

# **REPORT OF THE WORKING GROUP ON MIGRATION**

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Ministry of Housing and Urban Poverty Alleviation

## **Acknowledgement**

This report has been possible owing to the hard work and support of several individuals. Even so, it has been difficult to do justice to the terms of reference assigned to us. We could, at best, outline the broad contours of an approach. The details are specific to different aspects of the terms of reference would have to be worked out by the relevant ministries and, in many cases, the state and local governments.

The attempt in this report has been to try and build on the existing frameworks, to urge the implementation, to the maximum possible extent, of many relatively progressive statutory provisions and government schemes. Even so, many will find our recommendations not going far enough, and differ with our mix of idealism and pragmatism.

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## GLOSSARY

AIE	Alternative and Innovative Education
APY	Atal Pension Yojana
AWW	Anganwadi workers
BE	Bachelor of Engineering
BOCWA	Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act
BOCWWCA	Building and Other Construction Workers Welfare Cess Act
BSUP	Basic Services for the Urban Poor
CAC	Computer Assisted Coding
CORE	Centralised Online Real-Time Electronic
CWDS	Centre for Women's Development Studies
DDUGKY	Deen Dayal Upadhyaya Grameen Kaushalya Yojana
EGS	Education Guarantee Scheme
EPFO	Employees' Provident Fund Organisation
ESIC	Employees' State Insurance Corporation
EWS	Economic weaker section
FPS	Fair Price Shops
GDP	Gross Domestic Product
GoR	Government of Rajasthan
HIV	Human Immunodeficiency Virus
HSMI	Human Settlement Management Institute
ICDS	Integrated Child Development Services
IGNOU	Indira Gandhi National Open University
IHSDP	Integrated Housing and Slum Development Program
ILO	International Labour Organisation
ISMWA	Inter State Migrant Workers Act
JNNURMM	Jawaharlal Nehru National Urban Renewal Mission ( )
KMS	Kerala Migration Survey
KYC	Know Your Customer
LIG	Low income group
MBBS	Bachelor of Medicine and Bachelor of Surgery
MGNREGS	Mahatma Gandhi National Rural Employment Guarantee Scheme
MPCE	Monthly per Capita Expenditure
MoL&E	Ministry of Labour and Employment
MSDE	Ministry of Skill Development and Entrepreneurship
MRC	Migrant Resource Centres
MoU	Memorandum of Understanding
MoH&FW	Ministry of Health and Family Welfare
MoRD	Ministry of Rural Development
MRC	Migrant Resource Centres
MoHRD	Ministry of Human Resource Development
NCT	National Capital Territory
NCEUS	National Commission on Enterprises in the Unorganised Sector

NFSA	National Food Security Act
NIC	National Informatics CentreHUP
NPCI	National Payments Corporation of India
NPR	National Population Register
NRHM	National Rural Health Mission
NSS	National Sample Survey
NSSO	National Sample Survey Organisation
NURHP	National Urban Rental Housing policy
OBC	Other Backward Class
PDS	Public Distribution System
PAHAL	Pratyaksh Hanstantarit Labh or Direct Benefit Transfer
PMAY	Prime Minister's Awas Yojana-Rural
PMGSY	Pradhan Mantri Gram Sadak Yojana
PMJJBY	Pradhan Mantri Jeevan Jyoti Bima Yojana
PMKVY	Pradhan Mantri Kaushal Vikas Yojana
PCLRA	Prayas Centre for Labor Research and Action
PMSBY	Pradhan Mantri Suraksha Bima Yojana
PRI	Panchayati Raj Institutions
RSBY	Rashtriya Swasthya Bima Yojana
RPL	Recognition of Prior Learning
RBI	Reserve Bank of India
RTE	Right to Education
RAY	Rajiv Awas Yojana
RGI	Registrar General of India
SC	Scheduled Castes
SMS	Short Message Service
SSA	Sarva Shiksha Abhiyan
ST	Scheduled Tribes
SSC	Sector Skill Councils
SMC	School Management Committee
SPV	Special Purpose Vehicles
SITP	Scheme for Industrial Textile Parks
SEZ	Special Economic Zones
SECC	Socio-Economic Caste Census
UT	Union Territories
UAN	Universal Account Number
UI	Unique Identification
UAN	Universal Account Numbers
UWSSA	Unorganised Workers' Social Security Act
UPI	Unified Payments Interface
ULB	Urban Local Bodies
UA	Urban Agglomerations
VCPC	Village Child Protection Committee

## I. INTRODUCTION

1. The Constitution of India guarantees freedom of movement for all citizens. The foundational principles of free migration are enshrined in clauses (d) and (e) of Article 19(1) of the Constitution, which guarantee all citizens the right to move freely throughout the territory of India, and reside and settle in any part of the territory of India. Article 15 prohibits discrimination on the basis of place of birth, among other grounds, while Article 16 guarantees equality of opportunity for all citizens in matters of public employment, and in particular prohibits the denial of access to public employment on the grounds of place of birth or residence. **The decision in Charu Khurana v. Union of India and Others (Civil Writ Petition No. 73/2013 (see Box I.1) clearly renders restrictions based on residence for the purposes of employment unconstitutional.**

### Box I.1: Supreme Court on the right to work across the country

In 2014, the Supreme Court in *Charu Khurana v. Union of India* (Civil Writ Petition No. 73/2013) held that the concept of domicile/residence had no rationale and was in violation of Articles 14 and 15. This reasoning was based on extending an earlier decision on higher education to the present case involving access to employment. In the earlier case, in 1984, a Bench of three judges of the Supreme Court held in *Pradeep Jain v. Union of India* (Civil Appeal 6392 of 1983) that in case of admission to higher educational institutions, classifying candidates based on their place of residence would be in violation of equality guaranteed by Article 14. The court concluded that “residence requirement within the State shall not be a ground for reservation in admissions to post graduate courses”. This was affirmed by a Constitution Bench of the Supreme Court in 2004 in *Saurabh Chaudhri v. Union of India* (Civil Writ Petition No. 29/2003).

In the present case in 2014, the petitioner, who was a make-up artist, was denied membership of a trade union (Cine Costume Make-up Artists and Hair Dressers Association) on the ground that she was a woman and had not resided in the state (of Maharashtra) for five years. This affected her ability to work as the union had a monopoly over accreditation of make-up artists in the state. She challenged the membership rules of the union as being in violation of Articles 14, 15 and 21 of the Constitution. The Court held that the provisions of the rules relating to gender and domicile/residence requirement were in violation of Articles 14, 15 and 21. It quashed the impugned rules and directed the Registrar of Trade Unions to ensure that the petitioners were allowed to register as members of the said trade union."

2. Concomitant with this constitutional imperative is today's economic imperative, exemplified in the exhortations to **Make in India** and **Skill India**. In the opinion of the Working Group, the continuance of India's transformation away from agriculture into a rapidly growing economy based on competitive manufacturing and services and ensuring that this growth translates into new opportunities for India is intrinsically tied to the success of migration. In this context, the Working Group, focused on actions that can be taken or facilitated by governments, whether at the Union, state or federal level to enhance free movement of citizens across India.
3. The Working Group also recognises that there can, in principle, also be a number of other barriers to movement, such as social discrimination vis-à-vis migrants from other states. These are not issues that have been considered by the Working Group. This report also does not focus on two major forms of movement, viz. international migration from and to India and the heinous crime of trafficking, which afflicts far too many people. While very important in relieving poverty, international migration is well studied (see Rajan 2017 and Kapur 2010) and has limited domestic policy implications for Govt. of India and the second is outside the terms of reference of the Working Group.
4. The thrust of this report is to look at the architecture of laws and schemes at the federal and state levels to ensure that there are no barriers to free voluntary movement of people across the country, no restrictions on them to be fully able to take advantage of



the opportunities, wherever they may be available in India. This Working Group report, though not necessarily organised along these lines, focuses on five major issues:

**Integration:** On issues relating to work, the thrust is to ensure that migrant workers are treated like all other workers without discrimination rather than dispensations targeted specially for migrant workers. This focuses on existing legal frameworks.

**Portability:** On issues relating to access to services, there are special problems created by mobility of migrants and the architecture of delivery needs to address these issues. The focus here is on the design of existing government schemes.

**Convergence:** A number of schemes across ministries address issues of migrants. Much of the implementation is at the state level, e.g., Sarva Siksha Abhiyan's scope for EGS (Education Guarantee Scheme) and AIE (Alternative and Innovative Education) interventions that are focused on migrants. The intent here is to coordinate between different schemes as much as possible, with a focus on delivery.

**Public Access:** This focuses on the key importance of information and dissemination to achieve all of the above. This is easier at the state level and may need institutions like Migrant Helplines and animators/ facilitators to assist in the process.

**Data:** There are differences about the extent of migration in India, beyond what can be expected from normal variations in data methodology. It is important to address these carefully and institutionally, if the issue of migration is to be addressed in an evidence-informed manner.

5. The report is correspondingly divided into four sections, covering: (i) issues faced by migrants in relation to work; (ii) access to social protection and public services for migrants; (iii) access to housing and (iv) discussion of data on migration. The issues relating to access are organised in four parts:
  - a. the issue at hand and how it affects migrants
  - b. existing government schemes that are related to the issue
  - c. the architecture implied by integration, portability and convergence
  - d. recommendations to get from the existing situation to the proposed architecture

For ease of reference, the recommendations are also summarised at the end of the report.

## II. MIGRANTS AND EMPLOYMENT

6. Migration of labour is an important factor affecting the course of socio-economic development in India. Data from the National Sample Survey (NSS) in 2007-08 (the limited available data from Census 2011 does not include workers) reveals that about 28.3% of the workforce in India are migrants.<sup>1</sup> Migrants fuel the Indian economy by carrying human capital to regions where it is needed, and enabling the acquisition of new skills and a better standard of living (Korra 2011). Rural-urban migration has also historically played a significant, if not primary, role in the urbanisation process (Mitra and Murayama, 2011). At the same time, the economic, social and political marginalization of these migrant workers has been an area of concern.
7. This section looks at issues regarding migration and employment, since employment is seen as the primary driver of migration, especially rural to urban migration. While migration and movement with family for marriage constitutes a much larger share of migration, such migration is concentrated among women, is largely within the district and is consequent to a prior migration. As discussed later, many of the women who migrate for marriage do join the labour force, especially in rural areas.

**Table II.1: Reasons and Streams of Intercensal Migration (as % share of each stream)**

	Work and Business		Education		Marriage		Family related		Others		Total	
	2001	2011	2001	2011	2001	2011	2001	2011	2001	2011	2001	2011
Rural to Rural	9.3	6.4	1.9	2.7	61.2	59.0	19.4	24.1	8.3	7.7	56.3	47.4
Rural to Urban	29.9	24.3	4.9	4.8	21.8	22.4	34.5	40.6	8.8	7.9	21.8	22.1
Urban to Rural	14.5	8.9	3.0	2.7	28.1	25.5	42.9	55.6	11.4	7.3	6.6	7.9
Urban to Urban	21.8	17.5	4.3	3.4	21.9	18.4	42.6	47.9	9.5	12.9	15.2	22.6
Total	16.0	13.1	3.0	3.3	44.4	39.1	27.8	35.6	8.8	8.9	100.0	100.0

Source: Census of India 2001, 2011. Each of the streams, e.g., rural to rural, will add to 100 for 2001 and 2011, subject to rounding errors. The final two columns show the share of each stream in total migration.

8. According to Census 2011, there were 454 million migrants in India. This had risen by 139 million from 315 million in 2001 in Census 2011 and 220 million in 1991, a doubling over 1991-2011. As seen in Table II.1, marriage and other family related migration, which was 72.2% of all migration during 1991 to 2001, now is 74.7% of all migration during 2001 to 2011, but the share of marriage is diminishing while the share of other family related migration is growing. Further, using the D-3 tables of Census 2001, we calculate that of the 40% of all internal migrants (309.4 million) across all durations who constituted rural to rural marriage migrants (123.9 million of which 122.3 million were female), only 4.8% were inter-state marriage migrants (6.0 million), i.e., 1.9% of all migrants. By contrast, of the 14.6 million rural to urban migrants for work and business (4.7% of all migrants), 43% (2.0% of all migrants)

<sup>1</sup> See section V of the report for a discussion on the definition of migrants. This refers to workers aged 15 to 59 years of age.

were inter-state migrants. The corresponding share of such inter-state urban to urban work migrants (2.9 million) is 41% of all urban to urban migrants for work (7.1 million). So, inter-state migration is a significant part of migration for work and business. This data, for distance of migration, has not yet been released for the 2011 census, but as discussed later, the origin of migrants has become much more urban.

9. A cursory look at the data from the Census 2011 in Table II.1 seems to indicate that the share of people migrating for work and business has decreased, indicating that this reason for migration may be becoming less important. However, this is not the case. Indeed, the share of work-related migration has decreased due to the rise of family migration, but if we consider migrants as a share of the rural and urban workforce, then work related migration has increased and not decreased. Consider the share of intercensal male migrants for work/employment/ business, as a share of the male workforce in the initial year of the intercensal period. That is, divide the intercensal migrants in 2001 and 2011 by the workforce in 1991 and 2001 respectively. In 2001, 3.4% of the base year (1991) rural workforce migrated during 1991-2001. In 2011, this share was 4.1% (base year being 2001). For the urban male work-related migrant, it had increased from 5.1% to 6.8% of the base year workforce. Since the workforce grows over the intercensal period, this involves an absolute increase from 5.7 million to 6.9 million from rural areas to 2.8 million to 4.8 million from urban areas. Our workforce is thus increasingly mobile.
10. The growing share of family migrants may indicate that the earlier flow of migrants are now settling into urban areas and bringing their families over. This is also reflected in the growing share of female migrants from rural to urban India, which increased from 49.9% in 2001 to 53.2% in 2011, though the share of women in total decadal migration has reduced from 66.9% to 65.3%.<sup>2</sup> This could indicate a movement away from the circular pattern that seems to characterise Indian migration. However, one should also remember that the Census does not capture short-term flows. If indeed, work-related migration is becoming more short-term, given the growing number of urban centres and their increased accessibility, then it could also be just the nature of migration that is changing (and becoming blurred with commuting) and not the extent of migration.
11. In addition, Table II.1 shows the share of urban to urban migrants has risen from 15.2% to 22.6% in 2011. Separately, of work-related migrants to urban areas, the share of urban origin migrants has increased from 33.7% in 2001 to 42.4% in 2011<sup>3</sup>, indicating that inter-urban mobility is a growing phenomenon. The rise in urban to urban migration for work should make us sensitive to the possibility that there might be entry barriers for rural migrants wanting to move to urban areas, a version of the exclusionary urbanisation that some warn against (Kundu 2009, Kundu and Saraswati 2016).
12. Furthermore, not only has the rural urban migration increased, the flows in the other direction from urban to rural areas have also risen from 6.3 million to 11.5 million. In addition, it is also the case that a growing share of intercensal migrants are not classified by rural or urban origin; this number rising to 9.8% in 2011 from 4.5% (of which 0.8% were unclassified international migrants) in 2001. This could, taken along with the growing flows of urban rural migration may indicate a blurring of the distinction between rural and urban (Denis, et. al. 2012).

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<sup>2</sup> In 2011 (based on the provisional D-5 table), there were 17.12 mn female migrants from rural to urban areas, out of a total of 32.16 mn, compared to 10.4 mn and 20.8 mn respectively in 2001 (based on the D-3 tables). If one considers all streams of migration, there were 95.2 mn female migrants out of a total of 145.7 mn, compared to 63.7 mn and 95.2 mn respectively in 2001.

<sup>3</sup> In 2001 (based on the D-3 tables), there were 3.16 million urban to urban and 6.21 million rural to urban migrants for reasons of work, employment and business. In 2011, this was 5.76 million and 7.81 million respectively (based on the provisional D-5 table).

13. Table II.2 considers the rural urban migrants for all durations. While the proportion of women who move for family related reasons is the same (86%), within the district and inter-state; within the district 59% is due to marriage and 23% move with the household, while across states, a lesser proportion, 43%, is due to marriage and 39% is with the household. This reflects the practice that rural women are less likely to marry across states, and more likely to move when their household moves.

**Table II.2: Reasons for migration of Rural-Urban Migrants, 2001, 2011 (all durations)**

	Male					Female				
	Work*	Study	Family*	Others	Total	Work*	Study	Family*	Others	Total
Total in 2011	49.7%	4.1%	36.4%	9.9%	100%	5.1%	2.0%	86.5%	6.4%	100%
Total in 2001	55.2%	3.7%	27.8%	13.3%	100%	4.1%	1.2%	85.3%	9.3%	100%
Within district	42.2%	5.5%	35.2%	17.0%	100%	3.1%	1.6%	85.7%	9.6%	100%
Other districts within State	54.7%	4.4%	28.3%	12.7%	100%	4.7%	1.2%	84.6%	9.5%	100%
Inter-State	66.6%	1.6%	21.1%	10.7%	100%	5.0%	0.6%	85.8%	8.6%	100%

Source: Census of India 2001, 2011 (\*work/employment and business and marriage, moved after birth and moved with household have been consolidated into work and family respectively) Each of the rows (separately for male and female) will add to 100, subject to rounding errors.

14. Most rural urban migrant males move for work and business related reasons, more so when the movement is inter-state than when it is within the district or within the state (Table II.2). Within the family category, most males move not for marriage (which is a very small portion) but with the household or after birth. However, the number of inter-state males who moved for work or business is relatively small, just under 6 million in 2001. This number is likely to be smaller in 2011, since the total number of migrants who moved for work/ business across all distances was 6.9 million, indicating that the number of those who moved inter-state will be much less.
15. However, women who move for marriage can also work after moving. This is well understood in rural areas where the new bride would be working in the fields, but it is as true in urban areas also (Box II.1). This can be seen in the huge difference in the Census of 2001 between the number of women who moved for economic reasons (4.1 mn, as calculated from D-3 tables) and the number of working female migrants (84.4 mn, as calculated from the D-8 tables). Indeed, in rural areas 76.4 mn working female migrants (from the D-8 table) constituted 69% of the 111 mn female work force in 2001 (from the B-4 table). In urban areas, the 8 mn working female migrants were 50% of the 16.1 million female work force.<sup>4</sup>
16. Table II.3 shows all duration migrants in urban areas in 2011 and 2001. The first two rows shows that 21.9% of urban residents are migrants (all durations) from rural areas while another 21% come from other urban areas; i.e., a total of 42.9% of all urban residents – about 161.9 million residents in 2011 (182.6 million if one counts migrants from unspecified origins) – are migrants. The rural-urban origin ratio, which used to be about 60:40 for migrants in urban areas (as shown by migrants who have been in residence for more than 10 years and the rows below), has changed sharply in 2011.

<sup>4</sup> The data sources for Census of 2011 are as follows: reasons of migration are in the D-3 tables, the migrant workforce is in the D-8 table and the total workforce is from the B-4 table.

17. In 2001, of the 18% of urban residents, who migrated from rural areas, 37% came from the same district, 33% from other districts of the same state and only 30%, i.e., 5.4% of all urban residents – about 15.3 million in 2001 – were inter-state rural urban migrants. Males, constituting 8.9 million, were majority of such migrants. However, for migrants from urban areas, females were 52% of 10.7 million inter-state migrants.

#### Box II.1: Female Migration and Female Labour Force Participation Nexus

A casual reading of the data seems to indicate that women predominantly move 'for marriage'. About 154 million out of total 221 million female migrants of all durations (69.6%) reported marriage as the reason (Census of India 2001). This differed by destination, i.e., 77.9% of female migrants in rural areas and 44.2% of female migrants in urban areas reported marriage as the reason. The NSS 2007-08 numbers are higher, with 91.2 % of female migrants in rural areas and 60.8 % of female migrants in urban areas citing marriage.

But, a closer look reveals a more nuanced story. The NSS 2007-08 also reveals that in rural areas, 31% of the female migrants who moved 'for marriage' are working, while it is 13.3% in urban areas – similar to general levels of female workforce participation. As a result, women who moved for marriage constitute a large share of the female workforce, an overwhelming 62.5% in rural areas and 31.2%, even in urban areas. Thus, the bottom line: **women who move for marriage are a majority (57.4%) of the female workforce in India.**

Indicator	Rural	Urban
Women in labour force who moved due to marriage as a share of all women who moved due to marriage	31.0%	13.3%
Women in labour force who moved due to marriage as a share of all women workers	62.5%	31.2%
Source: NSS 2007-08		

Table II.3: Characteristics of Urban Migrants 2001

	Duration		All durations		10 years and more		
	Origin	Total	Male	Female	Total	Male	Female
Share of urban population in 2011	Rural	21.9%	19.3%	24.7%	8.5%	7.7%	9.4%
	Urban	21.0%	18.4%	23.9%	8.7%	7.7%	9.9%
Share of urban population in 2001 of which	Rural	18%	16%	20%	9.9%	8.6%	11.5%
	Urban	13%	11%	15%	6.3%	5.2%	7.6%
<i>Within district</i>	Rural	37%	31%	43%	37%	29%	44%
	Urban	30%	29%	30%	26%	25%	27%
<i>Other districts within State</i>	Rural	33%	33%	34%	34%	34%	33%
	Urban	41%	39%	42%	42%	41%	43%
<i>Inter-State</i>	Rural	30%	36%	24%	30%	37%	23%
	Urban	29%	33%	27%	31%	34%	29%

Source: Census of India 2001 (D-3 tables) and 2011 (provisional D-5 tables). In 2001, the urban population was 286.1 million and in 2011 it was 377.1 million.

#### II.1. Migrants and the Labour Market

18. As a significant component, migrants play an important role in the labour market and India's growth story. The country's GDP has been growing at an accelerated rate

since 2004 and was 7.9% over 2015-16<sup>5</sup>. Economic growth is further expected to accelerate with the expansion of the **Make in India** program, launched by the Government of India in September 2014 as part of a wider set of economic reforms, aimed at raising the contribution of the manufacturing sector to 25% of the GDP by 2020. As part of the program, various sectors have been opened up for investments, along with a relaxation of regulatory policies to facilitate investments and ease of doing business. Six industrial corridors are being developed across various regions of the country, with industrial cities envisaged to come up along these corridors. The generation of a large number of jobs in the manufacturing sector will be in specific locations (including along the identified industrial corridors) to which people are expected to migrate from a variety of sources, rural and urban. In addition to the formal units, jobs are also expected to be created as a result of the ancillary informal developments supplying the main units and this will also contribute to the flow of migrants. Given historically low levels of manufacturing in India, the impact on migration is expected to be high. The experience of China – the only other comparable economy growing at a high rate – also suggests that a boom in manufacturing results in large-scale movements of labour, indicating further growth in internal migration.

19. The share of migrants in the work-force is quite high, as shown in Table II.4, not just for women, where women move to their husband's house after marriage (thereby becoming a migrant), it is also high in the male workforce in urban areas. In manufacturing in urban areas, 38% of the male workforce is composed of migrant workers, with a similar share in modern services.
20. The resultant need for inculcating skills into this workforce is likely to be met by the government-led **Skill India** initiative and the PMKVY (Pradhan Mantri Kaushal Vikas Yojana), which is an outcome-based skill training programme that is based on successful placement of trainees.

**Table II.4: Share of Migrant Workers in 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%
<b>Total</b>	<b>6%</b>	<b>73%</b>	<b>33%</b>	<b>56%</b>

Source: NSS 2007-08 \* Using the National Industrial Classification codes of 2004 (NIC) **Primary** includes agriculture, hunting, forestry, fishing, mining and quarrying (NIC 01-14), **Manufacturing** is NIC 15-37, **Public Services** are NIC 40-41, Transport via Railways (NIC 6010), National Postal activities (NIC 64110), and Public Administration (NIC 751, 752 and 753), **Construction** is NIC 45), **Traditional services** include wholesale and retail trade, hotels and restaurants, transport, storage and communications (NIC 50-52, 55, 60-64, except 6010 and 64110), and **Modern services** includes Financial Intermediation, Real estate, renting and business, education, health, social work, other community, social and personal services (NIC 65-74, 80, 85, 90-99, excluding 751, 752, 753).

<sup>5</sup> Ministry of Statistics and Programme Implementation, Govt. of India Press Note on First Revised Estimates of National Income, Consumption Expenditure, Saving and Capital Formation, 2015-16 dated 31st January, 2017

21. This placement may be to locations other than where they have been trained, which can be planned for to some extent using the data that is being generated by the skill training providers under different government schemes. Further, the movement of these skilled workers can be facilitated by the provision of good housing and other facilities at their work locations. For instance, models of rental housing can be based on the earning potential of these workers as revealed by their initial placement salaries. This would provide benefits to both employees and workers, and greatly facilitate the removal of information asymmetries in the relevant labour market, which would have concomitant positive effects on Make in India.

#### **Box II.2: Migration as a Part-year Occupation and Insurance Choice**

In Ghatkopar, a suburb of Mumbai, migrants from drought-prone districts in Marathwada arrive every year. They work in the construction industry and live in makeshift shacks. Based on the sugarcane cycle, they usually migrate in November to harvest cane and earn a lump-sum (of about ₹ 50,000) in the four to five months following the monsoon. In summers, they come to bigger cities for another four months for temporary but relatively high-wage jobs in construction. This time, drought shortened the cane harvest season, so many of them earned half the income of past years and arrived in Mumbai 45 days early.

