrants will be provided. The Centres will provide social security, financial inclusion, rights entitlement support, and linkages with government and municipal departments.

The services provided in each MSRC should cater to three overall needs:

1. Those (minimum) services that migrants need on first arrival in the city. These should be provided free of cost.
2. Services that connect them with government and municipal departments to fulfil their welfare needs. These can be paid services to recover minimal costs.

Communitarian services that can help migrants build a sense of belonging to the city.

Minimum services include:

- Registering/connect with labour department for a range of occupations (domestic workers, electricians, plumbers, etc)
- Building and Other Construction Work (BOCW) registration and renewal, along with their identification, information on BOCW provisions
- Facilitate access to decent and affordable housing. Provide information on available rental/social housing
- Provide financial inclusion services – support for smooth remittances home, enable opening of Jan Dhan accounts and expansion of bank linkages (holders can be provided two debit cards – one at the village and other for the migrant worker to use in the city)
- Helpline for women workers
- Registration under the state NFSA for access to subsidised food grains (NFSA cards need to be made portable)
- Registration under PM Jan Arogya Yojana under Ayushman Bharat so that they get medical insurance
- Information on good doctors and cheaper schools in the localities where they choose to reside
- Information of availability of crèches, all-women police stations, Local Committee (for redressal of sexual harassment complaints), etc, for women informal migrant workers

Services that are linked to a migrant's welfare include:

- Facilitate with the urban local body for supply of water, electricity, waste collection and road connectivity in the settlements where migrants congregate

- Interface with the local bodies and administration to open child care facility under ICDS, access to local PHC and health centres for free treatment and medicine, entry in government schools teaching in the vernacular language of the origin state of the migrants’ children, quota in Navadoya schools, etc.
- E-information system where workers can register and get information on the availability of employment opportunities, details of various schemes, provide utility services (bill payments, online bookings) and commercial services (DTP, printing, Internet browsing, etc). These e-services can be modeled on the Common Services Centre of the National e-Governance Plan (NeGP).¹⁷
- Family counselling support under Central/State Social Welfare Board

Communitarian services include:

- Community policing in partnership
- Provide information for reskilling opportunities to facilitate career growth
- Link them with agencies that can provide them with certification for their skills
- Legal counseling/legal services
- Guidance on safe migration
- Awareness about the rights of migrants
- Community services based on demand from the community, such as anganwadis, crèches, health camps, community toilets, community kitchens, etc.
- Help migrants connect with other members from their villages or of similar skill sets for any support

Location

An area approach should be adopted in locating Migrant Support Resource Centres. They should be set up where migrants are living and working. Multiple MSRCs in cities, located in residential pockets, industrial hubs, near labour chowks and commercial pockets, are required. Some can be located in peri-urban areas, where migrants often find work when they first arrive (such as brick kilns).

Setting Up

The setting up of these Centres and the minimum services to be provided must be seen as an entitlement for the migrant. The national government needs to work with destination state governments, to set up a protocol for MSRCs. These protocols can be included in inter-state migration agreements.

¹⁷ The Common Services Centre is a scheme of the Ministry of Electronics and Information Technology, Government of India (<https://meity.gov.in/content/csc-scheme>)

Financing and Sustainability

We need to make a departure from an 'entrepreneurship model' in establishing the proposed Centres. It is the destination state's responsibility to protect the migrants, and give financial support which will enable the minimum services to be provided free of cost in each Centre.

To be effective, each Centre will need to cater to, on average, 10,000 migrants (minimum 8,000 to maximum 12,000). At a minimum of Rs 100 per migrant worker, the cost of running a MSRC will be Rs 10 lakhs. 100% subsidy should be provided for the first 2 years, which can be reduced to 50% after the third year.