A survey of sixty of these families found that workers in the study did find work in the villages under schemes such as MGNREGS, but many were never paid because of poor administrative oversight and local corruption. This was often cited as the primary reason for their migration and given the choice, many of them would go back and work on farms back home. However, the migration is per se financially beneficial since they obtain more work at higher wages, though their access to housing and services is poor.

Ghatkopar's ability to accommodate these migrants and allow them to search for employment suggests that Mumbai is still a space of economic opportunity for people like Babban Chavan (25), who wants to move up from a *mistry* to a supervisor at a construction site. He says: "*Amchi paristhiti poranvar nay yeu denar* (I don't want my boys to go through what I am going through)". Instead, he wants his children to be graduates and to find a city job. It remains to be seen whether or not the city can also provide its migrants with decent living conditions, and not just economic opportunities in informal employment sectors.

Source: <http://www.indiaspend.com/cover-story/in-mumbai-marathwada-migrants-rise-above-poverty-line-79514>

22. Much of the discussion above refers to what is called "*pull migration*", i.e., people seeking opportunity. This is an inevitable and positive part of the growth process and the location of non-agricultural jobs in specific cities and areas. The resultant diversification of income sources for households with migrants spreads risks across farm and non-farm income, making them more resilient to sectoral shocks. However, there is also "*push migration*", i.e., people leaving due to lack of local options. In this, we must recognise the role of employment guarantee schemes such as Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), rural housing schemes such as Prime Minister's Awas Yojana-Rural (PMAY-Rural) in mitigating pressures for push migration. This is especially so, since such push migrants may be at a disadvantage in the urban labour market. However, as Box II.2 indicates, the distinction between push and pull migrants may not be very clear. The migrants from Marathwada are clearly pushed out of their villages, but they are not necessarily financially worse off from the experience.
23. The effect of migration on inequality and poverty is not clear. De Haan and Rogaly (2002) find little evidence that migration reduces source-destination inequalities. They further point out that development of source areas need not reduce out-

migration, and that development and out-migration can be simultaneous processes.<sup>6</sup> This is because the richer in the village may migrate, 'pulled' by better prospects in the city, while the poor are 'pushed' to migrate. While Deshingkar (2010) finds it "impossible to say that the poor have become non-poor as a result of migration, because of the difficulties of measuring poverty and multiple deprivations" (p. vii), she does itemise a number of positive impacts on social and economic status, in terms of faster debt repayment and higher borrowing capacity, better access to food and increased ability to spend on health, education and housing. However, in addition to long separation from the family, there are also costs associated with poor, unsafe and unhealthy working conditions.

**Table II.5: Occupation Structure of Migrant and Non-Migrant Workers**

Industry Type	Male				Female			
	Rural		Urban		Rural		Urban	
	Non-Migrant	Migrant	Non-Migrant	Migrant	Non-Migrant	Migrant	Non-Migrant	Migrant
Primary	65%	37%	7%	3%	76%	84%	10%	15%
Manufacturing	8%	17%	22%	27%	12%	6%	28%	23%
Public Services	4%	11%	8%	11%	6%	5%	34%	34%
Construction	8%	10%	10%	9%	2%	2%	4%	6%
Traditional Services	12%	20%	41%	33%	4%	2%	15%	15%
Modern Services	2%	5%	12%	16%	1%	1%	10%	8%
	100%	100%	100%	100%	100%	100%	100%	100%

Source: NSS 2007-08. Classification as in Table II.4

24. This discussion above would seem to indicate that access to employment for migrants is not a major binding constraint at an aggregate level. We look at this issue in some detail. First, we consider the occupational structure of migrant and non-migrant workers to see if there are significant differences in their composition. The variation in share of migrant workers in Table II.4 indicated that one can expect some differences. However, Table II.5 indicates that this may not be very substantial. First, in both urban and rural areas, the occupational structure of migrant and non-migrant female workers is not very different, except that migrants are a little more represented in primary sectors and a little less in manufacturing. For males, while there is an expected large difference in rural areas with non-migrants being much more engaged in primary activities, the difference in urban areas is not very extreme. Migrants are more represented in manufacturing and modern services, and a little less represented in traditional services, but it would be difficult to argue from these aggregate patterns that there is a systematic exclusion of migrants from urban labour markets. This does not mean that there are no attempts to do so, as discussed later – just that those attempts have not succeeded in a discernible manner. We should continue to ensure that the labour market does not discriminate against migrants in any manner.

<sup>6</sup> "Better-off migrants are 'pulled' towards better job prospects, while the poor are 'pushed': 'push' and 'pull' migration are twin children of inequality in the same sort of village; but they are also sources of new inequality." (Connell et. al. 1976 in De Haan and Rogaly 2002, p. 5).



25. Box II.3 considers the issue of migrants and non-migrants in major cities, in particular Delhi and Mumbai. Here, there are some differences between rural migrants from within the state and those from out-of-state in terms of their occupational structure, with in-state rural migrants more likely to be employed in public and social services than out of state rural migrants. However, this could be explained in terms of linguistic felicity where, in public services, linguistic skills may confer an advantage to in-state migrants vis-à-vis out-of-state migrants, rather than active discrimination. All in all, it is clear that even in large cities, migrants are thus an integral part of the economic engine of the city. In contrast to the stereotype of migrants being largely in low-income occupations like street vending, etc., they are employed across all sectors and are essential for manufacturing growth.
26. The stereotype of migrants as being relatively lower income is also not borne by the data. The grouping of migrants by consumption quintile reveals some interesting patterns as shown in Figures II.1a and II.1b. First, it should be clarified that these quintiles are national consumption quintiles<sup>7</sup> and as such, the proportions would differ based on urban and rural areas. A large proportion (31%) of all migrant workers are actually in the top consumption quintile and this increases their share of total workers in the top quintile, across occupational categories, in both rural and urban areas. In urban areas, this is particularly pronounced, with 62% of all migrant workers are actually in the top consumption quintile and half the workers in manufacturing and modern services in the top quintile being migrants.
27. There are many ways to think about this finding. First, there may actually be a relatively high incidence of migration in the managerial categories, in specific sectors. Second, since the consumption quintiles are based on MPCE, a smaller household would tend to put the migrants in a higher consumption quintile. So, if the migrant is a single-member household, this pattern could be seen. The relatively high proportion of males in the topmost quintile also suggests this explanation. Third, this can be also be due to the exclusion of poorer migrants from the urban areas, however, since this is also seen in the rural areas, this may not be the appropriate explanation.

## **II.2. Short-term migrants**

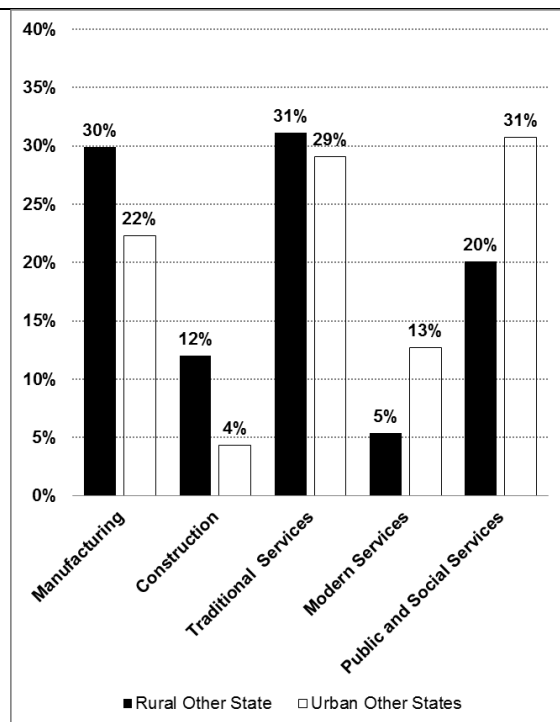
28. This pattern of increasing migrants by consumption quintile however changes completely when we consider short-term migrants, who were estimated in the NSS 64<sup>th</sup> round (2007-08) as: "Persons who had stayed away from the village/town for a period of 1 month or more but less than 6 months during the last 365 days *for employment or in search of employment* (emphasis in original)" (NSSO 2010; p. H-iii).

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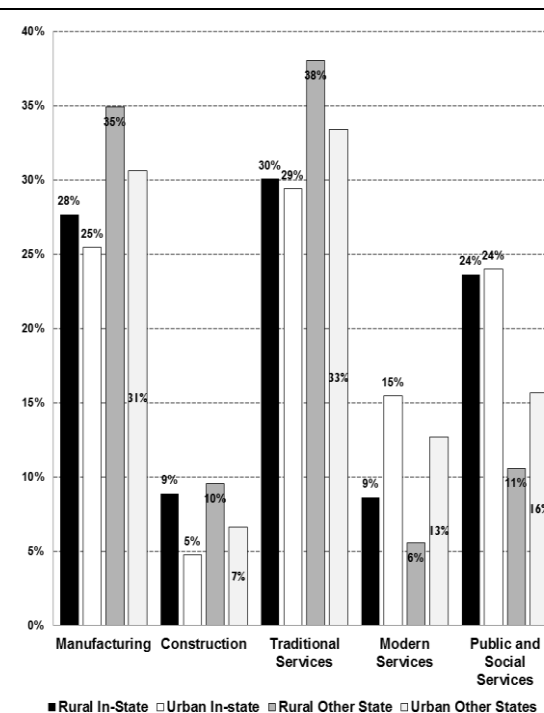
<sup>7</sup> The national MPCE quintile values in the NSS 2007-08 survey are `455 for the 20<sup>th</sup> percentile, `580 for the 40<sup>th</sup> percentile, `741 for the 60<sup>th</sup> percentile and `1070 for the 80<sup>th</sup> percentile.

### Box II.3: The Migrants of Delhi and Mumbai

#### Delhi



#### Mumbai



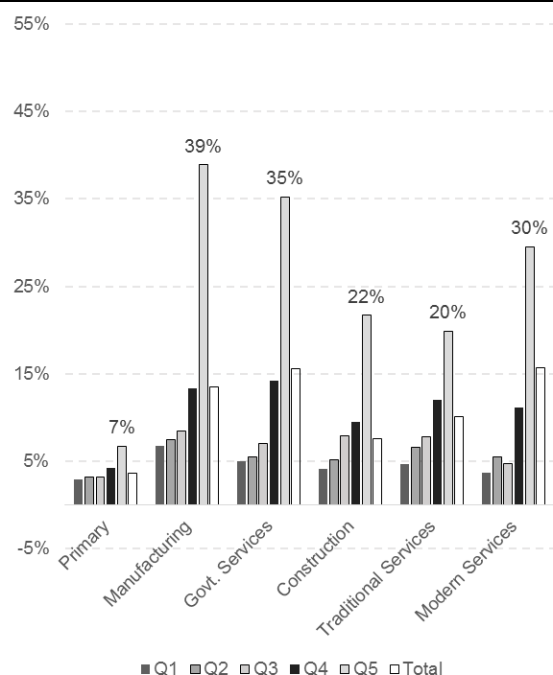
According to the NSS 64<sup>th</sup> round, about 43% of Delhi's population are migrants, with over half coming from Uttar Pradesh and Bihar, two of India's less developed states. While all migrants to Delhi are from out of state, there is a difference between migrants who come from rural and urban areas. Typically, migrants from rural areas tend to be more employed in manufacturing and traditional services, i.e., trade, hotels, transportation, etc. while those from urban areas are employed in public services like health and education and also in modern services like real estate, financial intermediation, information technology, etc.

Mumbai also has 43% of its population as migrants, with over half of *out-of-state* migrants also coming from Uttar Pradesh and Bihar and over a quarter of recent migrants from within state, a proportion which has fallen over the years. The jobs picture is different between these two groups. In addition to manufacturing and traditional services, migrants from rural Maharashtra are also likely to find employment in public and social services, more so than urban migrants from other states. They are less concentrated only in modern business services. However, for rural migrants from out of state, the pattern is similar to Delhi, with more concentration in manufacturing and traditional services, and less in public services.

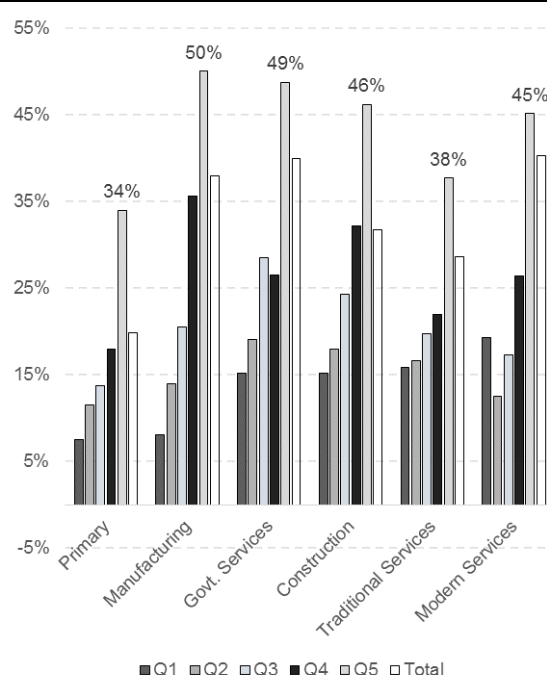
Source: NSS 2007-08

29. Though the proportion of short-term migrants is much lower than long-term migrants, they are definitely drawn from the lower consumption quintiles, as seen in Figure II.2. As such, they conform to the popular notions of migrants, e.g., the migrants from Marathwada in Box II.2, who do indeed meet the definition of short-term migrants used by the NSS. Indeed, as we see in Section V, the discussion around data does focus to some extent on how well the NSS measures short-term migration (the Census does not measure it).

**Figure II.1a: Share of Migrants in Rural Male Workers by Consumption Quintile**

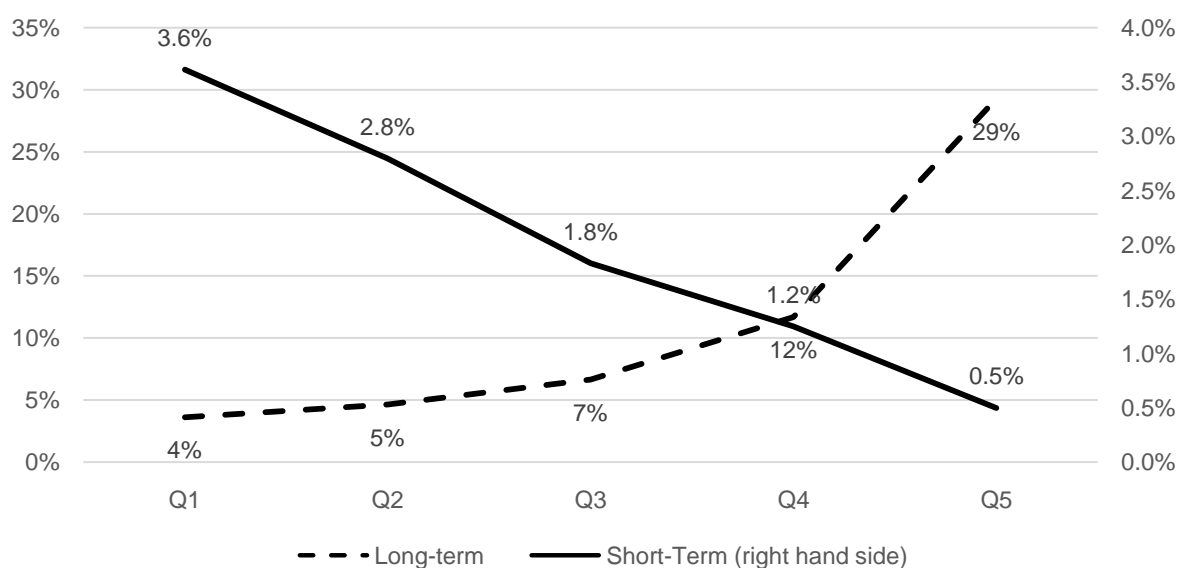


**Figure II.1b Share of Migrants in Urban Male Workers by Consumption Quintile**



Source: NSS 2007-08, classification as in Table II.4

**Figure II.2: Share of Short\* and Long Term male migrants by consumption quintile**



Source: NSS 2007-08

\*In this chart, short-term includes migrants who report only short-term migration

30. In determining the destination of short-term migrants, the NSS 2007-08 survey considered the place in which the short-term migrant had stayed for the longest period, considering all his spells<sup>8</sup> of staying away. Similarly, for the short-term migrants who had worked during the period of staying away from the village/town, the industry of work (2-digit of NIC 2004) was recorded and if they had worked in different industries, the code corresponding to the industry of the longest duration of work was recorded.
31. Most of the short-term migrants are of rural origin and male. Of the estimated 13.6 million short-term migrants from the NSS 2007-08, 12.6 million were of rural origin, of which only 1.9 million were female. There were 1.04 million short-term migrants of urban origin of which 0.88 million were male. However, the destination of most – 71.6% – of these rural male migrants was urban, and of these 40.3% were in another state. Among women, 41.7% were going to urban areas, with 17.1% in another state.
32. The occupational composition of short-term migrants is also very different from that of long-term migrants, as seen in Table II.6. In particular, the share of construction work, especially for migrants of rural origin is very high (41.6%), and over a quarter (25.2%) even for urban origin migrants. For rural origin migrants, another quarter are engaged in primary activities. Manufacturing also employs a number of short-term migrants of rural origin as well as more than a quarter of such migrants of urban origin. Indeed, a larger share of short-term migrants are in manufacturing as compared to long-term migrants. This could be due to the fluid nature of manufacturing employment.

**Table II.6: Occupational Structure of Short and Long term male migrants**

	Rural Origin		Urban Origin	
	Short term	Long term	Short term	Long term
Primary	24.9%	59.5%	13.2%	14.7%
Manufacturing	16.8%	13.1%	26.0%	19.9%
<b>Construction</b>	<b>41.6%</b>	<b>5.3%</b>	<b>25.2%</b>	<b>5.3%</b>
Traditional Services	13.0%	11.3%	23.0%	25.0%
Others	3.7%	10.7%	12.6%	35.1%
	100%	100%	100%	100%

Source: NSS 2007-08, Classification as in Table II.4

### **Commuting and Short-term migration**

33. An alternative to short-term migration is commuting, especially if the short-term migration is for very short durations and not too far from the place of residence (the pattern of short-term migration, discussed later in section V, indicates that this may be the case for a portion of the short-term migrants). Deshingkar (2010) finds this is rising in a state like Andhra Pradesh, including to nearby small towns. In such cases, feasible transport options can confer the benefits of migration, without the corresponding social costs of relocation. Chandrasekhar and Sharma (2015) find that this is already happening, with 8 million commuters from rural to urban areas and 4.3

<sup>8</sup> A period of staying away from the village/town for a period of 15 or more days was termed as a spell.

million in the other direction. Indeed, the extent of commuting is more to the extent of short-term migration estimated from the NSS (which is contested, as discussed in section V).

### II.3. Caste and Migration

34. There are also distinct patterns in migration related to caste. First, there is an important lacuna in this area for inter-state migrants in the census (see Box II.4). However, there is information for migration within the state and information with the National Sample Survey that could be analysed. For example, since Delhi itself does not have any notified tribes, the NCT of Delhi does not have any scheduled tribes on record as per the Census of 2011, despite the presence of a number of scheduled tribe persons from different states of India. However, based on data from the National Sample Survey 2011-12, in Delhi 2.5% of the population identify themselves as Scheduled Tribe, i.e., about half a million persons – most would by definition be migrants.

#### Box II.4: Migration, Caste and the Census

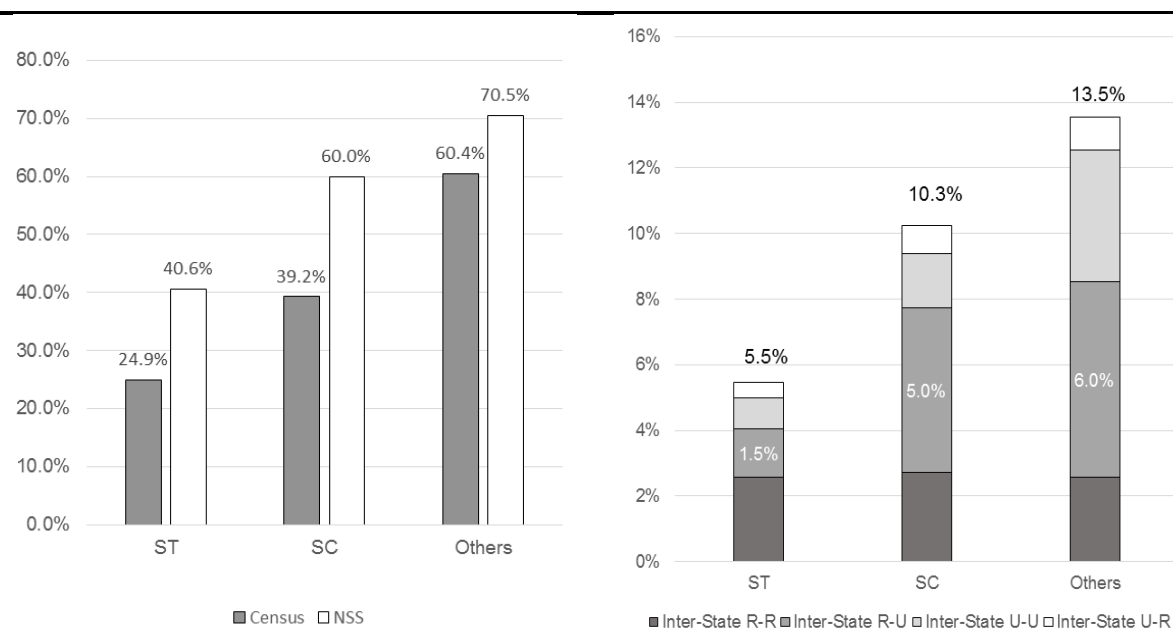
While discussed in more detail in section V, it is pertinent to mention here that the Census of India does not provide caste information for inter-state migration. Administrative lists of Scheduled Castes, Scheduled Tribes and Other Backward Classes for the purpose of affirmative action and social justice are prepared, notified and maintained at the State level, and a move across state borders may result in the same community being subject to a different administrative classification. Thus, on the one hand, while people may migrate to escape from caste atrocities, they stand to lose the corresponding markers of vulnerability, and access to resources, despite the fact that the migration may not have significantly improved their socio-economic condition. This is a complicated issue that needs discussion. **The working group recommends that the Registrar General of India consider amending the protocols for data collection for the Census of India to address this issue. One method may be to use the classification at state of origin.**

35. A few broad patterns can be discerned in the data. Scheduled Castes (SC) and Scheduled Tribes (ST) are over-represented in short-term migration streams and under-represented in long-term migration streams. In the NSS, both the ST and SC male migrants are less urban oriented in migration, in that 40.6% and 60% are city-bound, compared to 70.5% of the non-SC/ST category, as seen in Figure II.3a. Further, as seen in Figure II.3b, for all migrants, 5.5% of ST and 10.3% of SC are inter-state migrants compared to 13.5% of the non-SC/ST category. Note that since the Census does not record inter-state migration of SC and ST migrants, classifying them as other, since SC and ST categorization varies across states(see Box II.4), this may account for some of the difference between NSS and Census figures in Figure II.3a, apart from the difference in the time, viz. 2001 and 2007-08. Also, while the Census records SC/ST migrants on an individual basis, in the NSS, any migrant into a SC/ST household would be counted as belonging to the SC/ST category even if the individual migrant is not SC or ST.
36. While a substantial portion of migration for all social categories is because of marriage or moving with family, a high share of the both the SC and non-SC/ST categories report migrating for employment when moving to urban areas whether inter-district or inter-state, whereas the ST is relatively focused on employment only for inter-district but not inter-state migration. This pattern is consistent with a situation where the SC and ST social categories are in some sense excluded from urban areas, due to a lack of prior skills and/or social networks that enable one to find

urban employment. It need not necessarily mean an active discrimination against these social categories.

37. When one considers the employment structure of male migrants from these three social categories, there are considerable difference in the share that is engaged in agriculture and mining, with 35% for ST and 23% for SC, compared to 13% for others. However, once one considers the share within non-primary occupations, the differences are not that sharp as seen in Figure II.4. Construction does constitute a much larger share for both SC and ST, 20% and 24% respectively, but there is a substantial share in manufacturing (less for ST) as well as traditional, government and modern services. The others are concentrated in traditional services, and also in manufacturing and the other two types of services.

**Figure II.3a:Share of male migrants going to urban destinations by social category**      **Figure II.3b:Share of all migrants going to other states by social category**



Source: Census of India 2001, NSS 2007-08

38. As such, once they enter the non-primary sector, the employment composition of the male migrants SC and ST categories are comparable, somewhat but not significantly different from the other categories. It is in the higher participation in primary activities, more for ST than for SC migrants that these two categories really differ from others. Their high participation in construction sector mean that over one-third of the migrants in construction are either ST (8%) or SC (27%).

### Concentration in Specific Sectors

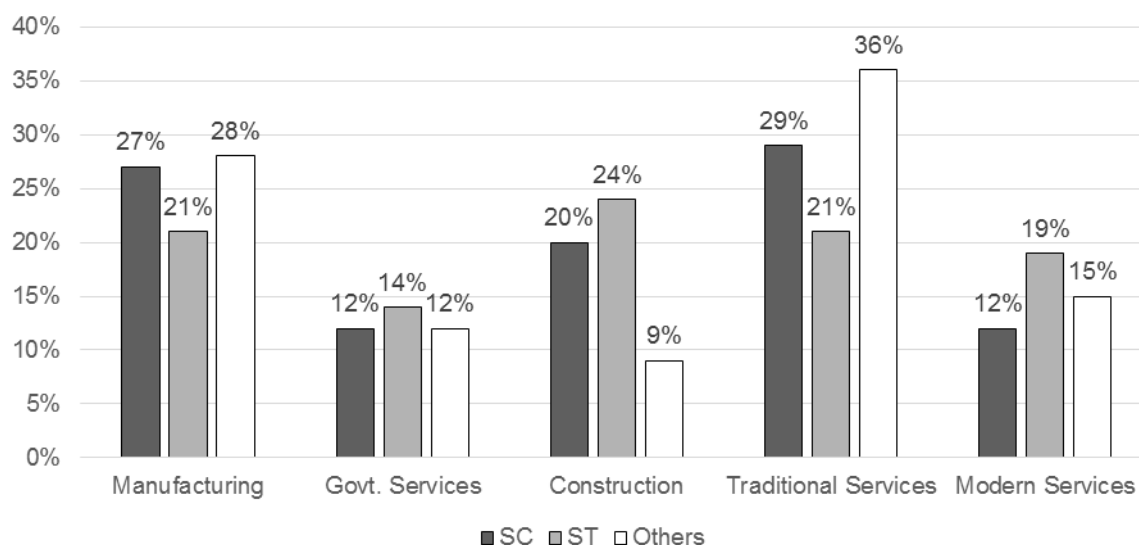
39. However, in specific sectors, like construction, the concentration of ST and SC categories can be quite high, as seen in Figure II.4. Further, among brick kiln workers, 95% of whom are rural, half (48.7%) of all migrant workers are from the SC category and 16.1% from the ST category. Even of the remaining 35.2%, an overwhelming part, 30.1%, are OBC. This compares to the share of all migrants of 18.8% and 7.7% of SC and ST respectively. As such, it would appear that there is a disproportionate concentration of SC and ST migrant workers in the brick kiln industry. The inclusion of brick kiln workers within the ambit of the Building and Other

Construction Workers (Regulation of Employment. And Conditions of Service) Act, 1996 is therefore an important initiative in the context of welfare of SC and ST category workers.

#### **II.4. Building and Construction Workers**

40. Construction work does constitute a major area of work for short-term and vulnerable migrants. There are about 50 million building and other construction workers as per the estimates of the NSS 2011-12. Two principal legislations concerning the building and other construction workers are: the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996; and the Building and Other Construction Workers Welfare Cess Act, 1996. As per these, building and other construction workers (such as brick-kiln workers) are required to be registered with state-level Construction Workers Welfare Boards. Minimum safety standards and conditions of employment for construction workers have also been prescribed.
41. The Building and Other Construction Workers Welfare Cess Act, 1996 mandates a cess ( at 1% of the cost of construction incurred) which is pooled into a fund, managed at the state level by the Construction Worker Welfare Boards, to be used for the provisioning of social security and related services for construction workers. The social security benefits involve medical assistance and accident cover, pension, maternity benefits, educational assistance for children of workers, assistance to family members in case of death (by accident, at worksite or even in case of natural death), funeral assistance, and in some states, marriage assistance for children of workers. However, as shown in Table II.7, the funds under this head are very sparingly used, except in a few states. Based on information provided by the Ministry of Labour and Employment, it is seen that an average of 15 % of funds was utilized by states in 2013. In only seven states/ Union Territories (UTs), constituting 35% of the 22 million registered workers, viz., Kerala, Chhattisgarh, Tamil Nadu, Madhya Pradesh, Puducherry, Arunachal Pradesh and Sikkim, the share of spending to collections was more than 10%, in twenty other states/ UTs, constituting 59% of registered workers, it was less than 10%, at an average of 3% and in eight states, with 6% of registered workers, there was no spending. The highest cess utilization is by the state of Kerala followed by Chhattisgarh. By 2015, the situation had improved somewhat, with some of the zero spending states undertaking some expenditure, but the overall spending as a share of collection remained low, rising from 15% to 21% of collections.

**Figure II.4: Employment Share in Non-Primary Sectors for Male Migrants by Social Category**



Source: NSS 2007-08

42. Brick kiln workers are also required to be registered with state-level Construction Workers Welfare Boards under the Building and Other Construction Workers Welfare Cess Act, 1996 and can thus benefit from the mandatory cess to be used for the provisioning of social security and related services, as well as minimum safety standards and conditions of employment, but they are also subject to the same lacunae in their implementation. Working hours can stretch as much as 16 hours a day (Joshi and Khandelwal 2009; Guerin et. al. 2007).
43. Studies (see Box II.5) indicate that recruitment is are still primarily through labour contractors, who often happen to be from the same village or community as the workers. Typically, workers are tied to the contractor through an advance payment adjusted against wages and living costs at the brick-kiln, rendering them “bonded for the duration of the season” (PCLRA 2012: 30; Joshi and Khandelwal 2009).<sup>9</sup> This bondage could be “mild”, with the ability to leave the site temporarily during a production season (Guerin et. al. 2007) or, at the other extreme, workers and families remain tied to the same brick-kiln for years, with periodic adjustment of previous advances (Majumder 2015; John 2014).

**Table II.7: Dismal but slowly improving Use of the CWWB Cess**

Name of the States/UTs	Regd. workers	Amount of cess collected (₹ Cr.)		Amount spent (₹ Cr.)		Spending as share of collection (%)	
	2015	2013	2015	2013	2015	2013	2015
Kerala	7%	808.8	1234.0	728.8	1152.4	90%	93%
Chhattisgarh	4%	222.2	539.3	125.4	345.4	56%	64%
Tamil Nadu	11%	604.3	1290.9	278.0	511.9	46%	40%

<sup>9</sup> This is despite the Bonded Labour System (Abolition) Act, 1976. Given the workers' straitened financial circumstances, these arrangements can often be 'voluntary', complicating efforts to release them from 'bondage'.



Madhya Pradesh	12%	903.7	1575.6	312.8	552.0	35%	35%
Puducherry	0.2%	20.7	71.7	4.6	31.2	22%	44%
Arunachal Pradesh	0.04%	23.0	..	4.6	..	20%	..
Sikkim	0.1%	18.6	54.7	2.4	10.8	13%	20%
Twenty other states/UTs	59%	8927.7	19660.5	279.5	2517.4	3%	13%
Eight other states/UTs	6%	70.4	1027.9	0.0	245.8	0%	24%
<b>Total (cr.)</b>	<b>2.24</b>	<b>11599.3</b>	<b>25454.5</b>	<b>1736.2</b>	<b>5367.0</b>	<b>15%</b>	<b>21%</b>

**Source:** submissions by Ministry of Labour and Employment to the Working Group  
See text, para 41, for characteristics of the twenty state and eight state groups

44. Wages can be either on a piece-rate or daily basis, but estimates vary. A Chennai field study in 2003-04 estimated it to be about ₹ 1012 per month Guerin et. al. 2007: 600)<sup>10</sup> while in North Gujarat, Joshi and Khandelwal (2009) found an average monthly earning of about ₹ 1800. However, a recent study in Uttar Pradesh finds an average monthly wage of ₹ 12,926 (Majumder 2015: 22), above the state's minimum wages for 2014. It may, thus be seen that are significant financial provisions under the scheme that remain underutilized.

#### **Box II.5: Brick Kiln Workers**

India is estimated to produce about 250 billion bricks annually (Lalchandani and Maithel 2013), i.e., about a tenth of global production, second only to China (Punjab State Council for Science and Technology website, undated). The industry is characterised by low capital-intensity and seasonal employment, and is located in rural areas and urban peripheries, i.e., **it will not be captured as usual rural urban migration, but as rural to rural migration**. Employment estimates vary widely, from 10 million by ILO (cited in PCLRA 2012: 10), to 1.5 mn. by NSSO (2007-08), with 0.4 mn. mostly rural migrant workers.

Based on the NSS, some of the highest proportions of migrant brick-kiln workers are concentrated in a belt from inland Maharashtra to coastal Andhra Pradesh, and in parts of Karnataka, West Bengal, Northern Odisha, Central Gujarat, Rajasthan and the National Capital Region (NCR). Some of these destinations are common with migration flows identified in field studies, which include Bilaspur in Chhattisgarh to Uttar Pradesh, Gujarat and Odisha; from western Odisha to Andhra Pradesh, Karnataka and Tamil Nadu (PCLRA 2012); from Udaipur district in Rajasthan to North Gujarat (Joshi and Khandelwal 2009); and from Jharkhand to West Bengal, Uttar Pradesh and Bihar (Shah 2009).

Employment is for about seven months, beginning in early winter till the onset of monsoon (Majumder 2015; Joshi and Khandelwal 2009). Many workers migrate in male-female pairs (*jodis*) (Mazumdar, Neetha and Agnihotri 2013) and as families (Joshi and Khandelwal 2009). Most (72.92% in rural and 51.53% in urban) female workers are migrants. Tasks on site are segregated by gender, with women cooking (Joshi and Khandelwal 2009) and breaking coal fuel. Men prepare and arrange the bricks and set up the kilns. Both men and women transport bricks. Accompanying children can also help out on site.

Injuries are commonly reported, more so for piece-rate workers who may take greater risks, in an attempt to increase earnings. Medical expenses are reportedly met initially by

<sup>10</sup> Guerin et. al. (2007) found that a typical mode of remuneration was per set of workers, with each set comprising of a pair of workers (usually husband and wife), ranging up to six workers, often from the same family.

the contractor, but later deducted from wages (Joshi and Khandelwal 2009). Accommodation on work sites is provided by the contractor, but it usually comprises structures of bricks and plastic sheets (Joshi and Khandelwal 2009), lacking basic facilities like water and sanitation (Menon 2014). Often, workers are also forced to buy grain from contractor-affiliated grocery shops at the work site, at higher than market prices (Joshi and Khandelwal 2009).

#### **Box II.6: Collaboration of Civil Society and the State to benefit migrant workers**

In December 2015, Department of Labour, Government of Rajasthan (GoR) extended support to the Labour Helpline service being run by Ajeevika Bureau, a civil society organization that works with migrant workers at the source and destination. The centralised helpline operated from Jaipur seeks to provide information and counselling services regarding access to government schemes, non-payment of full wages, experiences of exploitation and distress among migrants. GoR promoted the helpline number aggressively in three ways: **(a)** by including the number in all communication and advertising related to BOCW Welfare Board; **(b)** by educating all labour department officials and encouraging them to spread awareness about the helpline; and **(c)** through an aggressive press campaign.

Based on data collected during a visit to Ajeevika's helpline centre in June 2016, following this, the helpline saw a surge in the number of calls, with the average going up from 200 to 1000 per month. The resolution percentage also has gone up from around 45% to about 55%. Between March and May 2016, ` 55 lakh has been paid in compensation after mediating in complaints related to wage non-payment. This compares to a total of ` 2.6 crore of compensation since Ajeevika Bureau started the helpline service in August 2011. Encouragingly, the number of women callers has also increased from 13% to 43% of complaint calls. The success can be attributed to the increased outreach and enhanced trust that came with the government support to an already functional civil society initiative.

Source: Interview with staff of Ajeevika Bureau's labour helpline in Udaipur on 3rd June 2016

45. It is also not clear what the outreach and awareness about the scheme is, even as 22.4 million workers were reportedly registered by the states as of December 2015. The immediate priority, therefore, is to ensure that construction workers are aware of benefits, and that there is a coordinated effort at the level of the States to extend the registration of workers. It is heartening to note that spot registration camps are being conducted across various states and UTs.
46. The outreach of these may further be extended through extensive radio campaign and mobile campaigns. The UNESCO has prepared training material which is currently used by many community radios (UNESCO 2015). Some states are also working collaboratively with civil society organisations (Box II.6). States like Andhra Pradesh, for instance have entrusted work under the Act to a 'specialised agency' for registration of the unorganised workers in the sector. The Delhi government, on the other hand, has created a structure of incentives for trade unions in the sector to expand registered workers under the Board. However, as seen in a recent study, the awareness of these benefits even in a city like Delhi remains low, with consequent continuance of poor living and working conditions (Box II.7)

### Box II.7: Construction workers in the National Capital Region (NCR)

The need for more awareness and facilitation of access is seen from a recent survey finding that construction workers were unaware of their rights even in the NCR. The study surveyed 150 construction workers in Delhi, Gurgaon and Noida across three types of worksites, viz. a) construction of large residential complexes and b) construction of office and commercial spaces by firms in the organised sector, and c) construction of individual residential premises, seen as an unorganised sector activity. **Workers at all three sites were either not aware of the Construction Workers Welfare Board or had not registered with it.**

The migrants were largely young and male, mostly from the states of West Bengal and Bihar. In the organised sector, they were recruited through labour contractors (known as *jamaadars* or *munshis*), often known to and from the same area as the workers. In the unorganised segment, workers relied more on kin networks and smaller contractors, but in some cases, workers migrated through kin networks but were recruited by contractors. Workers recruited by contractors are paid advances, to ensure availability for the duration of the season, as adjustment of advance against wage payments did not take place until the final settlement. Workers who left had to give prior notice and settle advances received.

The study found that employment in both sectors is casual, and there are no written contracts. Wages are below the minimum wage(s) as stipulated by the respective state governments and working hours often extend as long as 10-12 hours. Overtime wages, when paid, are not at legal rates. Accidents are frequently reported and safety norms are not in place. Even in the organised sectors, the study found a lack of social security provisions and provisions for paid leave and medical leave. For work-related grievances, workers approached labour contractors. Workers typically lived in makeshift arrangements ('*kaccha*' and/or '*jhuggi*') on sites provided by the employer and/or contractor, or bore their own travel costs. In the organised sector, they had relatively better access to drinking water and crèche facilities for children.

**Source:** Srivastava and Sutradhar (2016)

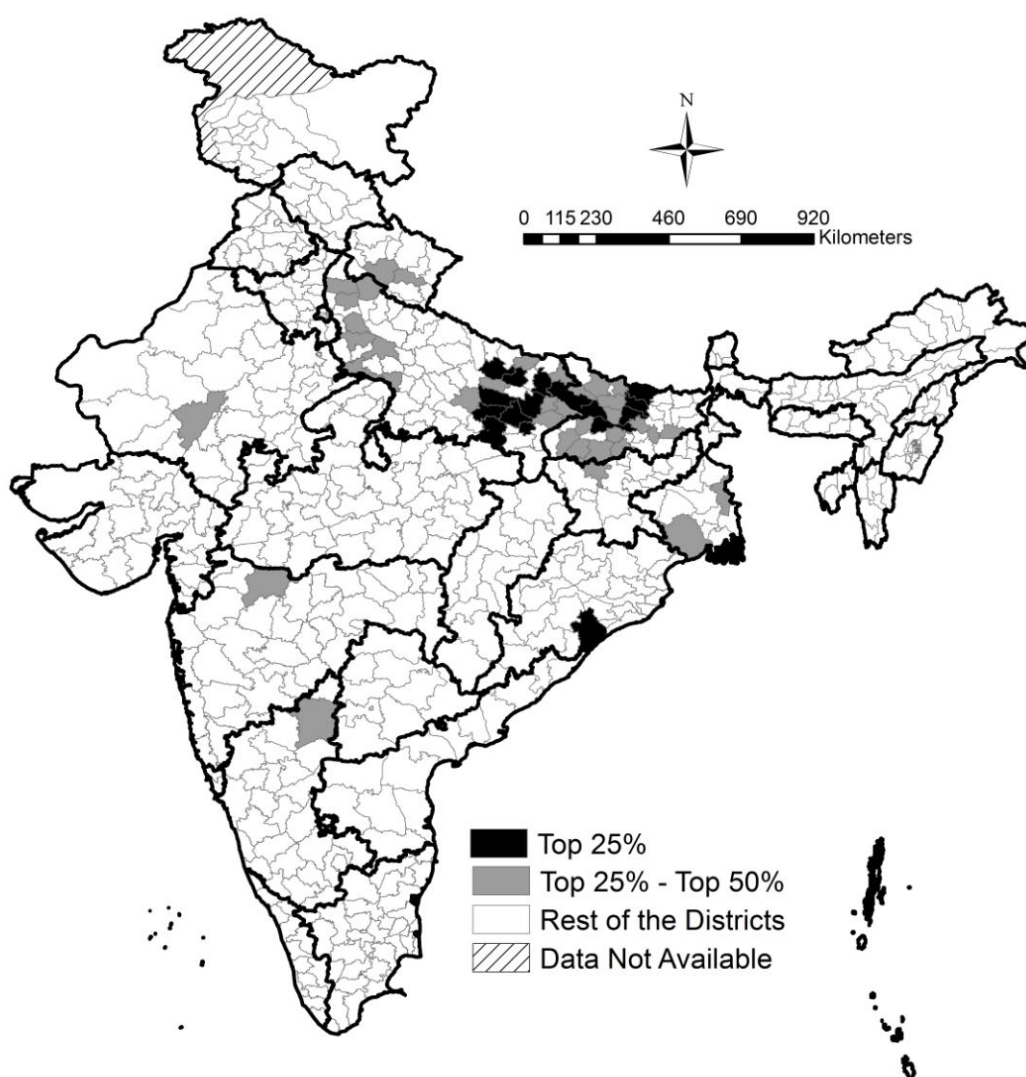
### II.5. Sources of Migration

47. A key issue inhibiting the movement of labour is that migrants who are registered to claim access to a number of legal and other entitlements at their source locations, lose access to these benefits upon migrating to a different location. This is particularly aggravated in the case of inter-state migration, which is further complicated by barriers of language and jurisdiction, but is also true of intra-state migration.
48. In this context, **Digital India**, the Government of India's endeavour to transform the ecosystem of public services through the use of information technology, is an invaluable asset to improve migrants' access to Government services. Two main considerations arise to be resolved in this regard – the identification of beneficiaries for targeted access, and allocation of funding in case of benefits being transferred to inter-state migrants. In this connection, the digitization of beneficiary databases, lists and registers under various schemes, as well as direct electronic transfer of benefits under PAHAL (*Pratyaksh Hanstantarit Labh* or Direct Benefit Transfer) and other analogous projects, should facilitate the portability of access to entitlements for migrants, initially within states and subsequently at an inter-state level. For this, it would be useful to identify the key source areas, in order to focus initial attention.

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**Figure II.5: Key Districts Accounting for Male Inter-State Out Migration from Rural To Urban Areas In India**

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Source: Census of India 2001

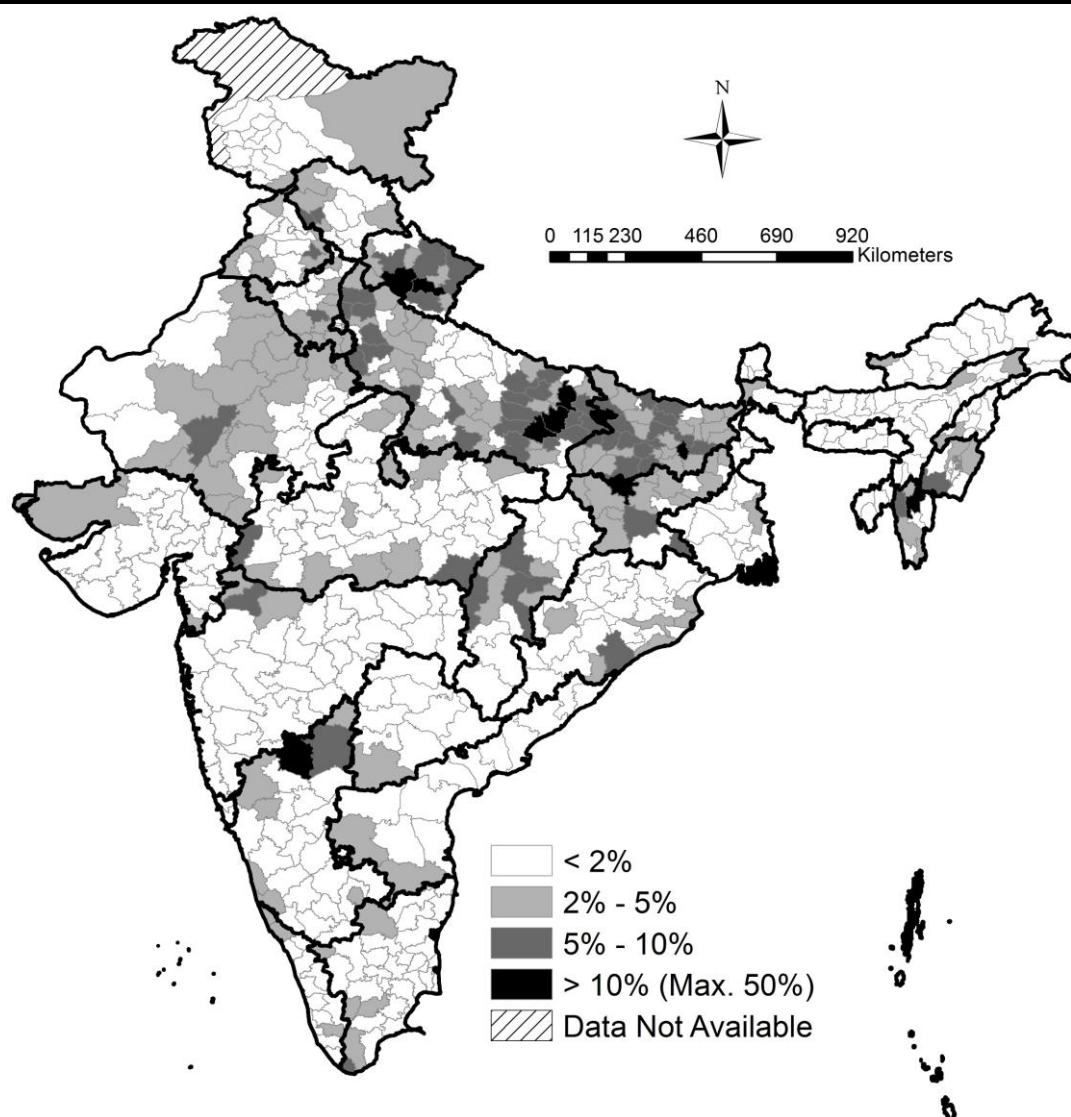
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49. Figure II.5 shows the key male inter-state out migration districts from rural to urban areas. All the districts in India are ranked in order of the absolute number of inter-state male rural-urban out-migrants. From this we observe that only 17 districts account for a quarter of all male out-migration across state boundaries. These are in black shade showing the top 25% of inter-state out-migration in India. Following this, another 37 districts account for an additional 25%, i.e., **54 districts (see list in Appendix 1A) account for half the male inter-state out-migration in the country.** These 36 districts are in a lighter grey shade. As seen in the map, these districts are concentrated in Eastern Uttar Pradesh and Bihar, with certain districts in other states, like Nadia and Midnapore (West Bengal), Ganjam (Odisha), Gulbarga (Karnataka), Jalgaon (Maharashtra), Pali (Rajasthan), and a few in Western Uttar Pradesh.

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**Figure II.6 Districts with a high level of inter-state out-migration intensity (inter-state male out-migrants from rural areas)**

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Source: Census of India 2001

50. A focused approach to deal with inter-state migration issues that targets these areas could be a good approach, e.g., Bihar has already focused on reforming its PDS. One could engage the state government in examining the possibility of providing portable PDS benefits across state boundaries. For example, 60% of the out-migrants from the six districts of Bihar, Madhubani, Darbhanga, Samastipur, Patna, Saran and Siwan (which form a contiguous arc) that are part of the top 18 districts, are in the states of Delhi (28%), Maharashtra (17%) and West Bengal (14%). Similarly, for Ganjam, one could explore arrangements between Odisha and Gujarat, which accounts for 78% of the out-migrants. This is discussed later in section III.
51. Furthermore, not only are these districts in Bihar, Jharkhand and eastern Uttar Pradesh key sources of migration, they are also the most migration intensive areas, in terms of the share of local workforce that out-migrates, as can be seen from Figure II.6 (see Appendix 1B for a list of districts where the ratio of rural male out-migrants in 2001 to the rural male working population in 2001 was more than 5%)
52. The spread of mobile access makes it possible to leverage the technology to facilitate access for migrants from these areas to necessary information and support,

e.g. through helplines, for the variety of services that are already available and funded, as discussed in more detail in section III. There are already functioning examples of such helplines, such as the one in Rajasthan documented in Box II.6.

There appear to be two models, which could be mixed. One relies on services provided to multiple groups of migrants at destination while the other can be based in the source state but is accessible to migrants from the state, wherever they may be. In the case of Rajasthan, the migrant helpline is based in the state but accessed by migrant workers from Rajasthan, who are in other states. In this case, the staff would need to be conversant with legal benefits and protection and services available to migrants in different states or, as is more feasible, be able to connect the migrant to organisations in the destination state who may be able to assist him or her.

## **II.6. Migration for Education**

53. The focus of this report is on migration for work. However, it should be recognized that a growing part of migration in India, especially among younger people, is migration for education. This is distinct from the education of children who migrate with other adults, who are in turn migrating for work. Migration for education faces two problems that are similar to migration for work, viz., lack of suitable accommodation and restrictions relating to domicile in accessing educational institutions.
54. In the case of private educational institutions, it could be argued that there may be a market incentive to ensure that prospective students are not deterred by lack of accommodation (though it is not clear that this is always the case). However, for public institutions, there is no such market incentive and active public action is necessary.
55. Domicile based preferences in education institutions, e.g., the reservation of seats in state universities for local students (defined in different ways) is a common feature in our states. Such regulations are also often extended to private educational institutions also. There are also similar preferences for faculty (thus impinging on work-related migration). At the moment these are considered to be in the domains of the respective states and is unlikely to be removed unilaterally. Neither is it an issue that seems to be at the forefront of discussions in education policy at the Union level.
56. The legal position on this seems clear and settled, invalidating restrictions based on residence for purposes of higher education. Indeed, the recent decision of the Supreme Court in *Charu Khurana v. Union of India and Others* (Civil Writ Petition No. 73/2013) affirming the invalidity of restrictions based on residence and gender for purposes of employment, draws upon earlier decisions in the area of education.
57. Under the circumstances, it is, in the opinion of the Working Group, an issue of such importance that it cannot be addressed by a general working group on migration such as this, but needs careful consideration on its own. It is for the Ministry of Human Resource Development to consider the wisdom of studying this issue, preferably in a manner that involves the states, to see whether the promise of Article 19 can be more fully realized. This is therefore an issue not considered further by this Working Group.

**Box II.8: Spending Categories of various Construction Workers' Welfare Boards****Support for Public Provision**

Grant of loan or subsidy to local authority in any scheme connected with the welfare of building/construction workers

Workers Transit Hostel

Scheme for construction of labour sheds/night shelters

**Educational Assistance for Children of Construction Workers**

Primary to Senior Secondary Schooling

Graduate, Diploma and Post-graduate education

Vocational Courses

Cash scholarships/rewards for meritorious students

Expenses for MBBS/BE/Professional Courses and for PhD programmes

Transportation facility to nearby government schools or special SSA training centres

Anganwadi facilities at construction sites

Hostel fees for students pursuing higher studies, ITI and Polytechnic

**Medical Assistance and/or Insurance**

Hospitalisation relief

Treatment of accidents

Treatment of occupational diseases, e.g. occupational dermatitis, silicosis

Treatment of major ailments, e.g. heart operation, kidney transplantation, cancer

Medical assistance to family members (spouse and children)

Disability Relief

Payment of Premium for RSBY

Maternity Benefit; Maternity/Paternity Benefit

Assistance for purchasing spectacles, denture and hearing Aid

Support for Chikitsa Pratipurti Yojana and Aam Aadmi Bima Yojana

Mobile health clinics with lab and medical examination facilities

**Life Insurance**

Assistance to family in case of death by accident, at worksite or by natural causes

Funeral assistance

**Social Security**

Pension

Pension Family

Pension Contribution for Swawlamban Scheme

**Marriage Assistance**

Intended for daughters of registered construction workers

Marriage assistance to beneficiary or to his children, after two years of registration

**Housing assistance**

Assistance for house construction and/or purchase

Grant of building construction/repair

**Tools and/or assets**

Assistance for purchase of tools

Assistance for purchase of cycle

Distribution of blankets and pressure cookers

Induction Heater or Solar Cooker

Source: Submissions in National Campaign Committee for Central Legislation on Construction Labour v. Union of India, WP (Civil) No. 318/2006, provided by MoL&E

## II.7. Recommendations

58. The analysis above indicates that the share of migrants in the workforce is high and this is true of women migrants as well, even when their stated reason for migration may not be work related. Migrants are thus clearly important actors in an economic sense. Further, there appears to be no substantial difference in occupational structures between migrants and non-migrants, especially in urban areas and as such, access to employment does not appear to be a binding constraint for migrants. Despite some efforts to exclude them from certain jobs, these do not seem to have an effect large enough to be discernible in aggregate data. However, these migrants may not be able to access social protection and public support, like PDS, at destination.
59. It is, however, important to note that the scenario is different for short-term migrants who are over-represented compared to long-term migrants in certain sectors like construction. Various sources have underscored the vulnerability of this segment of migrants that moves circular between source and destination areas and have problems accessing social protection and public services. Furthermore, it is quite possible that the number of such short-term migrants may be much more than is estimated from official sources, as discussed later in section V. Migrants from the scheduled castes and scheduled tribes are vulnerable and seem to be disadvantaged in urban areas, presumably owing to lack of skills and social networks. These migrants are disproportionately concentrated in certain sectors, like brick kilns.
60. Some of the short-term migration may be substitutable with commuting, which is also a growing phenomenon. This confers the benefits of migration and mitigates the cost. **In this context, the Working Group recommends that states improve their rural road network (already progressing under PMGSY) and license appropriate transport operators for services in rural areas.**
61. Further, while there are many initiatives that provide support to such workers, especially in the construction sector (including brick kiln workers), there appears to be a lack of awareness about schemes and serious shortcomings related to implementation of schemes funded by the CWWB cess, despite Supreme Court oversight in WP (Civil) No. 318/2006. **The Working Group recommends that MoL&E engage the states actively to improve utilisation of CWWB cess revenues by expanding coverage to workers in related sectors of construction and for provision of social services and housing.** States already spend the cess on various items, as seen in Box II.8.
62. For inter-State SC/ST migrants, differences in the SC/ST lists between states of origins and destination pose problems in access to affirmative action benefits and other government schemes. Additionally, inter-State migrants appear to be geographically concentrated in districts located in Bihar, eastern Uttar Pradesh and West Bengal.

## Legal Framework

63. First, despite constitutional protections, states have at times introduced local administrative requirements of a minimum duration of local residence (informally termed 'domicile') or specified conditions of employment, which can place migrants at a disadvantage in terms of employment, or access to benefits in the destination States. The Supreme Court has recently ruled (see Box I.1) against the constitutionality of such restrictions. **The working group recommends that states pro-actively remove domicile provisions in laws relating to work in an accelerated manner.**



64. It is in this context that one has to consider the recommendations. **In principle there should be no reason for a specific protection legislation for migrant workers, inter-state or otherwise. They should be integrated with all workers as part of a Legal approach with basic guarantees on wage and work conditions for all workers, as part of an overarching framework that covers regular and contractual work.** This is especially so, given the wide representation of migrant workers in all sections of industry.
65. One of the key legislations regulating migrant labour is the Inter State Migrant Workers Act, 1979 (ISMWA). This law was modelled on an earlier piece of state-level legislation, the Orissa Dadan Labour (Control and Regulation) Act, 1975. Dadan was the term given to the practice of recruiting labourers from Orissa through contractors or agents, for work outside the state, usually on a piece rate basis, without any security of tenure, wages or working conditions. The 1975 Act was designed to protect the interests of the labourers thus recruited and subject to exploitation by contractors, and the 1979 ISMWA follows the same structure. It provides for registration of establishments employing inter-state migrant workmen, and licensing of contractors. Some safeguards are provided to the workmen, in the form of obligations placed on the contractor, including non-discrimination in terms of wages vis-à-vis non-migrant workmen, payment of travel and displacement allowance, and ensuring suitable work conditions. However, today's inter-state migrant often does not migrate through a contractor. Even in areas such as construction and brick kiln work, he or she is often an independent migrant of his or her own volition, and, as such, outside the purview of ISMWA. The other major labour protection legislation relates to particular sections of unorganised work, viz., building and construction workers, including brick kiln workers. Here, there is a mandatory cess that goes into a fund, managed at the state level, which provides for a variety of services as determined by different state Construction Worker Welfare Boards. But, as seen above, while the cess is collected, little is actually spent.
66. These legislations try to address two broad issues – the first relating to work conditions and wages and the second providing a modicum of social security. It is debatable whether such approaches – based on a limited conception of the labour market in one instance, and on a sectoral approach in the other – will continue to be effective in the current situation, with growing independent movement of workers and an increasing share of unorganised work across a variety of occupations.
67. **A thorough review of the existing legislative framework is thus warranted in light of developments in the labour market.** Indeed, there have been some developments in this area. During the deliberations of the working group, it was informed that establishments with more than 20 workers are to be compulsorily covered under EPFO Act and establishments between 10 and 20 workers are covered under Building and other Construction Workers Act and those less than 10 is covered under Unorganised Workers' Social Security Act, 2008 of MOL&E. The Unorganised Workers' Social Security Act 2008 (UWSSA) provides a minimal level of social security to registered unorganised workers, but is yet to be effectively implemented by the states. The Rashtriya Swasthya Bima Yojana (RSBY), which began as a basic insurance cover for BPL families has been extended to a number of other categories, viz. street vendors, beedi workers, domestic workers, building and other construction workers, MGNREGA workers (who have worked more than 15 days in the previous financial year), rickshaw pullers, rag pickers, mine workers, sanitation workers, auto rickshaw and taxi drivers. While these are steps towards a universal basic social protection architecture, there remains much progress to be made.
68. There are also initiatives on portability, including a number of ongoing interventions of the MOL&E involving issuance of portable ID cards to migrants, classification of

workers as contract labour, farm labour, domestic workers, street vendors and hawkers, bidi workers, rag pickers, etc., who are entitled for identity cards envisaged under various schemes. Currently, two kinds of smart cards are issued by MOL&E, viz. UAN Card for organised sector workers and the other is the Unique Identification (UI) Card to provide social protection to the unorganised sector workers. Progressively, various initiatives of MoL&E, viz. Atal Pension Yojana (APY), Pradhan Mantri Suraksha Bima Yojana (PMSBY), Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY), Rashtriya Swasthya Bima Yojana (RSBY) will be integrated into the UAN/UI cards. Already, under the Employees' State Insurance Corporation (ESI) Act, 1948 portable ESIC cards are issued on a pan-India basis and of the over 8 million covered under the Employees' Provident Fund Organisation (EPFO) Act, 1952, over 2 million workers were issued portable Universal Account Numbers (UAN) of which about a quarter has been activated. This will improve the current situation under the ESIC, where a claim has to be made by the state on an annual basis based on registration of the workers. If the migrant worker has registration in his/her home state, he/she can claim the benefits from the state or else s/he has to be re-registered in the destination state to access benefits under ESIC Act. In most of the cases, workers do not have individual identity in the recipient state, so, registration of the worker and contractor both are to be completed during issuance of license to the labour contractor. Further, MOL&E is designing a new scheme through ESIC to cover all the workers under establishment of less than 10 people. There are also discussions on an Aadhaar-linked portable National Social Security Card.

69. **As recommended by the National Commission on Enterprises in the Unorganised Sector (NCEUS 2007), a comprehensive law for the unorganised sector workers, could form the legislative basis of a social protection architecture for such workers.** The rudiments of such an architecture are in place, with the portability of RSBY, extension and portability of EPFO and ESIC coverage, the focus on covering contract workers and even other unorganised workers such as farm labour, domestic workers, street vendors and hawkers, bidi workers, rag pickers, etc. and the proposed portability of benefits under UWSSA. The National Pension Scheme is also available for unorganised workers, though its efficacy could be improved. However, there is still a large gap in implementation, the level of basic benefits and the ability of the worker to improve these benefits with supplementary payments.
70. **A thorough review of the labour legislation is beyond the scope of this working group. Such a review is, however, urgently needed and it is the recommendation of the working group that this be done expeditiously.**
71. **Pending such a unified architecture, the working group recommends states must (i) establish the Unorganised Workers Social Security Boards, (ii) institute simple and effective modes for workers to register, including self-registration processes, e.g., through mobile SMS; and (iii) ensure that the digitization of registration records is leveraged to effectuate inter-state portability of protection and benefits.**

#### **Facilitation of Access**

72. In the context of social protection, it is also quite clear that the degree of information dissemination and awareness about benefits is quite low and migrants are unable to benefit from the protections that are available.
73. **The working group recommends the establishment of migrant helplines to (i) provide information about the protections and benefits available to them and (ii) connect the migrant to support services that may be required to secure his or her rights, e.g., in claiming unpaid wages or access medical care. Where possible, especially in locations with significant migrant populations, physical**

**migrant resource centres (MRCs) can be established in association with civil society organisations for more personalised support and services like health check-ups.** These helplines need to be staffed by all genders and the staff needs to be conversant with the legal benefits and protection and services available to migrants. They also need to provide information in a language in which the migrant is comfortable, e.g., by including staff who speak the languages of the major migrant groups in the state and/or having access to translators with other language skills. This can also assist them in accessing protection from law enforcement agencies and, vice versa, assist them in interacting with migrants.

74. **The working group also recommends that the use of community radio in increasing access of information to migrants should also be encouraged.** The necessary facilitation should be made by the Dept. of Telecommunication.

### III. SOCIAL PROTECTION AND PUBLIC SERVICES

75. While the right to freedom of movement is constitutionally protected, the same is not true of access to entitlements including entitlements under the National Food Security Act, 2013, through the Public Distribution System (PDS); voting rights in local, state and national elections; caste certificates and other markers of vulnerability; or even access to Government schemes such as the National Rural Health Mission (see Box III.1). A key issue inhibiting the movement of labour is that migrants who are registered to claim access to a number of legal and other entitlements at their source locations, lose access to these benefits upon migrating to a different location. The thrust of this section is to examine how portability, both intra-state and inter-state, can be achieved so that migrants are not adversely affected.

#### Box III.1: Legal and Administrative Frameworks that Affect Migrants Differently

In addition to general protections under Part III of the Constitution, migrants are subject to certain special protections under Articles 15, 16, and 19. The foundational principles of free migration are enshrined in clauses (d) and (e) of Article 19(1) of the Constitution, which guarantee to all citizens the right to move freely throughout the territory of India, and reside and settle in any part of the territory of India. Article 15 prohibits discrimination on the basis of place of birth, among other grounds, while Article 16 guarantees equality of opportunity for all citizens in matters of public employment, and in particular prohibits the denial of access to public employment on the grounds of place of birth or residence.

Despite these protections, local administrative requirements of a minimum duration of local residence (informally termed 'domicile') or knowledge of local languages may sometimes place migrants at a disadvantage in terms of employment, education or access to benefits in the destination States. In addition, the absence of a comprehensive anti-discrimination law means that migrants who are subject to xenophobia or hostile discrimination in terms of access to housing, private employment, education or other semi-public spaces may not have any effective remedy.

76. In addition to access to benefits like PDS, education and health, which are seen as part of the essential safety net for Indian citizens, poor supply of low-income ownership and rental housing options in urban destinations is also an issue that needs attention. This section also looks at improving housing access and housing security for migrants, which in turn could facilitate their greater economic contribution.

#### III.1. Food Security

77. In the literature, food insecurity, in certain cases, is seen a driver of migration. Somewhat food-secure households send out single men with the strategy of livelihood-diversification, while extremely poor families, including tribals, landless, small cultivators, and backward castes, migrate as a whole and work in exploitative jobs in poor conditions (de Haan 2000). Thus, access to food has the ability to influence migration patterns.

#### Issues

78. On the other hand, existing administrative infrastructure for food security (detailed below) often results in migrants losing access to their food security entitlements upon moving to a different location, both within and particularly outside the state. Consequently, migrants become vulnerable to malnutrition and resultant health

complications. These are particularly pronounced among women and children migrants, whose maternal and child health indicators tend to remain poor.

### **Legal Framework**

79. The National Food Security Act, 2013 (NFSA) is an omnibus legislation covering entitlement and access to food for citizens. It provides up to 75% of the rural population and 50% of the urban population with the right to obtain 5 kg of subsidised foodgrains per person per month. It also focuses on special nutritional needs of children and pregnant or lactating women, guaranteeing them nutritious meals or a food subsidy allowance in lieu of the same. The identification of beneficiaries and distribution of entitlements is carried out at the State level, with additional responsibilities for implementation on local self-government bodies. The NFSA is universal in its application to all citizens irrespective of residence.

### **Applicable government schemes**

#### **PDS**

80. The Targeted Public Distribution System (PDS) is the administrative mechanism for implementation of the NFSA. It functions through Fair Price Shops (FPS) at the local level which are administratively supervised by the respective State/UT. Benefits under the PDS are linked to the FPS in the locality of residence and are not usually portable.

#### **ICDS (maternal and child nutrition)**

81. Integrated Child Development Services (ICDS) is a central scheme focusing on early childhood care and development. The targeted beneficiaries are children below the age of six, pregnant women and lactating mothers, who are provided with nutritional and health support. The scheme is administered at the local level through Anganwadis, allocated on the basis of population, which maintain lists of beneficiaries in their jurisdiction.

### **Current architecture**

82. The NFSA integrates the legal framework for entitlement and access to foodgrains under a single legislation. Following the NFSA, all existing schemes including the PDS, ICDS, Antyodaya Anna Yojana, mid-day meal scheme etc., have been integrated and coordinated under a single legal framework. As such, legal integration has led to administrative convergence.
83. While the NFSA places no bar on portability of benefits, the identification of beneficiaries is carried out at the state level. At present, the PDS functions on the basis of these state-level beneficiary lists which are further tagged to local fair price shops. In addition, food grain quotas are allocated by the Union Government to the States on the basis of the number of beneficiaries identified. Portability of food security benefits is thus limited to some pilot schemes at the state level.

### **Recommendations**

84. One of the major benefits that migrants, especially short term migrants or migrants who move without their household, lose is access to the PDS. This is a major lacuna, given the rights conferred under the National Food Security Act 2013. The digitization of beneficiary lists and/or in some instances, their linkage with Aadhaar, permits the two actions necessary for portability of PDS benefits, viz. (a) the modification of the benefit to permit the delinking of individuals from households and (b) the portability of the benefit across the Fair Price Shop system (or alternative methods, if used).
85. About three fourths of migration is still within a state and for this large group of migrants, the portability is an administrative issue, not a budgetary impediment, i.e., it

does not involve transfers across states. Indeed, some states like Chhattisgarh have already piloted portability with limited success. Joshi et al (2015) find that the Centralised Online Real-Time Electronic (CORE) reforms undertaken in Chhattisgarh were successful in reducing certain types of corruption and leveraging previous interventions in de-privatising and computerisation. However, their survey finds that migrants were unable to benefit from CPRE reforms because of their selective geographic coverage. **The working group therefore recommends the expansion and acceleration of portability of PDS within states with appropriate technology and universal coverage.**

86. Beyond the state, for short-term migration (which could extend for the greater part of the year, but without transferring household residence) the portability of PDS benefits would need an agreement between states. An example already exists in the MOU between Andhra Pradesh and Odisha (Box III.2). If necessary, totalising arrangements can be made for transfer of resources from one state to another. In this, the presence of Aadhaar can be a useful identification mechanism, once the migrant decides to enroll in the destination state. In case the migrant decides not to use Aadhaar, the process may take more time for verification, but should be possible to accomplish within a defined time frame, much like passport verification processes as on date. Till beneficiary lists are shared across states, **the working group recommends the establishment of inter-state arrangements such as the MOU signed between Andhra Pradesh and Odisha for provision of PDS to inter-state migrants.**

**Box III.2: Experience of inter-State cooperation for portability of benefits to inter-State migrants: Odisha-Andhra Pradesh MoU**

In June 2012, the Government of India signed a Memorandum of Understanding (MoU) with the states of Odisha and erstwhile Andhra Pradesh. This MoU was in relation to an International Labour Organisation (ILO) project to improve the living and working conditions of migrant workers from Odisha at brick kilns in Andhra Pradesh. Its objective was to facilitate the strengthening of the inter-state coordination mechanism. Eleven districts of Odisha, namely Bolangir, Nuapada, Kalahandi, Sonapur, Bargarh, Koraput, Gajapati, Malkangiri, Ganjam, Rayagada and Nowrangpur, were identified as source districts for out-migration, particularly distress migration. The flow of migrants to Andhra Pradesh was primarily to Medak and Rangareddy (now in Telangana).

Various aspects of the MoU were taken up for implementation in 2012–13 by the Governments of Andhra Pradesh and Odisha, and facilitated by various civil society groups in both states. At the source, the Department of Labour and ESI, Government of Odisha, constituted a State Coordination Cell for Migrant Workers at the office of Labour Commissioner, as well as District Level Facilitation Cells to track distressed seasonal migrant workers. To track the movement of migrant workers, formats for data collection with information on their employers / contractors / agents, were circulated to the District Labour Officers to collect data at the Gram Panchayat level. This data was then shared with the Department of Labour, Andhra Pradesh for necessary action as per the MoU.

At the destination, the effort was concentrated on education, housing and PDS benefits. Schooling for migrant children was ensured by enrolling them under Sarva Shiksha Abhiyan in local schools near their parents' place of work, and provision of volunteers trained in Odiya to bridge the language gap. On housing, a prototype designed by civil society organisations was used to construct temporary houses for brick kiln workers. Finally, enrollment of migrant workers was initiated at local PDS shops with the support of the district administration so that they could claim foodgrains and other basic entitlements. The entire effort was coordinated by the Labour Commissioner of Andhra Pradesh.

### III.2. Health

87. Migrants are exposed to health risks including communicable diseases like malaria and tuberculosis. They are also exposed to sexually transmitted diseases like HIV, and occupational health hazards such as respiratory problems, lung diseases, allergies, kidney and bladder infections, back problems and malnutrition. They are resultantly stigmatised as being carriers of disease.

#### Issues

88. Poor access to healthcare and treatment facilities among migrants is a major issue. Health care utilisation rates among migrants remain poor due to a number of factors: expensive private health facilities, conflict between time of work and availability of medical practitioners, cost of missing hours or days of work, long distance to access services and associated problems of transportation, perceived alienation from government health systems at the destination and language difficulties. Many urban migrant women also prefer having home childbirths. Among women and child migrants, maternal and child health indicators can remain poor due to early marriages, early pregnancies, giving birth in the absence of a trained birth attendant, frequent childbirth, poor health after successive childbirths with little spacing, no exclusive breastfeeding for the first six months, and no complementary feeding thereafter (Borhade, 2012).

#### Legal frameworks

89. There is at present no single legal framework governing access to public healthcare. Sector-specific legislation such as the Employees Health Insurance Act, 1948 provide a legal basis for contribution-based health coverage in the organised sector. Besides the three-tier public health system, which, in principle, is universally acceptable, health benefits are administered through a variety of government schemes as detailed below.

#### Applicable government schemes

##### RSBY

90. The National Health Insurance Scheme (Rashtriya Swasthya Bima Yojana or RSBY) is a government-supported scheme providing health insurance for Below Poverty Line families and other defined categories of unorganised workers, with the twin objectives of providing financial protection against catastrophic health costs, and improving access to quality health care for vulnerable groups in the unorganized sector.
91. Beneficiaries under RSBY are entitled to hospitalization coverage up to ` 30,000/- per annum on family floater basis, for most of the diseases that require hospitalization. Beneficiaries are required to pay only a token sum as registration fee for a year while Union and State Government pays the premium as per their sharing ratio to the insurer selected by the State Government on the basis of a competitive bidding. In every state, the State Government sets up a State Nodal Agency (SNA) that is responsible for implementing, monitoring supervision and part-financing of the scheme by coordinating with insurance companies, hospitals, district authorities and other local stake holders. ***One of the major advantages of RSBY is that the benefits are portable, i.e., a beneficiary who has been enrolled in a particular district will be able to use her smart card in any RSBY empanelled hospital***

***across India. This renders the scheme particularly relevant for internal migrants.***

## **ESI**

92. The Employees' State Insurance scheme is a health scheme to cover workers in factories and other establishments in the event of sickness, maternity, temporary or permanent disablement, occupational diseases or death due to employment injury, which may have a bearing on wages and earning capacity. It also extends medical benefits to workers and their immediate dependents. The Scheme is administered by the Employees' State Insurance Corporation (ESIC), which is a statutory body set-up under Employees' State Insurance Act, 1948. The scheme is applicable to workers in factories and other establishments earning whose wages do not exceed a specified amount, though the benefits are being extended to other sectors in consultation with the states. The scheme is administered through a network of 151 ESI Hospitals, 42 annexes, and 1418 dispensaries. The advantage of this scheme is that, like public hospitals, there is no limit on the expenses on health care unlike RSBY. While the number of ESI hospitals are limited, there are initiatives to provide care at other hospitals outside the ESI network, especially for super-specialty treatment.

## **ICDS (maternal and child health)**

93. In addition to food, ICDS, administered by the Ministry of Women and Child Development also provides health support to children below the age of six and pregnant or lactating women. The health component of the scheme is administered through community-based *anganwadi* workers who function through existing ICDS and other public health infrastructure. The scheme is implemented both in urban and rural areas. There is no bar of domicile or residency in the scheme, i.e., it is possible for the scheme to cover migrating women and their children. However, this may require more focus on the planning process in terms of assessing resources needed to cover such additional beneficiaries.

## **Current architecture**

94. In this current architecture, the migrant is integrated only to the extent he or she has an RSBY coverage or access to ESI. Else, the integration is limited to access to the public health system. In this, there can also be issues of language. As to portability, the RSBY and ESI benefits are portable, and ICDS benefits are in principle available to migrant workers and their children. There is some convergence across health schemes of RSBY and ESI, since both under the Ministry Labour and Employment.
95. Provision of health support to children below the age of six and pregnant/lactating women involves a convergence of two schemes operated by different Ministries – the ICDS (Ministry of Women and Child Development) and the NHM (Ministry of Health and Family Welfare). This takes place through coordination at the local level between *anganwadi* workers (appointed under ICDS) and ASHA workers (appointed under NHM), where services such as provision of supplementary nutrition, immunisation and health check-ups are carried out jointly. In addition, joint training initiatives under ICDS and NHM are also carried out to build the capacities of these grassroots functionaries.
96. Since ICDS and NHM are universal schemes, there is no identification of beneficiaries. Mobilisation of beneficiaries for the schemes and registration of women and children for scheme-related services including health check-ups, immunization, etc. is carried out jointly by the *Anganwadi* worker along with the ASHA worker (*NIPCCD*)



### Box III.3: Panchayat-level documentation of internal migrants

There are initiatives to map internal migration by involving panchayati raj institutions (PRIs) to document migrants moving out of rural areas. For example, the Labour Department in Rajasthan has authorised NGO Ajeevika Bureau to register migrant workers, issue photo IDs and maintain a database of migrant workers, with panchayats as the signing authority. The database is shared with the labour department on a quarterly basis. Similarly, the Tata Trusts migration initiative has been successful in setting up 63 migrant resource centres across the country and registration is being done at most of these. The experience suggests that at least the source-side registration is possible. However, more co-ordination is needed with state governments to enable this data to be effectively used. Registration can be a first step towards portability of benefits.

Source: SHRAMIC Progress Narrative, February 2015

### Recommendations

97. The rudiments of a portable architecture for the provision of healthcare is in place, with the portability of RSBY, and even ESI. The focus can be on covering contract workers and even unorganised workers under ESI, and the proposed use of portability to provide the benefits under UWSSA. However, there is still a large gap in implementation, the level of basic benefits and the ability of the worker to improve these benefits with supplementary payments.
98. **It is the considered recommendation of the working group that migrants should be provided with portable health care and basic social protection through a self-registration process, delinked from employment status** (see Box III.3). The level of benefits could be supplemented by the worker or state governments with additional payments. The National Commission on Enterprises in the Unorganised Sector (NCEUS 2007) recommended a comprehensive law for the unorganised sector workers, which could form the basis of such legislation.  
  
The working group recognises that health is closely linked to sanitation at the workplace, such as provision of toilet facilities and water and home. However, these are issues not specific to migrants and while extremely important, were not considered by the working group.
99. **The working group also recommends that ICDS AW and ANMs be advised to expand their outreach to include migrant women and children in the scheme.** This information can also be disseminated through migrant resource centres.

### III.3. Education of Child Migrants

100. Education is an important reason for migration. According to Census 2001, 2.9 million migrants, that is 3 % of total migrants have migrated for education; 6.2 % of male migrants have moved for education, while 1.3 % of female migrants have moved for education. However, this is not the issue that we focus on in this section, where we examine access to education for children who have moved with work-seeking parents.

### Issues

101. Migration is an impediment for accessing education, particularly for children. With children, there are also additional issues of schooling/ child care in addition to accommodation. Seasonal migrants often take their children along when they migrate for work, which negatively impacts upon the regular and continued schooling of children. There is an overlap between the academic session in schools (June-April) and the seasonal migration cycle (November–June), on account of which migrant children who are enrolled in schools end up attending school only between June and

November. This temporary discontinuation of study frequently results in their dropping out of school altogether (UNESCO 2016). Migrant children who join educational institutes at the places where they have migrated face learning difficulties based on differences in academic curricula and language, and miss critical inputs necessary in their early years for their physical, motor, cognitive, language and psycho-social development. It is challenging for children to re-enroll in their home-based schools at the end of a migration cycle. The language of schooling is also an issue. There have been some inter-state efforts (e.g., Odisha-AP MOU) address this issue.

102. Poor literacy levels also resultantly act as an impediment in claiming rights and entitlements for internal migrants who remain unaware of their legal rights and are unable to access an impartial forum to register their grievances. Women migrants are even more vulnerable to exploitation, possessing negligible or often lower educational qualifications than their male counterparts (UNESCO 2016).

### **Legal framework**

103. Education is a fundamental right guaranteed to all children under Article 21A of the Constitution. Statutorily, the Right of Children to Free and Compulsory Education Act, 2009 provides every child between the ages of 6-14 the right to free education in a neighbourhood school. The Act is universal in its application to all children, irrespective of residence. Implementation of the Act is carried out at the State level and in accordance with applicable state policies and schemes.

#### **Box III.4: Initiatives on Education of Migrant Children**

The Migration Card initiative by the Department of Education, Government of Gujarat was started in 2009 to address the educational challenges children of seasonal migrants who move with their families. To enable them to continue schooling and bring down dropout rates, under the Migration Card Initiative, children who are intra-State migrants can avail of hostel facilities at source and children who are inter-State migrants are offered Tent Special Training Programmes in temporary schools set up at worksites where their parents are employed. The cards are distributed by the State government through the schools and contain updated information on the education level of the student and his/her grades for easy continuance of education. Schools were encouraged to participate and permit students to take their exams at one location while being educated in another. While initially the information was entered manually on cards, in 2010 a computerised online platform was set up to maintain records. Each child has a unique number to identify them and the schools are coordinated through the cluster, block, district and state levels through SSA officials.

In Maharashtra, a project was carried out by UNICEF in Jalna and Solapur districts, which see large-scale seasonal migration for sugarcane harvesting. It aimed to make migration safer for children by ensuring access to services like protection, healthcare and education. The strategy involved the convergence of village-level institutions like the Gram Panchayat, Village Child Protection Committee (VCPC), School Management Committee (SMC) and functionaries like School teachers, Anganwadi workers (AWWs) and ASHAs. At source, a migration desk is established at the gram panchayat, where migrant families were registered and records of migrating children maintained, while alternative care arrangements and service linkages for children staying behind were developed and coordinated. Connectivity with parents, access to services and after-school study support was offered through SMC and VCPCs and involvement of AWWs and ASHAs. At destination, migrant families were again registered, help offered for school enrolment, educational support and recreation classes, and health facilities for primary healthcare by AWWs and ASHAs.

The School Education and Sports Department. Government of Maharashtra, issued a

circular (Circular/SCA/Temporary Shelter Homes/2015-2016/2643, dated 01.10.2015) extending the scheme to the entire state, with the objective of ensuring that not a single migrant child was left out of the educational system. The two-fold strategy includes: first, reducing migration of children; and second, providing temporary schooling to migrant children at destination. At source, the aim is to restrict migration of children by providing residential arrangements (either with non-migrating members of the family or in hostels), meals, and other daily necessities to non-migrating children. For migrating children, their access to education is ensured through an Education Guarantee Cards (EGC). When a child migrates along with parents, an EGC with the child's details is issued by the school authorities at source, and forms the basis for admission to school at destination. The process is repeated for subsequent migration and return to source. Through this system, the education progress of the child is tracked throughout so that there is no interruption in schooling upon migration. The scheme is implemented through the SMCs, with support from Block/City Resource Centres and the district administration.

Source: NITI Aayog and UNDP 2015; submissions by UNICEF

## Applicable government schemes

### SSA

104. The Sarva Shiksha Abhiyaan is a centrally sponsored scheme focusing on the universalisation of elementary education. It provides schools and teachers in habitations which lack them, and strengthens infrastructure in existing schools. While enrolment is free and open, irrespective of residence, the scheme is administered at the state/UT level and education is usually provided in the local language.
105. SSA recognises the need for special effort to educate children of migrants. It provides for alternate schooling facilities under two significant components, namely Education Guarantee Scheme (EGS) and Alternative and Innovative Education (AIE), to bring out-of-school children into the Elementary Education framework. These were intended at habitations which lacked regular schools, and among others, vulnerable sections of the population like child labour, street children, migrating children, and working children (MoHRD 2011). These were envisioned as transitory measures, and eventually, it was expected that the out-of-school children benefitting from these schemes would eventually be mainstreamed into the regular education system. Special Training facilities are now being provided in place of AIE, under RTE's mandate for every child be admitted to a class appropriate to his/her age, to bring out of school children at par with the class in which they are admitted.
106. A number of options are being tried out in the states, either through destination/site schools, bridge courses or hostels at source, though EGS enrolment remains low. The SSA framework suggests multiple interventions for migrant children, including seasonal hostels, transportation arrangements for children from worksites to schools, travelling education volunteers, and coordinated tracking of children across areas through migrant cards. In Odisha, 255 hostels with a capacity of 9800 children were approved for 2015-16. Of these, 15 non-residential hostels with a capacity of 500 were set up in destination districts. The approved cost was ` 20,000 per child in residential hostels, and ` 6,000 per child in non-residential hostels<sup>11</sup>. Media reports indicate that the SSA sanctioned ` 6.8 crore for this purpose in 2012-13. Similar

<sup>11</sup> <http://www.opepa.in/website/Achievement8.aspx>

programs also exist in Tamil Nadu, Andhra Pradesh, and Gujarat<sup>12</sup>. In Gujarat, a migration card that records a student's learning level is allowing children to travel with their parents and enroll at destination schools (See Box III.4). In states like Maharashtra (*bhonga shalas*) and Karnataka (tent schools) the attempt is to try and offer accelerated education at the worksite.<sup>13</sup> In Andhra Pradesh, non-residential and residential bridge courses in their language were organised for children of brick kiln workers from Odisha, under the inter-state MoU.<sup>14</sup>

### Current architecture

107. The RTE integrates the legal framework for universal access to education under a single legislation. Similarly, the universalisation of all primary education efforts under the umbrella of SSA has led to administrative convergence.
108. Neither RTE nor the Constitution places any bar on portability of education. However, the implementation is carried out at the state level, which means that language is often a significant barrier for inter-state migrants. *Thus, while children may enroll in any public school in their neighbourhood, irrespective of where they reside, they often only have the option of accessing education in the local language, which may pose learning barriers for non-local students. Until this barrier is removed, portability of education will not be fully achieved.*

#### Box III.5: Left Behind Children in China and India

The extensive nature of rural urban migration in China by both men and women and the lack of educational opportunities for migrant children in the destination city, due to *hukou* restrictions has meant that a number of children are left behind to stay with their grandparents or a single parent. In the table below we see that about 30% of the Chinese children in rural China do not stay with both their parents, but with either a single parent or with grandparents or siblings.

India does not collect comparable statistics, but one can analyse the composition of rural households with at least one out-migrant. We check if the household has working age (20 to 60 years of age) adults, along with children (of 18 years of less) – the assumption being that if both parents were there, there would be adults of both gender. We find that for households with out-migrants and children, 34.3% (comprising 37% of the children) have no male working age adults in the household. Of this, 37%, for most, i.e., 27.8% the parent is the head of the household, and for 8.6%, it's the grandparent. Thus, at least 16 million children in rural India are in households without both their parents. This number is lower, since the incidence of migration is lower, but ***if there is an out-migrant in the household, then the nature of children's living arrangements vis-à-vis parents is not dissimilar.***

#### CHINA: Structure of children's living arrangements (%), by gender, 2010

	National (%)	Male (%)	Female (%)	Total number of children (mn.)	Rural left-behind child	
Total	100	100	100	278.91	Mn.	%
<b>Not with both parents</b>	<b>30.3</b>	<b>30.1</b>	<b>30.5</b>	<b>84.50</b>	<b>61.0</b>	<b>100.0</b>
Living with father	5.2	5.3	5.1	14.42	10.3	16.9
Living with mother	10.7	10.6	10.9	29.91	22.2	36.4

<sup>12</sup> See <http://ssa.tn.nic.in/Schemes-E.htm>; also <http://www.apteachers.in/2013/10/rc907-rvm-guidelines-to-run-seasonal.html>; and <http://www.solutionexchange-un-gen-gym.net/wp-content/uploads/2015/10/Seasonal-Hostels-in-Gujarat-SETU.pdf>

<sup>13</sup> [http://ssakarnataka.gov.in/html/int\\_oosc.html](http://ssakarnataka.gov.in/html/int_oosc.html) ; [http://pib.nic.in/archieve/flagship/srs\\_st1.pdf](http://pib.nic.in/archieve/flagship/srs_st1.pdf)

<sup>14</sup> Interview with Umi Daniel, Head, Migration Thematic Unit, Aide-et-Action, Bhubaneswar, December 2015.

Living with grandparents	8.1	8.0	8.2	22.57	19.9	32.7	
Living alone	1.1	1.2	0.9	3.04	2.1	3.4	
Living with siblings	2.4	2.4	2.5	6.72	6.5	10.7	
Others	2.8	2.7	3.0	7.84			
Source: National Bureau of Statistics Of China, 2010 Population Census							
INDIA: Rural out-migrant households with at least one child (below 18), 2007-08							
	% and number of households		Relationship to head of household (% of children)				Total
Working age (20- 40) adults in the household	Mn.	%	Unmarried Child	Grand child	Other	Total	Mn.
‘Adults’ of both gender	10.20	62.9	26.4	31.3	3.7	61	31.2
Male ‘adult’s only	0.25	1.6	0.7	0.1	0.0	1.0	0.6
Female ‘adults only	5.56	34.3	27.8	8.6	0.6	37	17.1
No ‘adult’s	0.21	1.3	0.0	0.5	0.2	1.0	0.4
Total	18.34	100.0	54.9	40.5	4.6	100	49.4
Source: NSS 2007-08							

109. The education of children of migrants is a major challenge. In China, which has seen very high levels of migration, left-behind children are a significant problem (see Box III.5). Chinese migrants have to involuntarily leave their children behind as a consequence of the restrictions imposed by the hukou system, which restricts the availability of education for children in the destination cities. Consequently, parents who migrate from villages to cities tend to leave behind their children in the villages where they are registered, so that they are able to avail state-funded education, healthcare and other social benefits there. It can be seen from Box III.5 that the number of left-behind children (i.e., not with both parents) in China is about 84.5 million or 43.4% of all children of which 72% are in rural areas.
110. In India, the absolute number is much smaller, about 18.1 million in rural areas, which is about 5.3% of all rural children less than 18 years of age. Thus, the scale of the issue is smaller, but this is largely because there are only 14% of rural households with at least one (long-term) out-migrant. This proportion is much higher in China and the number of children much less. However, within migrant households, only 61% of children are in households that have working age (between the ages of 20 to 60) adults of both genders. The remaining children are in households either with no working age adults (1%) or with only working age male adults (1%) or, overwhelmingly, with only working age female adults (37%). Thus, the proportion of children in migrant households who are without both parents (39%) is similar to the 43% of Chinese children who are not living with both parents.
111. Studies of left behind children in China indicate many developmental and health issues. These included issues related to mental health and emotional development, with "[Children] left behind with neither parent [being] significantly less happy than children living in intact rural families...significantly less happy than those left behind with one parent...[and] likely to exhibit significantly more depressive symptoms than children living in intact rural families." (Ren and Treiman 2013). Further, "for left-behind children, with one or both parents working away from home, it is difficult for them to receive emotional support and help with studies from their families, which can be detrimental to their physical, emotional and mental health" (UNICEF 2014). Consequently, "most LBC [left-behind children] record poor results in their studies, high rates of repetition and being drop-outs, undisciplined, and less ambitious...the

drop-out rates of LBC are not far different with other children in primary school, but it rose sharply in secondary school... [a] third of 15- to 17-year-old rural LBC began to work in urban areas after graduating from secondary school.” (Beh and Yao 2012) Physical development was also affected, with “research on several aspects of children’s physical well-being [finding] that LBC are weak in their anthropometrics, such as height, weight and self-evaluation of health.” (Beh and Yao 2012) Left behind children were also found to be at greater risk of physical and sexual abuse (Beh and Yao 2012, Economist 2015). As the proportion of migrant households increase, the proportion of children who are not living with both parents can be expected to rise in India also. These kinds of problems can thus arise in India too, unless one is prepared for the eventuality.

112. For longer-term migrants, the children can be enrolled in the school at destination. However, for short-term migrants, both feasible options carry costs. If the child is left behind in a hostel or with relatives, he or she is deprived of parental care, as discussed above. On the other hand, if he or she travels with parents, his or her schooling is interrupted frequently and the problem of child education at destination can be further compounded by the difference in language. However, it would be unwise for the state to substitute its judgement for that of the parents and the effort must be to provide for both eventualities.

## Recommendations

113. For some children, parents may decide that continuous travel may affect scholastic achievement and if so, hostels at either destination or source may be required. Currently, there is a scheme to provide this for SC/ST students. A number of ministries have schemes for student hostels, usually for specified groups, e.g., ministries of Tribal Affairs, Social Justice and Empowerment and Minority Affairs all have schemes for hostels of students of different categories. The Ministry of Human Resource Development also has a scheme for hostels for girl students, under which over 3,000 hostels have been built in educationally backward blocks. The SSA’s guidelines also permits the construction of hostels for migrant children. **The recommendation of the working group would be for states to use this facility much more widely. The working group also recommends that Ministry of Human Resource Development encourage states to include migrant children in the annual work plans of SSA, e.g., under the Education Guarantee and Alternative and Innovative Education schemes.** This can include the establishment of residential facilities as well as, preferably, providing support to a care-giver chosen by the family, as currently practiced in some states. In doing so, it is imperative to ensure adequate child protection, basic services and care-giver to child ratios.

**Wherever possible, the state should explore the possibility of establishing functioning schools in the destination and a cadre of multi-lingual teachers, who can assist in the transition from the mother tongue to the state language. Simpler guidelines can be evolved especially for districts that receive or send a large number of migrants.** The sending districts can be determined by monthly monitoring of attendance records in public schools. The specific nature of intervention should be determined by the state, in consultation with schools and parents, especially if it is intra-state where complications of syllabi and language are minimised.

114. **In inter-state migration, the working group recommends the MoU of Andhra and Odisha to be used as a working model and improved upon to provide for education in the home state’s language and syllabi at destinations.** This can be successful where there are clusters of children as in construction worker camps and brick kilns, etc. **For younger children, the working group recommends mobile**

crèches at worksites. Such facilities can also be provided at places of residence.

115. **The working group also recommends a re-examination of the guidelines of the schemes for hostels for targeted groups. In instances where the capacity may not be fully utilised, they could be allowed to accommodate students who do not belong to the identified group.** For example, in the case of vacancies in hostels built for SC/ST students, inter-state migrants who belong to such categories in the source state but not necessarily in the destination state, could be given priority. In the absence of clarity in guidelines, such use may attract audit objections.

#### **III.4. Skilling and Employment**

116. Migrants would have access to skilling programs offered under initiatives such as Skill India in both rural (source) and urban (destination) areas. However, there may be cases where there are domicile restrictions. In some cases, there is apprehension about double-dipping, where an individual enrolls in programs both in urban and rural areas the concern is about excessive subsidies being transferred to an individual. However, in a dynamic labour market, this can be expected as different skills are valued by the market at different points in time.
117. The task of developing migrant workers' skills is complex and challenging. Their use of available training opportunities is circumscribed by poor information and awareness about skill training and absence of formal and informal career counselling. The majority of current skills training have an inflexible and set duration and educational qualifications and it becomes difficult for a migrant, whose living depends upon daily wages, to dedicate this time. Candidates also need to possess "soft skills" (e.g. communication). All these combine to limit the migrant workers' choices.

**Table III.1: Skills imparted under DDUGKY (number of skills)**

<b>Skills</b>	<b>NCVT</b>	<b>SSC</b>	<b>Others</b>	<b>Total</b>
Electronics	4	17	1	22
Construction	13	8		21
Medical And Nursing	15		1	16
Retail	6	8	2	16
Automotive		14		14
IT/ ITES/ ICT	14	12	1	27
Garment Making	12			12
Hospitality	9	1	2	12
Capital Goods		11		11
Automotive Repair	9			9
Security	6	2	1	9
Plastic Processing	8			8
Healthcare		6	1	7
Telecom	1	6		7
Courier Logistics	6			6
Fabrication	6			6
Fashion Design	5			5
Production And Manufacturing	5			5

Refrigeration Air Conditioning	5			5
Travel Tourism	5			5
Others	55	34	8	97
Grand Total	184	119	17	320

Source: Submissions by Ministry of Labour and Employment

NCVT: National Council for Vocational Training, SSC: Sector Skills Council

118. In rural areas, it is further important to recognise that rural livelihood choices may also include migration to urban areas and it is important that non-farm and service sector livelihood skills be included in rural program. DDUGKY (Deen Dayal Upadhyaya Grameen Kaushalya Yojana) already offers a number of them as part of their approved skills and indeed, they form the majority (see Table III.1)

### Recommendations

119. **The working group recommends that migrants have unrestricted access to skill programs in urban areas in cases there are domicile restrictions, these need to be removed, as recommended earlier by this working group.** The various ministries of the Government of India need to ensure that skill programs funded Union budgetary support do not have domicile restrictions.
120. **The working group also recommends that availing training in both urban and rural areas should not be prohibited.** If the concern is about excessive subsidies being transferred to an individual, a subsidy cap per person per year can be established and subsequent skilling can be on a user fee basis.
121. **The working group recommends that the Ministry of Rural Development encourage states to expand the offering of urban-oriented skills as part of schemes such as DDUGKY and emphasize and facilitate the inclusion of such skills where needed. To the extent possible, these skills programs should be flexible and cumulative, so that migrants can accumulate skills over time.** Also, as discussed later in the recommendations on data, the information on location of training and placements need to be made available for analysis in order to refine such programs and in order to assist in the provision of housing, as discussed later.
122. Under the *Pradhan Mantri Kaushal Vikas Yojana* (PMKVY) scheme of the Ministry of Skill Development and Entrepreneurship (MSDE), there is already a provision for Sector Skill Councils (SSCs) and other designated agencies to implement projects for Recognition of Prior Learning (RPL) for certification of existing skills through camps, at employers' premises and special RPL centres. There is also provision for bridge courses. **The working group recommends that these programs be enhanced and closely monitored to ensure that all SSCs offer such certification.**

### III.5. Financial Inclusion

123. The National Sample Survey (NSS) provides some representative data on remittances pattern in India. As of today, there are two rounds of NSS namely the 49th round in 1993, and the 64th round in 2007-08 providing some comparable estimates of remittances. Particularly, the NSS 64th Round (2007-08) gives detailed data on economically active "out-migrants" - both within (i.e. intra and inter-district and interstate migrants) and outside India; their present destination; and the amount and frequency of remittances sent during the last 365 days. The data on frequency and amount of remittance sent per out-migrant over the last 365 days is available with a male-female and rural-urban break-up.



124. According to NSS 64th Round, during the last 365 days prior to the date of survey, remittances from rural and urban out-migrants in India were ` 13,000 and ` 26,300 per out-migrant respectively. Overall (rural-urban) remittances from internal out-migrants was ` 14,600 per out-migrants. Internal out-migrants from Goa sent highest remittance ` 92,400 per out-migrants in 2007-08 while domestic migrants from Chhattisgarh sent the least - ` 7,600 during the same time. The size of the domestic remittances was about ` 50,000 crore in 2007-08 at all India level (Tumbe 2011). The poorer states like Bihar and Uttar Pradesh have received a higher share in the total remittances. Nearly 80% of the domestic remittances went to households in rural areas. At the all-India level, 60% of domestic remittances were inter-state transfers and 40% were intra-state transfers.
125. It is significant to note that the household remittances sent by internal migrants were twice that of the household remittances sent by international migrants in 2007-08 (NSSO, 2010). However, migrants are often unable to access banking facilities since they do not have the necessary documentation to fulfil the Know Your Customer (KYC) requirements of banks. Hence, in order to remit money to their families at their place of origin they are compelled to rely on informal networks (e.g. friends and relatives visiting home, *hawala*, informal couriers, or bus drivers).
126. One of the key requirements of migrants is the ability to send remittances home. This process is now becoming increasing simpler and cheaper with the growth of an informal money transfer industry, facilitated by the core banking infrastructure that has been developed over the years. The RBI has instituted a number of improvements in the KYC (know your customer) process with a view to ensuring inclusion of hitherto excluded groups, which also assists migrants in opening bank accounts. With the growth of Jan-Dhan accounts and more recently the introduction of payments using the mobile network, it is possible that the use of intermediaries may decline, but they may still continue. The National Payments Corporation of India (NPCI), supported by the RBI, has rolled out Unified Payments Interface (UPI), a mobile payment infrastructure which can facilitate cashless payment system in the country.
127. The need to ensure that migrants can access the banking system has become important in the context of a less-cash economy. There are a number of restrictions on Basic Savings Bank Deposit Account'-Small (no-frills) accounts which can be opened with a simplified KYC that migrants are able to satisfy. These restrictions include:
- i. Total credits in such accounts should not exceed one lakh rupees in a year.
  - ii. Maximum balance should not exceed fifty thousand rupees at any time
  - iii. The total of debits by way of cash withdrawals and transfers will not exceed ten thousand rupees in a month
  - iv. Foreign remittances cannot be credited without completing normal KYC formalities
  - v. Small accounts are valid for a period of 12 months initially which may be extended by another 12 months if the person provides proof of having applied for an Officially Valid Document.
  - vi. Small Accounts can only be opened at CBS linked branches of banks or at such branches where it is possible to manually monitor the fulfilments of conditions

128. This can be a problem for people to receive income into bank accounts but are then limited from accessing it due to restrictions. Conversion to full service accounts is difficult as banks often add extra KYC requirements, e.g., KYC norms of RBI do not include proof of local address (difficult for migrants) for full-service accounts, but many banks do ask for such proof. This limits not just financial inclusion but also restricts livelihood options for migrants.

### **Recommendations**

129. Often, the need for intermediation arises not just from the lack of access to formal banking channels but also because of (i) unfamiliarity of the sender and especially the receiver with the use of formal transfer mechanisms and (ii) their physical distance from facilities, which may be reducing with the growth of banking correspondents. The postal department does have a large network especially in rural areas that could be leveraged for remittances and indeed it has some products in this space. **The working group recommends the Ministry of Communications to 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. It would be especially important for post offices in high remittance receiving areas to have the infrastructure and resources to make a success of this product.**
130. The need to ensure that migrants can access the banking system has become important in the context of a less-cash economy. **In this milieu, it is recommended to consider increasing the number of withdrawals in Basic Savings Bank Deposit Account'-Small (no-frills) accounts. Also that banks be issued strict instructions not to add additional requirements to KYC guidelines established by RBI.**

## IV. HOUSING

131. Migrants face difficulties in accessing housing and other basic amenities such as water and sanitation. In many cases, work is usually in sectors like construction, where work availability is intermittent and workers remain under-employed. As such, workers tend to live in miserable conditions and are exposed to harassment. They, especially shorter term migrants, are often forced to live in urban slums, facing constant threats of displacement and eviction. Many live in footpaths and city parks without provision of basic services and subject to harassment, especially for women.
132. At work sites, migrants experience long hours, hard work, harsh conditions and injuries (with inadequate medical help or compensation) and social isolation. Even water is scarce and has to be negotiated. Security is a major problem. Urban migrants face harassment, abuse, theft, forcible eviction by the police and demolition of their dwellings by urban authorities. Even when migrant workers are able to access better housing, usually on rent, these are mostly in informal settlements. Demolition of such informal settlements affects the supply of rental housing adversely.

### IV.1. Issue

133. Poor supply of low-income housing, both ownership and rental, in urban destinations is a key issue. The prevalence of slums—settlements with poor infrastructure and resultant poor living conditions—has been an area of concern over the years. Government programs have sought to address the issue by rehabilitating slum-dwellers into a variety of improved housing and promoting private supply of affordable housing.
134. The lack of affordable short-duration accommodation options for short-term migrants is also an issue. Most of the demand is at present met by the informal sector and select formal interventions such as working women's hostels, which as discussed below, are highly inadequate.
135. The question of housing for migrants cannot be de-linked from the broader issue of housing in informal settlements, including slums. These spaces provide a broader range of housing options – of different prices and varying quality (in terms of access, space per person, access to amenities like toilets and kitchens, even services like Wi-Fi, etc.), which make up for the lack of formal housing options. This is not unusual.
136. There is a close link between the economic success of a city and the growth of informal settlements. Not only do such cities attract more migrants to work in the growing enterprises, the lack of an adequate housing response means that most of these migrants are in informal settlements, such as unauthorized colonies, if not slums. However, it is precisely these migrant workers who power 'Make in India', as seen in section II, and thus excessive zeal in demolition of informal settlements can affect 'Make in India' negatively.

This is even more evident in the supposedly more planned environment of China. Cities that have experienced rapid industrial growth like Shenzhen have seen the densification of settlements called “villages-in-the-city” (*chéngzhōngcūn*; 城中村) where housing supply for migrants has grown – so much so there may be twenty times more migrants than original inhabitants! Housing in these spaces has grown over and above the provision of housing by industrial enterprises, usually in the form of dormitories. These spaces have been integral to the manufacturing boom in Shenzhen and were insulated from the planning processes, except to encourage the village landlords to improve services like electricity, sewage, piped water, and in

certain instances, gas supply, etc. Only very recently, as Shenzhen transitions from manufacturing to high-end services are these spaces being considered for redevelopment, in a deliberate and measured process – a few at a time. Furthermore, the Chinese government is evolving measures to ensure greater access to public services for migrants in the city by modifying urban hukou requirements, alongside the development of new housing and social infrastructure (See Box IV. 1).

**Box IV.1: China's evolving response to housing migrants**

The hukou in China is a household registration record that officially identifies a person as a resident of an area. It was used as a residence permit before the 1980s and is now primarily used to determine eligibility for services, such as access to schools and healthcare, and public housing. Consequently, rural migrants to cities have been excluded from the formal urban housing market because they are not eligible for public housing and they cannot afford the private housing market. Migrants thus live either in employer-provided housing like factory dormitories or in rental rooms in urban villages (Zheng et al 2009).

However, the Chinese government is now changing track and this may result in the ability of migrants to access housing in cities. The government has set a target to increase urban residents' share of the population to 60% by 2020 (up from 55% in 2015), and the share of the population with an urban hukou to 45% (up from 36.9% in 2014) (UBS 2016). It plans to grant urban hukou to an additional 100 million people in the next five years by relaxing urban hukou qualification requirements, especially in smaller cities. The main focus is to expand the coverage of public goods and services such as education and health care services to migrant workers already living and working in urban areas. Concomitantly, it plans to build new infrastructure facilities to help improve urban planning and reduce pollution.

In addition, the government plans to continue renovations of informal settlements, but with an increased share provided via monetary support for the purchase of existing housing rather than new construction, to facilitate property destocking. The government's tax and credit policies will also support "reasonable" housing demand, and certain qualified migrant households can also be covered under public rental schemes.

Source: Zheng et al 2009, UBS 2016

**IV.2. Legal frameworks**

137. India does not have an overarching legal framework, nor a right to housing; however, housing is an integral component of statutory documents related to physical planning such as city level master plans and land-use plans. Housing quality is further controlled by building regulations and bye-laws, also enacted and implemented at city level.
138. The housing sector is influenced strongly through financial regulations. Housing related lending institutions, the Housing Finance Corporations, are regulated by the National Housing Bank (as per the National Housing Bank Act, 1987 and notifications issues under it) while microfinance institutions that might lend for home improvements are regulated by the Reserve Bank of India. Home buying is incentivized through income tax exemptions, specifically under Section 80EE of the Income Tax Act.
139. Private sector real estate developers who supply the bulk of middle and high income housing are regulated by the recently enacted Real Estate (Regulation and Development) Act, 2016 and broadly protects the interests of home buyers by mandating increased transparency and putting in place grievance redressal mechanisms. The regulatory and policy climate for housing, however, is focused on

the formal sector and have minimal impact on low-income migrants, many of whom live in informal settlements and are also employed in the informal sector.

### **IV.3. Applicable government schemes**

#### **Pradhan Mantri Awas Yojana (PMAY)**

140. PMAY is the Government of India's scheme, administered by Ministry of Housing and Urban Poverty Alleviation (MoHUPA) to help the economic weaker section (EWS) and low income group (LIG) to access housing. Operational in the period 2015-2022, the scheme has four principal components, viz. in-situ rehabilitation of slums using land as a resource through private participation, credit-linked subsidy (6.5 percent interest on a 15-yr home loan of up to INR 600,000), affordable housing in partnership (a subsidy of INR 150,000 per unit for schemes developed in partnership with the private sector) and subsidies to the tune of INR 150,000 for beneficiary-led housing, whether new construction or home improvements. Except for the credit linked subsidy, which is a central sector scheme, the other components of PMAY are implemented through States and urban local bodies and are centrally sponsored. As on 17th October 2016, over 14,500 houses were built and another 430,000 were in the pipeline<sup>15</sup>. Pre-cursors of the PMAY include the Indira Awas Yojana for rural India and the Rajiv Awas Yojana for slum upgradation and redevelopment in urban India. The Jawaharlal Nehru National Urban Renewal Mission (JNNURMM) also had components that funded ULBs for creating EWS/LIG housing. In October 2015, the total number of units built under the Basic Services for the Urban Poor (BSUP) and Integrated Housing and Slum Development Program (IHSDP) components of the JNNURM were 960,000 completed houses (and 1.2 million sanctioned)<sup>16</sup>. However, this supply is inadequate in the face of an estimated 18.7 million shortage of housing units, largely in the EWS/LIG bracket and creative strategies to bridge the demand-supply gap are the need of the hour.
141. Housing being a State subject, there has been diversity in the approach towards affordable housing. In response to their contexts, for example, Rajasthan has focused on creation of fresh affordable housing supply through the Housing Board, while Haryana is partnering with private developers in specific high-demand locations.

#### **Rental housing policy**

142. Rental housing, traditionally a neglected area of housing policy, is now getting attention perhaps in response to the significant floating populations in urban areas for education and work. Specific states have already included rental components in their affordable housing strategies, e.g. Governments of Rajasthan and Odisha. However, the move of the Government of India, through MoHUPA, to bring out a National Urban Rental Housing policy and a Model Tenancy Act, both in the pipeline, is certain to move the conversation on this forward.

#### **Working women's hostels**

143. Working women's hostels are spaces providing shared collective residential accommodation for women working in urban areas. About a thousand hostels have been built under the Working Women's hostel scheme funded by the Ministry of Women and Child Development. A relatively small number apart from being limited in providing facilities such as day care and kitchen facilities, are mentioned in the guidelines but usually not available in practice. Moreover, this scheme is designed to be temporary. Unlike China, where workers' dormitories are always available as an

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<sup>15</sup> [http://mhupa.gov.in/writereaddata/PMAY\\_with\\_CLSS\\_without\\_RAY\\_17-10-2016.pdf](http://mhupa.gov.in/writereaddata/PMAY_with_CLSS_without_RAY_17-10-2016.pdf)

<sup>16</sup> [http://www.mhupa.gov.in/writereaddata/DMU\\_REPORT\\_JNNURM.pdf](http://www.mhupa.gov.in/writereaddata/DMU_REPORT_JNNURM.pdf)

accommodation option, these have a maximum stay of three years, extendable to a maximum of five. It also does not allow male children over five years of age.

144. An evaluation study conducted by the School of Gender and Development Studies, Indira Gandhi National Open University (IGNOU, undated), found that working women's hostels have been critical in providing safe, accessible and affordable accommodation to working women. In the absence of alternative arrangements in the city, these hostels are preferred by women as safe and protected accommodation spaces. Proximity of these hostels to their workplaces also render them a viable option. The study noted that in light of women's participation in the workforce, the number of working women's hostels fall below requirements, and called upon the need for more working women's hostels to be sanctioned. The evaluation further recommended to the Ministry of Women and Child Development to develop a staffing pattern that would commensurate with the intake capacity of hostels, as the hostels were found to be understaffed. The development of working women's hostels can play a significant role in addressing the issue of low-cost and safe housing for urban women.
145. One of the more immediate connections between skill development and housing relates to the ability of women to find suitable housing options in their destination, after their training. While employers may have requirements for skilled female workers, they are often unwilling to accept responsibility for providing the necessary accommodation. This is not just an issue of cost, but also the reluctance to bear responsibility for the safety and security of women employees. Employers, however, do occasionally provide for accommodation for male employees.

#### **Other Hostels**

146. In some cases, there is worker/employee accommodation for SC/ST workers. The variance between SC/ST lists of source and destination may pose a barrier for inter-state SC/ST migrants to access these facilities. A mechanism to permit the usage of these facilities by SC/ST workers from other states would be useful.
147. The Ministry of Textiles, Government of India also runs a scheme to fund the construction of worker hostels in the textiles and garment sector. However, the scheme appears to have limited take off and may benefit from linkages with other schemes and funding mechanisms for dormitory and hostel accommodation (See Box IV.2).

#### **Box IV.2: Worker Hostel scheme by Ministry of Textiles, Government of India**

As part of the 12th five-year plan, the Ministry of Textiles, Government of India, had notified a scheme to support up to 50 per cent of the cost of construction of hostels for workers in the textile industry. The scheme funds dormitories for a minimum of 250 workers, common facilities for dining, leisure and recreation as well as infrastructure and furnishings. Special Purpose Vehicles set up under Scheme for Industrial Textile Parks (SITP), state textile park schemes, Special Economic Zones (SEZs), and state industrial development corporations are eligible to submit proposals under the scheme. The implementation agencies are responsible not only for design, planning and construction but also for allotment and maintenance of rooms. As per news reports, the Palladam Hi-tech Weaving Park located in the Tiruppur cluster in Tamil Nadu and inaugurated in January 2016 has utilised a ₹ 3 crore grant under this scheme to build workers' hostel in the park. Overall, uptake for the scheme appears to be low, the reasons for which require further investigation. However, inter-ministerial coordination that creates linkages between this and other schemes such as the BOCW that permits utilisation of cess funds for creation of hostel facilities may encourage uptake in areas where migrant workers are concentrated.

Source: Workers' Hostel Guidelines, Ministry of Textiles; Websites of Apparel Resources, Indian Textile Journal

#### **IV.4. Current architecture**

148. The Government of India has a stated goal of housing adequacy by 2022 and the thrust is on affordable housing for the EWS and LIG segments. While central and state government schemes target these segments through subsidies, the middle and higher income groups are supplied through the private sector.
149. In this current architecture, migrants face exclusions from subsidised public sector housing. Allocations of EWS houses are done—even when built by the private sector—by many States on the basis of BPL cards and inter-State migrants who may have BPL cards issued in their State of origin are not considered. These eligibility criteria are common in affordable housing schemes across States. In slum rehabilitation projects as well, mechanisms like cut-off dates and caste certificates – the problems of losing benefits due to differences in SC/ST lists across States has been mentioned before—result in the exclusion of migrants from being eligible for rehabilitation housing.

#### **IV.5. Recommendations**

150. The housing of migrant workers is a critical issue. While migrants are often held responsible for the growth of slums in cities, there is limited evidence to support that contention. Nevertheless it is also true that there are also limited options for migrant housing at destination.
151. In the case of migrant workers under ISMWA, the contractor is obligated to arrange for housing. Similarly, funds under the Construction Workers Welfare Board have been used to provide housing for construction and brick kiln workers but though there are some good examples, in many states, the quality of such housing can be improved substantially. In such cases of publicly provided housing, there is an opportunity to integrate services, like child care, education, primary healthcare, etc. This integration is the responsibility of the state governments. As seen earlier in Table II.7 these funds are sparingly used, except in a few states. **The Working Group recommends that states consider the utilisation of CWWB funds towards provision of housing for migrant workers in construction and related industries on a priority basis. This should also account for provision of rental accommodation for such workers. This would address the needs of the significant share of migrants who work in these industries.**

152. The link between informal settlements and Make in India needs to be recognised. Excessive zeal in redeveloping such spaces without corresponding increase in similar housing supply could affect the growth of manufacturing and stall Make in India. **In terms of housing, the next recommendation of the working group would be to encourage state and local governments to expand the provision of basic formal services for all settlements. This would expand service provision to migrants. If necessary, a scheme could be evolved for this purpose or the PMAY administered by MoHUPA could be extended to cover the upgradation of infrastructure in all types settlements that local and state governments would like to serve.**
153. **The third recommendation of the working group is to facilitate the provision of a wide variety of rental accommodation.** This can be done in multiple ways, viz. (i) through enterprises, but that is unlikely to increase supply considerably since it would be restricted to large enterprises, (ii) through individual private provision, as is already happening in the informal settlements and villages within the urban area or on the periphery, (iii) in partnership with corporate private providers, either non-profit or for-profit, (iv) through public provision, as in the case of working women's hostels.
154. There has been a demonstrated reluctance to manage rental housing in the public sector. This needs to be addressed. **Initially, the working group recommends that rental housing in the public sector could be through the provision of dormitory accommodation – at a variety of scales in terms of space per person, as is already happening informally in the informal settlements.** There should be no restriction on duration of stay in such accommodation.
155. The key concern of many authorities, that rental housing would be informally transformed into ownership housing, is mitigated to a large extent in such dormitory accommodation. In addition, it would make public housing affordable to an extent where a large proportion of the costs can be recovered from user fees that are not excessive, compared to wage earnings. This would not only ensure that migrants who stay in such facilities for a long duration do not corner benefits of public support, it would also permit faster expansion of such facilities by enabling government support to be distributed over a larger number of such facilities. The private sector does provide these kinds of services but typically at specific points in the price – quality continuum, i.e., the lowest – with minimal services and facilities and at the relatively upper end, catering to workers in the higher end service industries. The role of the public sector here is to demonstrate that it is viable to provide services at other price-quality combinations.
156. The Ministry of Human Resource Development in a prior version of its scheme for girls' hostels used to provide assistance to voluntary organisations for construction and running of Girls' Hostels for students of secondary and higher secondary Schools. **The working group recommends that a similar framework could be considered by MoHUPA for the establishment of Girls' Hostels for working women who are in low-wage occupations. This could supplement/extend the existing scheme for working women's hostel, which appear to have a relatively low share of dormitory options that would be more relevant for this market segment.** Depending on the number of women with children, there would be need for more widespread child care and educational facilities. The guidelines may be to be re-examined for including/ monitoring the implementation of such services.
157. **The working group recommends active coordination between states on a mutually reciprocal basis in the provision of accommodation services specific to disadvantaged groups like for scheduled castes/tribes, who may be excluded because of differences in inter-state classification.**



- 158. The role of public sector in providing family rental housing is more complicated and linked to broader housing policy that provides essentially free ownership housing for a limited number of beneficiary families. This is a complicated issue that needs further examination and needs to be coordinated with modifications to overall housing policy.**

## **V. DATA**

159. India does not have a single definition to identify migrants. The two major agencies (i.e. Census and National Sample Survey) which collect information on migration uses different criteria, though both based on the change in place of residence, to define migrants. According to Census, an individual is classified as a migrant if [s]he has changed his place of residence in the past from one village/town to another village/town. It also has a place of birth classification. Neither change in place of residence within a village/town nor temporary change in the place of residence due to religious visit, official tour, sightseeing, medical treatment etc. are not considered as migration. On the other hand, NSSO defines migration on the basis of last usual place of residence, which, unlike the Census, is defined as a place where one has stayed continuously for a period of six months or more. If the present place of residence of an individual (i.e. the village or town where the person is being enumerated) is different from his last usual place of residence, then [s]he is classified as a migrants. According to the Census, 30% of the total population in 2001 were migrants. Based on the NSS definition, 28% of the total population in 2007-08 were classified as migrants. This section is organized as follows. It first looks at organizing and facilitating access to available data. It then looks at the data generating processes and makes relevant suggestions.

### **V.1. Organising and Facilitating Access to Data**

160. The availability of credible data is critical to develop a robust understanding about migration, including, inter alia, the reasons people migrate, major sources and destinations, sectors of employment, conditions of living. In India, it is also crucial to understand the nature of short-term and circular migration (where the migrant does not move permanently from the source to the destination), since such migration forms a significant share of population movements. The focus on migration by the nation's statistical agencies on this issue has been limited.
161. There are a number of reasons to seek better data on internal migration, in addition to their effect on the cities. These include, inter alia, understanding the linkages between MGNREGS and migration, enhancing financial inclusion by better understanding the nature of the domestic remittance economy, etc. In addition, the specific nature of migration in India, which seek to retain relationships both at origin and destination need to be better understood in order to anticipate the nature and growth in urbanisation.
162. There are four broad sources of data on migration. These are (a) numerous specific surveys conducted by researchers with varying methodologies and at different scales (b) the Census of India, conducted by the Registrar General of India (c) periodic surveys undertaken by the National Sample Survey Office and (d) administrative data at various levels, from local government to Union government, generated as part of administrative record-keeping.

### **Specific Surveys**

163. It is useful to consider first, the specific surveys conducted by researchers. There is limited agreement as to the extent of migration between numbers that emanate from data such as the Census and the National Sample Survey and data collected, albeit in a more disparate, selective and episodic manner, by a number of researchers. Much of this disagreement stems from differences such as the capture of short-term migration and the ability to count persons residing at worksites, etc. These issues are discussed later in this section.

164. These studies collect disaggregated information by caste/tribe, gender, age, education, migration duration, occupation (often at very granular levels), (go down to several points of disaggregation) seasonality, wages, etc. They use various definitions of migration, based on different time definitions and use different methods of data collection, e.g., interviewing the individual vis-à-vis the household, using different sampling methods, etc. These micro studies can contain detailed information on the vulnerability of different groups to social exclusion and discrimination in the labour market, specific to certain groupings which are not captured in larger surveys but which have significant local relevance for labour market outcomes.
165. Regardless of these differences, and indeed, because of them, it is important that the various micro-studies be more visible. For this they can be aggregated into a portal on an ongoing basis. Physically housing micro and qualitative studies under a single repository would be useful as these could then be catalogued by key words and made available to researchers, civil society and even government. Once they are visible and available for analysis and synthesis by the research community, they can be used to inform larger government data collection surveys. In the interim, their availability can also encourage states to use them to understand local variations on cross-cutting issues, such as (a) protection of existing laws, (b) implementation of social services (c) housing demand (d) infrastructure needs (e) livelihood strategies, etc.

### **Census of India**

166. The Registrar General of India (RGI) has yet to release most of the data on migration for the Census in 2011. One provisional table, D-5 (migrants by place of last residence, sex, reason for migration and duration of residence) at the state level in November 2016. It is lower down on the data release schedule, with migration data from the Census among the last to be tabulated and released and there have been extenuating circumstances specific to recent demands on RGI such as additional responsibilities like work relating to National Population Register (NPR) and Socio-Economic Caste Census (SECC). In this context, the RGI has stated that *“priority for release is given to the basic data of major national importance followed by the data which does not required further processing before its release”*. The digitisation of data collection was expected to improve matters for Census of 2011 but it appears that the release will be later than the last cycle. Indeed, the RGI has stated that *“generation of Migration data requires Computer Assisted Coding (CAC) of relevant information which is time consuming”*. This means that decisions on migration intensity for various programs listed above are being taken with data that is now over fifteen years old from the 2001 census, in a situation of rapid change.
167. The unit of release of data is currently the district. However, within districts, there are specific sub-districts that may be more migration-intensive than the average for the district, since there are strong local externality effects in migration, i.e., if migrants from a specific village succeed at the destination, they tend to facilitate movement of others from the same or nearby villages. This is important for the focusing of services, e.g., the provision of schooling alternatives for children, both at the in-migration and out-migration areas.
168. Currently, the data that is publicly available from RGI is only for in-migration, i.e., detailed by destination, i.e., the nature and character of migrants at destination is published. Data on out-migration by source is not available publicly. For the purposes of the work of the Working Group, the RGI made aggregate data on out-migration from district to district available. This data does not distinguish migrants by worker or non-worker or by duration of stay, etc., but distinguishes them by gender and their

origin within the district – rural or urban and whether their destination is rural or urban.

### **National Sample Surveys**

169. The latest migration survey – 64<sup>th</sup> round – was conducted in 2007-08, as part of the Employment and Unemployment schedule. There is some migration information in other NSS surveys also. The table in Appendix 2 discusses the enumeration of migration particulars in various other NSS surveys starting from 1999-2000. The main objective of the table is to discuss the specific information on migration that can be traced out from these different surveys on the basis of the questions asked to the survey household/individual members of the survey household. The table is divided into three parts: the first part discusses the year/round and broad topics covered by the survey, while the second highlights the specific questions pertained to migration in those surveys and the third section focuses on the nature of information regarding migration extracted from these surveys. There are six NSS rounds since 1999-2000 in which some questions pertaining to migration have been asked. Migration has been usually investigated as a part of employment-unemployment survey.
170. The first dedicated survey on migration was in 2007-08 (NSS 64th Round, Schedule 10.2). Even in this survey, the focus was mainly on the migrant workforce. However, NSS 2007-08 discusses broad issues regarding reasons for migration, spatiality of migration (from where the migrants come and where they go), nature of movement (permanent, semi-permanent or temporary) and some general particulars about last usual place of residence. Questions have been asked regarding both household and individual level migration. The NSS 2007-08 survey was also the first survey when the question regarding out-migration has been asked, in association to places and reasons for out-migration and remittances received from those out-migrants. It also enlists the economic activity of the out-migrants.
171. There has been piecemeal questions providing particulars of migration in other surveys, like their previous economic situation, land owned at their usual place of residence, or housing condition at present place of residence. In the NSS 58th and 69th Rounds on Housing Conditions there were limited questions regarding last place of residence, reason for migration, or availability of identity cards and benefits regarding land or housing. The 58th round survey (2002-03) also asked questions about the possession of any kind of dwellings and availability of cultivable land to the migrant households, who moved in last 365 days to slums in cities. The 68th (2009-10) survey on employment-unemployment sought information on migration with respect to participation to NREGA activities. Here, one particular reason for a person to participate in NREGA works was whether such work was any alternative work that is required by the person while staying away from the village. This was for understanding whether NREGS can reduce the need to migrate.
172. Access to the unit-level NSSO survey data is available for a fee, which, while not nominal, is not excessive. The NSSO has also recently tried to make the data extraction process less cumbersome and more user friendly and this initiative was appreciated by the working group. The suggestions with respect to NSSO pertain more to the design of the surveys, which is discussed below.

### **Administrative Data**

173. As part of various initiatives, governments at various levels generate data pertaining to migration. This can be at panchayat level, as in the efforts underlying the recording of migrating children (see Box III.4) or in providing services to migrants, such as the District Level Facilitation Cells in Odisha (Box III.2) or it can be at the Union level, where some schemes of the Government of India are now generating data that is useful for understanding migration flows. For example, the DDUGKY as part of its

administrative records, collects information on the location of the skilling intervention and then also on where the trainee is placed (since payment is based on number of successful placements). This creates an automatic origin destination pair, along with information about the nature of the skill, the education, age and gender of the trainee (migrant), the nature of job placement, etc. and would prove useful for analysis by various service providers in both source and destination.

174. At this point, there appear to be three broad sources of this administrative data, i.e., the **(a)** labour departments of the states, **(b)** the education departments of the states and **(c)** departments of the Union government involved in implementing Skill India.

## V.2. Data generation

### Census of India

175. This sub-section looks at the process for generating data, focusing on the RGI and NSSO and makes some suggestions in this regard. In Box II.4, earlier, we had referred to the absence of caste information for inter-state migration. Administrative lists of Scheduled Castes and Scheduled Tribes for the purpose of affirmative action and social justice are prepared, notified and maintained at the state level, and because of this the RGI does not record caste information for migration across state borders. The RGI has stated that as per current practice, *“information of being SC/ST is collected for every individual as per the state-specific lists of SCs/STs under Article 341 & 342 of Constitution of India”* and there may not be *“scope in census to add another question for recording name of SC/ST of the migrant as per the list of the origin state”*. This results in significant loss of valuable information for vulnerable sections of society, especially since data from the NSSO indicates that there is significant inter-state migration by SC and ST groups.

#### Box V.1: International Remittances and the Quality of NSS Survey

While this Working Group has not addressed issues relating to international emigration, it should be recognised that data on international emigration is virtually absent at the All-India level. There is very little information available on over an estimated 10 million Indian emigrants. The existing database – embassy statistics, special surveys conducted in Kerala, Goa and Gujarat and limited information available in the 64th Round NSS survey is too meagre for understanding the profile of the expanding emigrant stock. This is a deficiency that needs to be rectified quickly.

In 2007-08, the RBI reported USD 43.5 billion as total ‘private transfer to India’. However, according to NSS, roughly USD 4 billion in 2007-08 is estimated as household remittances. Does this show that the NSS is very flawed? Not necessarily. Tumbe (2011) argues that the RBI estimate includes family remittances and repatriation of savings (50%) and withdrawal from local non-resident accounts (43%) and others. Of this only the family remittances is comparable to the NSS estimate. Using older RBI data, he estimates this component to be 40% of the composite remittances and repatriation of savings, thus arriving at an estimate of around USD 9 billion for family remittances alone based on the RBI data. He then argues that the NSS data have to be adjusted three times, first for undercounting of population (this is a standard adjustment) by 15% and then for undercounting of remittance receiving households by 20%, using the KMS data. This will increase the USD 4 billion to about USD 5.7 billion. Finally, the NSS misses about 45% (4.4 million in NSS vis-à-vis 8 million estimated by the Ministry of Overseas Indian Affairs) of the households who have emigrated abroad due to whole household emigration. Making this final adjustment indicates an estimated remittance from the NSS data of USD 10.3 billion, comparable to the estimate based on RBI’s data.

## National Sample Survey

176. The 64th round of the national sample survey, conducted in 2007-08, was the first time the survey captured substantial information on out-migration and remittances, as compared to the earlier surveys in 1999-2000 and 1993. However, some gaps in the migration database continue to exist. Usually, it is difficult to compare the NSS with other data (see Box V.1) since few individual surveys are conducted at the scale of the NSS. However, the Kerala Migration Survey (KMS) conducted in 2007-08 used a sample size three times larger than the NSS survey. Tumbe (2011) compares the NSS estimates for Kerala with the KMS. He finds that there is a 20% under-estimation (13.7% instead of 17.1%) in the share of households receiving remittances. Separately, there is also a difference between the number of return migrants in the NSS and the number of return migrants in KMS, which is four times the NSS estimate.
177. Even within the NSS, the out-migration data pick up less than one-third of total female migration. In India, nearly every married woman is a 'migrant' due to village exogamy, but because she often ceases to be a 'member' of the natal household, responses from the out-migration schedule differ substantially from those based on the in-migration schedule of the questionnaire. As a result, the NSS data shows only 74 million female out-migrants as compared to 232 million female in- migrants.
178. Currently, with the NSS data, it is possible only to locate the districts in which in-migrants are enumerated; not where internal out-migrants are located or the districts from where in-migrants migrated. Since migration in India is very clustered (see Figures II.5 and II.6), the need for district level location of migrants is important to understand district to district migration corridors. None of the migration surveys locate the last place of residence beyond the state level.
179. The NSSO has decided to conduct a periodic labour force survey, with a short schedule. This can enable tracking the growth of migration and its seasonal pattern.

## Short-term migration

180. As mentioned before, some of the disagreement over official migration estimates from different surveys appears to be connected to shortcomings related to the inability to capture short-term migration and to count persons residing at worksites, etc. In particular, the capture of short-term migration appears to be related to the structure of the questionnaire.
181. Deshingkar and Akter (2009) contest the official estimates, largely on their inability to recognise short-term and circulatory migration, as well as the possible misclassification of the migration of women, since secondary reasons are not recorded. They further argue that the underestimation of short-term and circulatory migration then leads to an under-estimation of migration by the poor and the SC and ST categories. It also leads to mis-identifying the relationship between migration and economic status.
182. The NSS has undertaken three surveys of migration, all of them in conjunction with its employment unemployment survey. The NSS 55<sup>th</sup> round (1999-00) was the first when NSS collected information on short-term migration and it covered all people who stayed away from the village/town for 60 days or more for employment or in search of employment. The NSS 64<sup>th</sup> round changed the definition and defines a person as short-term migrant when [s]he is away from the village/town for a period of 1 to 6 months during the last year for employment or in search of employment<sup>17</sup>. Irrespective of the definition used, around 1% of the total population can be classified

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<sup>17</sup> This also remained in the 68<sup>th</sup> round but in the 70<sup>th</sup> round (2013-14) it was changed to between 15 days and 6 months

as short-term migrants. Prior surveys of migration also have significantly less detail, so the degree of inter-temporal comparison is limited. However, as seen in section II.2, while the number of such migrants is estimated to be small, the structure of the migrants indicated from the field studies drawn upon by Deshingkar and Akter (2009) is confirmed, i.e., they belong to the lower economic categories, are from socially disadvantaged groups, and work in occupations like construction. In this context, the survey by Coffey, Papp and Spears (2015) is useful.

183. There were three key differences in the survey methodology<sup>18</sup> from the NSS, viz.: (a) reporting of shorter trips, which includes two or more days outside the village for work<sup>19</sup>, unlike NSS definition of one to six months and (b) seeking responses from both household head and individual adults in the household, instead of a single respondent in the household, which reduces recall problems and (c) the expansion of the definition of members of the household to include members staying at least thirty days (under the same roof and taking food from the same kitchen), unlike NSS definition of 180 days. This could minimize under-reporting of migration.
184. With this questionnaire design, they find that over 80% of 20-30 years old males and over 60% of 20-30 years old females made at least one trip on or before the survey. About 30% of children below 14 years of age migrated. Overwhelmingly, 83% of the destination is urban with a mean length of 48 days. Surat, Ahmadabad or Vadodara and other large cities account for 73% of these trips, the rest being to smaller towns. They also find that seasonality is a very strong predictive component of short term migration, typically at the individual level.<sup>20</sup> By contrast, in the NSS, short term migration by children is uncommon. As per NSS, only 3.5% and 2.3% of short term migrants are below 14 years of age in rural and urban areas respectively. Also among short-term migrants, in NSS, only 15% are female. Most migration is also rural to rural.

### Migration by women

185. On the issue of women's migration, CWDS (2012) and its related publication, Mazumdar, Neetha and Agnihotri (2013) contend that the discourse on migration and development continues to be male-centric and that there is lack of an understanding on the extent and scope of female 'labour' migration. They study women's migration in India through a primary survey that followed a two-pronged approach, viz. household surveys in 'village sites', broadly representative of source areas in the study and survey of individual women workers at 'sector' sites in rural as well as urban areas, representative of the occupations where women migrants are seen to be concentrated. The survey covered 5,007 individual migrants and 5,558 households across 20 states in India. The purposive sampling of particular villages and sectors was on the basis of local knowledge. This is important to understand issues relating to women migrant workers who may be missed in NSS surveys because there are pockets of concentration and otherwise small proportions which are too dispersed to capture "In all, 3,073 female migrant workers and 1,934 male migrant workers and their households were covered by the survey. Of the 3,073 women migrants, 1,594 were surveyed in rural areas and 1,479 in urban" (CWDS 2012: 21).

<sup>18</sup> The survey comprised 5000 persons in 705 households in 70 villages in 2010 in four high migration districts, Banswara in Rajasthan, Jhabua and Ratlam in Madhya Pradesh, and Dahod in Gujarat.

<sup>19</sup> With this short a duration, it is difficult to distinguish between commuting and migration. Often commuters may stay away from home for more than a day.

<sup>20</sup> Households with more adult members are more likely to send members to migrate during monsoon. Hence, individual migration is even more household dependent in terms of short term migration if seasonality is taken into account. For households with irrigation, the demand for agricultural work also is there in winter, and thus irrigation determines the relative benefits of migration.

186. In their sample, they find that 58% of the female migration was short-term, even higher for men at 64%. In addition, about 60 percent of women workers are concentrated in four occupations/sectors: agriculture (17.5%), paid domestic work (15.9%), brick making (11.8%), and construction (14.3%). In part this reflects the purposive sampling of the study but it points to some robust structural features missed in the NSS studies. Further, speaking to the point about secondary motivations, even as women migrated with families and not necessarily in an individual capacity, the authors observe that that overwhelming proportion of women emphasized their 'independent' motivations for migration, indicating that many women factored in employment/work options in their migration decisions (CWDS 2012: 60-61). This is consistent with the finding in Box II.1 above, that women who moved for marriage constitute a large share of the female workforce, an overwhelming 62% in rural areas and 31%, even in urban areas.
187. The purpose of the discussion above is not to suggest specific changes in the questionnaire design, like defining migration as two or more days of absence, but to highlight the differences that can emerge with differences in design and location of surveys. The design of the surveys is therefore of major importance and the design would depend on the purpose of the survey. It is therefore important to have a stand-alone migration survey, rather than as a part of the employment unemployment survey, as it the current practice. This will also permit more extensive questions, which is currently not possible due to time constraints as questions unrelated to migration also are included. Appendix 3 provides some initial suggestions for such a survey.

### V.3. Recommendations

188. Given the importance of creating a repository on migration studies, the working group is pleased to recognise that the Human Settlement Management Institute (HSMI) has agreed to host such a portal. **The working group recommends that HSMI be supported with necessary resources to undertake this exercise.**
189. The schedule of release of data from RGI is inconsistent with the need for timely data on migration. **The working group recommends that the Registrar General of India's release schedule be re-examined and optimised such that the migration data is available no later than a year after the primary census abstract is tabulated. Given the constraints noted by RGI, additional resources, if necessary may be made available to the RGI for this purpose.**
190. The current data release does not permit study of district to district flows of migration. **The working group recommends that the RGI enable the release of in-migration data at the city, sub-district and the village level, similar to the release of data on village-level amenities in this cycle. In 2001, this data was released for larger cities (municipalities) and urban agglomerations (UAs).** This does not involve any new data collection, only a different level of tabulation. This data could be priced at a reasonable level, similar to the pricing of unit-level data from the NSSO.
191. For the purposes of this Working Group, the RGI made aggregate data on out-migration from district for 2001 available. **The working group recommends that this data for 2001 be released into the public domain as part of this report. In addition, it recommends that the Registrar General of India's enable the release of data on origin of in-migrants data at the same level of classification as available for the migration tables. Since the data is extensive, as each district will have in-migrants from multiple points, this release can be done on request.** Again, this does not involve any new data collection, only a different level of



tabulation. This data could be priced at a reasonable level, similar to the pricing of unit-level data from the NSSO.

192. The RGI does not record caste information for inter-state migrants. **While this is a complicated issue that needs discussion, the working group recommends that the Registrar General of India consider amending the protocols for data collection for the Census of India to record caste information for inter-state migrants. One method may be to use the classification at state of origin.** It has been submitted that since information of being SC/ST is collected for every individual as per the state-specific lists of SCs/STs under Article 341 and 342 of Constitution of India, there may be limited scope to add another question for recording name of SC/ST of the migrant as per the list of the origin state. However, since the data for the 2021 census is likely to be collected digitally, the accessing of the list of the origin state need not an additional question, but can be seamlessly integrated into the existing query.
193. Substantial administrative data relevant to migration is available with state and union governments. **The working group recommends that the Ministry of Labour and Employment, the Department of Elementary Education, Ministry of Human Resource Development, explore the collation of state level data on labour and education and Ministry of Rural Development and other ministries involved in skilling programs enable the release of anonymised individual-level data (similar to the protocol from the NSSO) from DDUGKY and respective other skilling schemes with location indicators of both training and placement.**
194. **The working group recommends that the NSSO includes questions relating to migration in the periodic labour force survey. This could cover whether the worker is a migrant, the length of time he has been in the destination, the village (district) of origin and intention to return.**
195. The focus on migration by RGI and NSSO has been limited. Given restrictions on the length of the survey schedule, undertaking a migration survey in conjunction with the employment unemployment survey means that sufficient attention cannot be paid to migration issues. **The working group recommends that the National Sample Survey Office conduct a survey focused solely on migration, so that a variety of issues that remain unaddressed can be taken up.** In particular, the NSSO must consider collecting more specific information on the destination districts of internal out-migrants and the origin districts of in-migrants and means of remittance. **Further, to improve its estimates on short-term migration, NSSO must consider the benefits of interviewing the individual vis-à-vis households, reducing the defined length of time for a 'spell' of migration and including worksites such as construction sites and brick-kilns as part of the frame.** An initial list of specific suggestions are listed in Appendix 2 to the report. This can be supplemented by the usual process of consultation that accompanies an NSS survey schedule.

## VI. SUMMARY OF RECOMMENDATIONS

196. The recommendations of the working group are grouped into five categories, viz.: First, it considers the issues of migration and employment, especially the protections of legal framework at both federal and state levels, which has not fully kept up with the changes on the ground and may need a relook. This includes work conditions and the provision of social security, including health. Second, the protection of the legal framework is moot if migrants are not fully aware of their rights and able to take full advantage of the architecture that is being recommended in pursuit of their livelihoods. Hence there is a need to establish outreach measures to increase awareness and generate demand. Third, it addresses the challenges of service provision to a mobile population, including access to food, health, education of children, skilling and financial inclusion. The fourth set of recommendations focus on housing. The final set of recommendations address the need for better data to be able to better analyse the changes in the nature of migration in a more timely manner.

### VI.1. Migrants and Employment

#### Legal Framework

197. Despite constitutional protections, states have at times introduced local administrative requirements of a minimum duration of local residence (informally termed 'domicile') or specified conditions of employment, which can place migrants at a disadvantage in terms of employment, or access to benefits in the destination States. The Supreme Court has recently ruled against the constitutionality of such restrictions. The working group recommends that states act to be pro-actively remove domicile provisions in laws relating to work in an accelerated manner.
198. It is in this context that one has to consider the recommendations. **In principle there should be no reason for a specific protection legislation for migrant workers, inter-state or otherwise. They should be integrated with all workers as part of a legislative approach with basic guarantees on wage and work conditions for all workers, as part of an overarching framework that covers regular and contractual work.** This is especially so, given the wide representation of migrant workers in all sections of industry.
199. As recommended by the National Commission on Enterprises in the Unorganised Sector (NCEUS 2007), a comprehensive law for the unorganised sector workers, could form the legislation basis of a social protection architecture for such workers. The rudiments of such an architecture are in place, with the portability of RSBY, extension and portability of EPFO and ESIC coverage, the focus on covering contract workers and even other unorganised workers such as farm labour, domestic workers, street vendors and hawkers, bidi workers, rag pickers, etc. and the proposed portability of benefits under UWSSA. The National Pension Scheme is also available for unorganised workers, though its efficacy could be improved. However, there is still a large gap in implementation, the level of basic benefits and the ability of the worker to improve these benefits with supplementary payments.
200. A thorough review of the labour legislation is beyond the scope of this working group. Such a review is, however, urgently needed and it is the recommendation of the working group that this be done expeditiously.
201. Pending such a unified architecture, the working group recommends states must (i) establish the Unorganised Workers Social Security Boards, (ii) institute simple and effective modes for workers to register, including self-registration processes, e.g., through mobile SMS; and (iii) ensure that the digitization of registration records is leveraged to effectuate inter-state portability of protection and benefits.

## **Facilitation of Access**

202. In the context of social protection, it is also quite clear that the degree of information dissemination and awareness about benefits is quite low and migrants are unable to benefit from the protections that are available.
203. The working group recommends the establishment of migrant Helplines to (i) provide information about the protections and benefits available to them and (ii) connect the migrant to support services that may be required to secure his or her rights, e.g., in claiming unpaid wages or access medical care. Where possible, especially in locations with significant migrant populations, physical migrant resource centres (MRCs) can be established in association with civil society organisations for more personalised support and services like health check-ups. These helplines need to be staffed by all genders and the staff needs to be conversant with the legal benefits and protection and services available to migrants. They also need to provide information in a language in which the migrant is comfortable, e.g., by including staff who speak the languages of the major migrant groups in the state and/or having access to translators with other language skills. This can also assist them in accessing protection from law enforcement agencies and, vice versa, assist them in interacting with migrants.
204. The working group also recommends that the use of community radio in increasing access of information to migrants should also be encouraged. The necessary facilitation should be made by the Dept. of Telecommunication.
205. Some short-term migration may be substitutable with commuting, which is also a growing phenomenon. This confers the benefits of migration and mitigates the cost. In this context, the Working Group recommends that states improve their rural road network (already progressing under PMGSY) and license appropriate transport operators for services in rural areas.
206. Further, despite Supreme Court oversight in WP (Civil) No. 318/2006, there appears to be a lack of awareness about schemes and serious shortcomings related to implementation of schemes funded by the Construction Workers Welfare Board (CWWB) cess. The Working Group recommends that MoL&E engage the states actively to improve utilisation of CWWB cess revenues by expanding coverage to workers in related sectors of construction and for provision of social services and housing.

## **VI.2. Service Provision**

207. In this section, the working group considers mechanisms to provide food security, health facilities, education of children and skills to migrant populations. The recommendations on delivery of health services would occur through the extension of health insurance under RSBY, under a broader social protection architecture.

### **Service Provision: Food Security**

208. One of the major benefits that migrants, especially short term migrants or migrants who move without their household, lose is access to the PDS. This is a major lacuna, given the rights conferred under the National Food Security Act 2013. The digitization of beneficiary lists and/or in some instances, their linkage with Aadhaar, permits the two actions necessary for portability of PDS benefits, viz. (a) the modification of the benefit to permit the delinking of individuals from households and (b) the portability of the benefit across the Fair Price Shop system (or alternative methods, if used).
209. About three fourths of migration is still within a state and for this large group of migrants, the portability is an administrative issue, not a budgetary impediment, i.e., it does not involve transfers across states. Indeed, some states like Chhattisgarh have already piloted portability with limited success. The working group therefore

recommends the expansion and acceleration of portability of PDS within states with appropriate technology and universal coverage.

210. Beyond the state, for short-term migration (which could extend for the greater part of the year, but without transferring household residence) the portability of PDS benefits would need an agreement between states. An example already exists in the MOU between Andhra Pradesh and Odisha (Box III.2). If necessary, totalising arrangements can be made for transfer of resources from one state to another. In this, the presence of Aadhaar can be a useful identification mechanism, once the migrant decides to enroll in the destination state. In case the migrant decides not to use Aadhaar, the process may take more time for verification, but should be possible to accomplish within a defined time frame, much like passport verification processes as on date. Till beneficiary lists are shared across states, the working group recommends the establishment of inter-state arrangements such as the MOU signed between Andhra Pradesh and Odisha for provision of PDS to inter-state migrants.

### **Service Provision: Health**

211. The rudiments of a portable architecture for the provision of healthcare is in place, with the portability of RSBY, and even ESI. The focus can be on covering contract workers and even unorganised workers under ESI, and the proposed use of portability to provide the benefits under UWSSA. However, there is still a large gap in implementation, the level of basic benefits and the ability of the worker to improve these benefits with supplementary payments.
212. It is the considered recommendation of the working group that migrants should be provided with portable health care and basic social protection through a self-registration process, delinked from employment status. The level of benefits could be supplemented by the worker or state governments with additional payments. The National Commission on Enterprises in the Unorganised Sector (NCEUS 2007) recommended a comprehensive law for the unorganised sector workers, which could form the basis of such legislation.
213. The working group also recommends that ICDS AW and ANMs be advised to expand their outreach to include migrant women and children in the scheme. This information can also be disseminated through migrant resource centres.

### **Service Provision: Education**

214. For some children, parents may decide that continuous travel may affect scholastic achievement and if so, hostels at either destination or source may be required. Currently, there is a scheme to provide this for SC/ST students. A number of ministries have schemes for student hostels, usually for specified groups, e.g., ministries of Tribal Affairs, Social Justice and Empowerment and Minority Affairs all have schemes for hostels of students of different categories. The Ministry of Human Resource Development also has a scheme for hostels for girl students, under which over 3,000 hostels have been built in educationally backward blocks. The SSA's guidelines also permits the construction of hostels for migrant children. The recommendation of the working group would be for states to use this facility much more widely. The working group also recommends that Ministry of Human Resource Development encourage states to include migrant children in the annual work plans of SSA, e.g., under the Education Guarantee and Alternative and Innovative Education schemes. This can include the establishment of residential facilities as well as, preferably, providing support to a care-giver chosen by the family, as currently practiced in some states. In doing so, it is imperative to ensure adequate child protection, basic services and care-giver to child ratios.

Wherever possible, the state should explore the possibility of establishing functioning schools in the destination and a cadre of multi-lingual teachers, who can assist in the

transition from the mother tongue to the state language. Simpler guidelines can be evolved especially for districts that receive or send a large number of migrants. The sending districts can be determined by monthly monitoring of attendance records in public schools. The specific nature of intervention should be determined by the state, in consultation with schools and parents, especially if it is intra-state where complications of syllabi and language are minimised.

215. In inter-state migration, the working group recommends the MoU of Andhra and Odisha to be used as a working model and improved upon to provide for education in the home state's language and syllabi at destinations. This can be successful where there are clusters of children as in construction worker camps and brick kilns, etc. For younger children the working group recommends mobile crèches at worksites. Such facilities can also be provided at places of residence.
216. The working group also recommends a re-examination of the guidelines of the schemes for hostels for targeted groups. In instances where the capacity may not be fully utilised, they could be allowed to accommodate students who do not belong to the identified group. For example, in the case of vacancies in hostels built for SC/ST students, inter-state migrants who belong to such categories in the source state but not necessarily in the destination state, could be given priority. In the absence of clarity in guidelines, such use may attract audit objections.

#### **Service Provision: Skilling and employment**

217. The working group recommends that migrants have unrestricted access to skill programs in urban areas in cases there are domicile restrictions, these need to be removed, as recommended earlier by this working group. The various ministries of the Government of India need to ensure that skill programs funded Union budgetary support do not have domicile restrictions.
218. The working group also recommends that availing training in both urban and rural areas should not be prohibited. If the concern is about excessive subsidies being transferred to an individual, a subsidy cap per person per year can be established and subsequent skilling can be on a user fee basis.
219. The working group recommends that the Ministry of Rural Development encourage states to expand the offering of urban-oriented skills as part of schemes such as DDUGKY and emphasize and facilitate the inclusion of such skills where needed. To the extent possible, these skills programs should be flexible and cumulative, so that migrants can accumulate skills over time. Also, as discussed later in the recommendations on data, the information on location of training and placements need to be made available for analysis in order to refine such programs and in order to assist in the provision of housing, as discussed later.
220. Under the *Pradhan Mantri Kaushal Vikas Yojana* (PMKVY) scheme of the Ministry of Skill Development and Entrepreneurship (MSDE), there is already a provision for Sector Skill Councils (SSCs) and other designated agencies to implement projects for Recognition of Prior Learning (RPL) for certification of existing skills through camps, at employers' premises and special RPL centres. There is also provision for bridge courses. The working group recommends that these programs be enhanced and closely monitored to ensure that all SSCs offer such certification.

#### **Service Provision: Financial Inclusion**

221. Often, the need for financial intermediation arises not just from the lack of access to formal banking channels but also because of (i) unfamiliarity of the sender and especially the receiver with the use of formal transfer mechanisms and (ii) their physical distance from facilities, which may be reducing with the growth of banking correspondents. The postal department does have a large network especially in rural areas that could be leveraged for remittances and indeed it has some products in this

space. The working group recommends the Ministry of Communications to 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. It would be especially important for post offices in high remittance receiving areas to have the infrastructure and resources to make a success of this product.

222. The need to ensure that migrants can access the banking system has become important in the context of a less-cash economy. In this milieu, it is recommended to consider increasing the number of withdrawals in Basic Savings Bank Deposit Account'-Small (no-frills) accounts. Also that banks be issued strict instructions not to add additional requirements to KYC guidelines established by RBI.

### **VI.3. Housing**

223. The housing of migrant workers is a critical issue. While migrants are often held responsible for the growth of slums in cities, there is limited evidence to support that contention. Nevertheless it is also true that there are also limited options for migrant housing at destination.
224. In the case of migrant workers under ISMWA, the contractor is obligated to arrange for housing. Similarly, funds under the Construction Workers Welfare Board have been used to provide housing for construction and brick kiln workers but though there are some good examples, in many states, the quality of such housing can be improved substantially. In such cases of publicly provided housing, there is an opportunity to integrate services, like child care, education, primary healthcare, etc. This integration is the responsibility of the state governments. As seen earlier in Table II.7 these funds are sparingly used, except in a few states. The Working Group recommends that states consider the utilisation of CWWB funds towards provision of housing for migrant workers in construction and related industries on a priority basis. This should also account for provision of rental accommodation for such workers. This would address the needs of the significant share of migrants who work in these industries.
225. The link between informal settlements and Make in India needs to be recognised. Excessive zeal in redeveloping such spaces without corresponding increase in similar housing supply could affect the growth of manufacturing and stall Make in India. In terms of housing, the next recommendation of the working group would be to encourage state and local governments to expand the provision of basic formal services for all settlements. This would expand service provision to migrants. If necessary, a scheme could be evolved for this purpose or the PMAY administered by MoHUPA could be extended to cover the upgradation of infrastructure in all types settlements that local and state governments would like to serve.
226. The third recommendation of the working group is to facilitate the provision of a wide variety of rental accommodation. This can be done in multiple ways, viz. (i) through enterprises, but that is unlikely to increase supply considerably since it would be restricted to large enterprises, (ii) through individual private provision, as is already happening in the informal settlements and villages within the urban area or on the periphery, (iii) in partnership with corporate private providers, either non-profit or for-profit, (iv) through public provision, as in the case of working women's hostels.
227. There has been a demonstrated reluctance to manage rental housing in the public sector. This needs to be addressed. Initially, the working group recommends that rental housing in the public sector could be through the provision of dormitory accommodation – at a variety of scales in terms of space per person, as is already happening informally in the informal settlements. There should be no restriction on duration of stay in such accommodation.
228. The key concern of many authorities, that rental housing would be informally transformed into ownership housing, is mitigated to a large extent in such dormitory

accommodation. In addition, it would make public housing affordable to an extent where a large proportion of the costs can be recovered from user fees that are not excessive, compared to wage earnings. This would not only ensure that migrants who stay in such facilities for a long duration do not corner benefits of public support, it would also permit faster expansion of such facilities by enabling government support to be distributed over a larger number of such facilities. The private sector does provide these kinds of services but typically at specific points in the price – quality continuum, i.e., the lowest – with minimal services and facilities and at the relatively upper end, catering to workers in the higher end service industries. The role of the public sector here is to demonstrate that it is viable to provide services at other price-quality combinations.

229. The Ministry of Human Resource Development in a prior version of its scheme for girls' hostels used to provide assistance to voluntary organisations for construction and running of Girls' Hostels for students of secondary and higher secondary Schools. The working group recommends that a similar framework could be considered by MoHUPA for the establishment of Girls' Hostels for working women who are in low-wage occupations. This could supplement/extend the existing scheme for working women's hostel, which appear to have a relatively low share of dormitory options that would be more relevant for this market segment. Depending on the number of women with children, there would be need for more widespread child care and educational facilities. The guidelines may be to be re-examined for including/monitoring the implementation of such services.
230. The working group recommends active coordination between states on a mutually reciprocal basis in the provision of accommodation services specific to disadvantaged groups like for scheduled castes/tribes, who may be excluded because of differences in inter-state classification.
231. The role of public sector in providing family rental housing is more complicated and linked to broader housing policy that provides essentially free ownership housing for a limited number of beneficiary families. This is a complicated issue that needs further examination and needs to be coordinated with modifications to overall housing policy.

#### **VI.4. Data**

232. Given the importance of creating a repository on migration studies, the working group is pleased to recognise that the Human Settlement Management Institute (HSMI) has agreed to host such as portal. The working group recommends that HSMI be supported with necessary resources to undertake this exercise.
233. The schedule of release of data from RGI is inconsistent with the need for timely data on migration. The working group recommends that the Registrar General of India's release schedule be re-examined and optimised such that the migration data is available no later than a year after the primary census abstract is tabulated. Given the constraints noted by RGI, additional resources, if necessary may be made available to the RGI for this purpose.
234. The current data release does not permit study of district to district flows of migration. The working group recommends that the RGI enable the release of in-migration data at the city, sub-district and the village level, similar to the release of data on village-level amenities in this cycle. In 2001, this data was released for larger cities (municipalities) and urban agglomerations (UAs). This does not involve any new data collection, only a different level of tabulation. This data could be priced at a reasonable level, similar to the pricing of unit-level data from the NSSO.
235. For the purposes of this Working Group, the RGI made aggregate data on out-migration from district for 2001 available. The working group recommends that this

data for 2001 be released into the public domain as part of this report. In addition, it recommends that the Registrar General of India's enable the release of data on origin of in-migrants data at the same level of classification as available for the migration tables. Since the data is extensive, as each district will have in-migrants from multiple points, this release can be done on request. Again, this does not involve any new data collection, only a different level of tabulation. This data could be priced at a reasonable level, similar to the pricing of unit-level data from the NSSO.

236. The RGI does not record caste information for inter-state migrants. While this is a complicated issue that needs discussion, the working group recommends that the Registrar General of India consider amending the protocols for data collection for the Census of India to record caste information for inter-state migrants. One method may be to use the classification at state of origin. It has been submitted that since information of being SC/ST is collected for every individual as per the state-specific lists of SCs/STs under Article 341 and 342 of Constitution of India, there may be limited scope to add another question for recording name of SC/ST of the migrant as per the list of the origin state. However, since the data for the 2021 census is likely to be collected digitally, the accessing of the list of the origin state need not an additional question, but can be seamlessly integrated into the existing query.
237. Substantial administrative data relevant to migration is available with state and union governments. The working group recommends that the Ministry of Labour and Employment, the Department of Elementary Education, Ministry of Human Resource Development, explore the collation of state level data on labour and education and Ministry of Rural Development and other ministries involved in skilling programs enable the release of anonymised individual-level data (similar to the protocol from the NSSO) from DDUGKY and respective other skilling schemes with location indicators of both training and placement.
238. The working group recommends that the NSSO includes questions relating to migration in the periodic labour force survey. This could cover whether the worker is a migrant, the length of time he has been in the destination, the village (district) of origin and intention to return.
239. The focus on migration by RGI and NSSO has been limited. Given restrictions on the length of the survey schedule, undertaking a migration survey in conjunction with the employment unemployment survey means that sufficient attention cannot be paid to migration issues. The working group recommends that the National Sample Survey Office conduct a survey focused solely on migration, so that a variety of issues that remain unaddressed can be taken up. In particular, the NSSO must consider collecting more specific information on the destination districts of internal out-migrants and the origin districts of in-migrants and means of remittance. Further, to improve its estimates for short-term migration, NSSO must consider the benefits of interviewing the individual vis-à-vis households, reducing the defined length of time for a 'spell' of migration and including worksites such as construction sites and brick-kilns as part of the frame. An initial list of specific suggestions are listed in Appendix 3 to the report. This can be supplemented by the usual process of consultation that accompanies an NSS survey schedule.



## **VII. CONCLUSION**

240. This report of this working group affirms the constitutional rights of Indian citizens to be mobile within the country right and demonstrates that migrants are deeply embedded within India's workforce, and consequently indispensable to the economy. The working group, while acknowledging that there are multiple policies and schemes that intend to bring social protection and services to migrant populations, note that many, like the Construction Workers' Welfare Board, are poorly utilised. At the same time, this report takes note of the emergence of a portable but nascent social protection architecture to make services like PDS, health insurance and school education accessible to migrants. The recommendations of the working group have therefore focused on the need for intra-government coordination and inter-government to deliver these services, relying on mechanisms of integration, portability and convergence. Further, this report offers a range of suggestions to expand the range of housing options available to migrants and better document the diversity of migration processes in India, through improvements in the systems of data collection and dissemination.
241. The first release of migration data from the Census of 2011 occurred as the report was in its final stages. At first brush, data from the Census 2011 indicates that there might be a reduction in the number of people migrating for work and business even as overall internal migration has increased since 2001. However, a closer examination suggests that there is an increase in the share of workers moving to urban areas. Over 1991-2011, 3.4% of the base year rural workforce and 5.1% of the base year urban workforce migrated to urban areas. Over 2001-11, these numbers had risen to 4.1% and 6.8% respectively. The rise in urban to urban migration for work is a new phenomenon that should make us sensitive to the possibility that there might be entry barriers for rural migrants. The latest Census also reiterates the idea that migration in India is a two-way flow with people moving back and forth between the rural and urban. In 2011, 30 million migrants appear to have moved into urban areas (as compared to 20 million in 2001) while 10 million have moved back to rural locations (6 million in 2001).
242. Another trend in the latest Census pertains to the substantial growth of family related migration. Here too, it appears that migrants are veering towards the urban as individuals report migrating to join their families who live in urban locations. It is entirely possible, however, that family migration is over-emphasized in the census because work-related migration may be short-term in nature and therefore not captured by Census data. The intensifying of commuter migration appears in line with the dispersed nature of Indian urbanisation and economic activity. The complexity and fluidity of migration in India, apparent from the data as well as from field studies, have new and unexpected implications for the design of policies. In the opinion of this working group regular tracking and analysis of these trends is critical to inform future interventions.
243. Finally, it is the hope of the working group that the migrant worker is a member of the workforce like any other, deserving of all the protections afforded to all workers and needing no more; while the migrant is similarly just like any other resident of the place. Some of the need to provide differentially focused services for migrants speak to the fact that such a situation has not yet been realised. Indeed, the tendency in some parts of the world seem to be in the opposite direction. Fortunately, apart from a few stray instances, India is relatively free of such incidents. However, we should not take this for granted. It is important to confront discrimination whenever it appears and reinforce the contributions that migrants make to their places of residence and

reaffirm the rights of Indians to settle and work anywhere in India.<sup>21</sup> Eternal vigilance remains the price of liberty.

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<sup>21</sup> With minor exceptions to preserve local cultures, etc.

## REFERENCES

- Beh, LooSee, and Yao Ye. 2012. "'Left-behind Children' Phenomenon in China: Case Study in Chongqing." *International Journal of China Studies* 3 (2): 167–188.
- Borhade, Anjali. 2012. "Migrants' (Denied) Access to Health Care in India." *UNESCO/UNICEF National Workshop on Internal Migration and Human Development in India, 6–7 December 2011, Workshop Compendium, Vol. 2: Workshop Papers*. New Delhi: UNESCO/UNICEF.
- Chandrasekhar, S, and Ajay Sharma. 2015. "Urbanization and spatial patterns of internal migration in India." *Spatial Demography* 3 (2): 63-89.
- Coffey, Diane, John Papp, and Dean Spears. 2015. "Short-term labor migration from rural north India: evidence from new survey data." *Population Research and Policy Review* 34 (3): 361-380.
- CWDS. 2012. *Gender and Migration: Negotiating Rights- A Women's Movement Perspective*. New Delhi: Centre for Women's Development Studies.
- De Haan, Arjan. 2000. *Migrants, livelihoods and rights: The relevance of migration in development policies*. Social Development Working Paper No. 4, DFID.
- De Haan, Arjan, and Ben Rogaly (eds.). 2002. *Labour mobility and rural society*. London: Routledge.
- Denis, Eric, Partha Mukhopadhyay, and Marie-Hélène Zérah. 2012. "Subaltern urbanisation in India". *Economic and Political Weekly*, 47 (30): 52-62.
- Deshingkar, Priya. 2010. *Migration, remote rural areas and chronic poverty in India*. Overseas Development Institute (ODI) Working Paper 323, London: Overseas Development Institute.
- Deshingkar, Priya, and Shaheen Akter. 2009. *Migration and Human Development in India*. Human Development Research Paper 2009/13, New York: UNDP.
- Guérin, Isabelle, Bhukuth Augendra, Parthasarthy, and G Venkatasubramanian. 2007. "Labour in Brick Kilns: A Case Study in Chennai." *Economic and Political Weekly* 42 (7): 599-606.
- IGNOU. undated. *Evaluation of Working Women's Hostels Sanctioned Under the Scheme of Assistance for the Construction/Expansion of Hostel Building for Working Women with a Day Care Centre for Children*. Research Study sponsored by Ministry of Women and Child Development, Government of India. New Delhi: School of Gender and Development Studies, Indira Gandhi National Open University.
- Rajan, S. Irudaya *India migration report 2016: Gulf Migration* Routledge, 2017
- John, J. 2014. "Brick Kilns and Slave Labour: Observations from Punjab." *Labour File* 9 (1-2): 15-2.
- Joshi, Anuradha, Dipa Sinha, and Biraj Patnaik (with Vaibhav Raaj, Vanita Leah Falcao, Sonal Matharu and Ana Abbas). 2015. *PDS 'To Go'? 'Portability' of Rights through Real-time Monitoring: the Centralised Online Real-time Electronic PDS in Chhattisgarh, India*. IDS Evidence Report 133, Sussex: Institute of Development Studies.
- Joshi, Bharati, and Rajiv. Khandelwal. 2009. "Circular Migration Streams from Southern Rajasthan: Brick Kiln Work, Work in Textile Markets, and Ice Cream Vending." In *Circular Migration and Multilocational Livelihood Strategies in Rural India*, by Priya Deshingkar and John Farrington (eds.), 118-138. New Delhi: Oxford University Press.
- Kapur, Devesh *Diaspora, development, and democracy: the domestic impact of international migration from India*. Princeton University Press, 2010
- Korra, Vijay. 2011. "Short-duration Migration in India." In *Migration, Identity and Conflict: India Migration Report 2011*, by S. Irudaya Rajan (ed.), 52-71. New Delhi: Routledge.

- Kundu, Amitabh. 2009. "Exclusionary urbanisation in Asia: A macro overview." *Economic and Political Weekly*, 44 (48): 48-58.
- Kundu, Amitabh, and Lopamudra Ray Saraswati. 2016. "Changing Patterns of Migration in India: A Perspective on Urban Exclusion." In *International Handbook of Migration and Population Distribution*, 311-332. Springer Netherlands.
- Lalchandani, Dheeraj, and Sameer. Maithel. 2013. *Towards Cleaner Brick Kilns in India: A win-win approach based on Zigzag firing technology*. New Delhi: Greentech Knowledge Solutions Pvt. Ltd.
- Majumder, Bhaskar. 2015. "Forced Migration of Labourers to Brick Kilns in Uttar Pradesh: An Exploratory Analysis." *Economic and Political Weekly* 50 (26-27): 19-26.
- Mazumdar, Indrani, N Neetha, and Indu Agnihotri. 2013. "Migration and Gender in India." *Economic and Political Weekly* 48 (10): 54-64.
- Menon, Sindhu. 2014. "Brick Kiln Workers in India: Migrating into Bondage." *Labour File* 9 (1-2): 6-14.
- Mitra, Arup, and Mayumi Murayam. 2011. "Rural-to-Urban Migration in India: A District-level Analysis." In *Migration, Identity and Conflict: India Migration Report 2011*, by S. Irudaya Rajan (ed.), 25-51. New Delhi: Routledge.
- MoHRD. 2011. *Sarva Shiksha Abhiyan: Framework for Implementation*. Department of School Education and Literacy, Ministry of Human Resource and Development, Government of India.
- MoWCD. 2012. *ICDS Mission: The broad framework for implementation*. Ministry of Women and Child Development, Government of India.
- NCEUS. 2007. *Report on Comprehensive Legislation for Minimum Conditions of Work and Social Security for Unorganised Workers*. New Delhi: National Commission for Enterprises in the Unorganised Sector.
- NIPCCD. undated. *Evaluation of Functioning of Accredited Social Health Activists (ASHAs) in ICDS Related Activities: A Report*. New Delhi: National Institute of Public Cooperation and Child Development.
- NITI Aayog and UNDP. 2015. *Social Sector Service Delivery: Good Practices Resource Book*. New Delhi: NITI Aayog and United Nations Development Programme (prepared by OneWorld Foundation India).
- NSSO. 2010. *Migration in India 2007-2008*. NSS Report No. 533 (64/10.2/2). New Delhi: National Sample Survey Office, Ministry of Statistics and Programme Implementation, Government of India.
- PCLRA. 2012. *Wage Labour Atlas of Brick Kiln Workers*. Ahmedabad: Prayas Centre for Labour Research and Action.
- Ren, Qiang, and Donald Treiman. 2013. *Consequences of Parental Labor Migration in China for Children's Emotional Well-being*. Research Report 13-799, Ann Arbor: Population Studies Center, University of Michigan.
- Shah, Alpa. 2009. "Brick kiln workers from Jharkhand: The labour of love." In *Circular Migration and Multi Locational Livelihoods Strategies in Rural India*, by Priya Deshingkar and John Farrington (eds.), 177-201. New Delhi: Oxford University Press.
- Srivastava, Ravi, and Rajib Sutradhar. 2016. *Impact of Labour Migration to the Construction Sector on Poverty*. Occasional Paper Series, New Delhi: Institute for Human Development.
- The Economist. 2015. "Pity the Children: China's left-behind generation." October 17. <http://www.economist.com/news/leaders/21674715-there-are-70m-reasons-ease-chinas-curbs-internal-migration-pity-children>
- Tumbe, Chinmay. 2011. "Remittances in India: Facts and Issues." *Indian Journal of Labour Economics* 54 (3): 479-501.

UBS. 2016, March 7. *Macro Keys: A Clearer Easing Bias but No Big Surprises – Takeaways from the NPC*. Global Research Series- Economics, UBS Ltd.

UNESCO. 2016. *Social Inclusion of Internal Migrants in India*. Note for the Working Group on Migration, MoHUPA, New Delhi: The Internal Migration in India Initiative (IMII), UNESCO.

UNICEF. 2014. *What Census Data Can Tell Us about Children in China: Facts and Figures 2013*. Beijing: UNICEF/National Bureau of Statistics/UNFPA Joint Data Project.

Zheng, Siqu, Fenjie Long, C. Cindy Fan, and Yizhen Gu. 2009. "Urban villages in China: A 2008 survey of migrant settlements in Beijing." *Eurasian Geography and Economics* 50 (4): 425-446.

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**Appendix 1A: Districts accounting for major part male inter-state out-migration**


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Top 25% of total male out-migration		Next 25% of total male out-migration	
District	State	District	State
1. Gonda	Uttar Pradesh	18. Garhwal	Uttarakhand
2. Basti	Uttar Pradesh	19. Almora	Uttarakhand
3. Gorakhpur	Uttar Pradesh	20. Bijnor	Uttar Pradesh
4. Deoria	Uttar Pradesh	21. Muzaffarnagar	Uttar Pradesh
5. Sultanpur	Uttar Pradesh	22. Meerut	Uttar Pradesh
6. Madhubani	Bihar	23. Bulandshahar	Uttar Pradesh
7. Azamgarh	Uttar Pradesh	24. Aligarh	Uttar Pradesh
8. Darbhanga	Bihar	25. Etah	Uttar Pradesh
9. Siwan	Bihar	26. Siddharthnagar	Uttar Pradesh
10. Saran	Bihar	27. Agra	Uttar Pradesh
11. Jaunpur	Uttar Pradesh	28. Kushinagar	Uttar Pradesh
12. Pratapgarh	Uttar Pradesh	29. Purba Champaran	Bihar
13. Samastipur	Bihar	30. Etawah	Uttar Pradesh
14. Allahabad	Uttar Pradesh	31. Sitamarhi	Bihar
15. Patna	Bihar	32. Faizabad	Uttar Pradesh
16. Varanasi	Uttar Pradesh	33. Gopalganj	Bihar
17. Ganjam	Orissa	34. Rae Bareli	Uttar Pradesh
		35. Pali	Rajasthan
		36. Muzaffarpur	Bihar
		37. Ballia	Uttar Pradesh
		38. Vaishali	Bihar
		39. Ghazipur	Uttar Pradesh
		40. Begusarai	Bihar
		41. Bhojpur	Bihar
		42. Bhagalpur	Bihar
		43. Munger	Bihar
		44. Nalanda	Bihar
		45. Rohtas	Bihar
		46. Aurangabad	Bihar
		47. Nawada	Bihar
		48. Gaya	Bihar
		49. Chatra	Jharkhand
		50. Nadia	West Bengal
		51. Medinipur	West Bengal
		52. Jalgaon	Maharashtra
		53. Gulbarga	Karnataka

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Source: Customised tables from the Registrar General of India, based on Census 2001

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**Appendix 1B: Districts with a high level of inter-state out-migration intensity  
(ratio of rural male out-migrants to the rural male working population in 2001)**

More than 10%		Between 5% to 10% (contd.)	
District	State	District	State
1. Aizawl (50.5%)	Mizoram	35. Saran	Bihar
2. Chandigarh	Chandigarh	36. Una	Himachal Pradesh
3. Garhwal	Uttarakhand	37. Bhojpur	Bihar
4. Almora	Uttarakhand	38. Gaya	Bihar
5. Chatra	Jharkhand	39. Muzaffarnagar	Uttar Pradesh
6. Siwan	Bihar	40. Ranchi	Jharkhand
7. Jaunpur	Uttar Pradesh	41. Kanniyakumari	Tamil Nadu
8. Bijapur	Karnataka	42. Sultanpur	Uttar Pradesh
9. Gorakhpur	Uttar Pradesh	43. Aligarh	Uttar Pradesh
10. Munger	Bihar	44. Gulbarga	Karnataka
11. Azamgarh (10.7%)	Uttar Pradesh	45. Allahabad	Uttar Pradesh
Between 5% to 10%		46. Rohtak	Haryana
12. Basti (9.3%)	Uttar Pradesh	47. Tehri Garhwal	Uttarakhand
13. Pratapgarh	Uttar Pradesh	48. Samastipur	Bihar
14. Varanasi	Uttar Pradesh	49. Pithoragarh	Uttarakhand
15. Deoria	Uttar Pradesh	50. Ghazipur	Uttar Pradesh
16. Bilaspur	Chhattisgarh	51. Bulandshahar	Uttar Pradesh
17. Etawah	Uttar Pradesh	52. Jhabua	Madhya Pradesh
18. Gopalganj	Bihar	53. Nainital	Uttarakhand
19. Raipur	Chhattisgarh	54. Fatehgarh Sahib	Punjab
20. Patna	Bihar	55. Gonda	Uttar Pradesh
21. Darbhanga	Bihar	56. Meerut	Uttar Pradesh
22. Ganjam	Orissa	57. Mathura	Uttar Pradesh
23. Dhule	Maharashtra	58. Mamit	Mizoram
24. Balaghat	Madhya Pradesh	59. Mau	Uttar Pradesh
25. Pali	Rajasthan	60. Rajnandgaon	Chhattisgarh
26. Ballia	Uttar Pradesh	61. Purbi Singhbhum	Jharkhand
27. Banda	Uttar Pradesh	62. Buxar	Bihar
28. Nalanda	Bihar	63. Chamoli	Uttarakhand
29. Hamirpur	Himachal Pradesh	64. Sitamarhi	Bihar
30. Nawada	Bihar	65. Kanpur Nagar	Uttar Pradesh
31. Bhagalpur	Bihar	66. Khagaria	Bihar
32. Faizabad	Uttar Pradesh	67. Baghpat	Uttar Pradesh
33. Madhubani	Bihar	68. Churachandpur	Manipur
34. Siddharthnagar	Uttar Pradesh	69. Lakshadweep (5.1%)	Lakshadweep

Source: Customised tables from the Registrar General of India, based on Census 2001

**Appendix 1C: Extract from Provisional -D-5 Migrants by Place of Last Residence, Sex, Reason for Migration and Duration of Residence 2011 (contd.)**

Current Residence	Duration of residence	Last residence	Total Migrants		Work/Employment		Business		Education	
			M	F	M	F	M	F	M	F
Total	All	Total	1409,62,280	3126,79,675	389,99,861	73,83,905	32,19,565	11,25,453	47,76,882	32,32,771
Total	All	Rural	799,10,254	2285,26,439	246,47,924	44,83,759	16,92,667	5,69,356	29,45,260	19,87,627
Total	All	Urban	447,59,786	583,99,393	121,82,399	21,59,636	12,64,401	4,13,026	14,20,952	9,61,906
Total	0-9 years	Total	567,59,774	1046,64,954	154,83,607	32,10,667	9,55,410	3,58,399	30,02,207	21,47,937
Total	0-9 years	Rural	307,36,409	705,22,541	96,07,098	19,61,372	5,02,597	1,79,677	19,91,988	14,34,493
Total	0-9 years	Urban	197,55,476	246,47,796	52,09,208	10,19,840	3,96,954	1,44,511	8,32,433	5,86,519
Total	10 years and above	Total	838,28,947	2076,33,852	234,84,307	41,62,054	22,60,192	7,64,589	17,62,659	10,77,287
Total	10 years and above	Rural	490,76,947	1578,41,008	150,25,883	25,17,722	11,88,801	3,88,818	9,48,462	5,49,778
Total	10 years and above	Urban	249,42,042	336,84,432	69,64,688	11,37,221	8,65,849	2,67,648	5,85,584	3,73,245
Rural	All	Total	575,91,406	2134,84,039	91,14,607	31,13,173	6,64,413	4,51,440	17,91,267	13,61,736
Rural	All	Rural	422,47,144	1835,78,346	71,42,952	24,07,168	4,84,408	3,39,398	14,09,196	11,01,354
Rural	All	Urban	88,08,768	150,32,407	13,33,999	3,28,294	1,15,386	55,150	2,38,614	1,55,505
Rural	0-9 years	Total	229,38,187	653,29,696	40,36,436	13,81,908	2,12,701	1,36,519	13,25,581	10,03,662
Rural	0-9 years	Rural	157,03,614	533,97,874	31,05,707	10,76,644	1,53,138	1,00,371	10,65,035	8,25,545
Rural	0-9 years	Urban	47,10,395	67,44,852	7,59,082	1,85,656	47,280	21,778	1,87,758	1,23,183
Rural	10 years and above	Total	344,39,421	1479,26,513	50,69,452	17,26,727	4,50,919	3,14,117	4,60,932	3,54,928
Rural	10 years and above	Rural	264,80,992	1300,53,385	40,32,479	13,28,095	3,30,853	2,38,528	3,41,383	2,73,577
Rural	10 years and above	Urban	40,93,020	82,79,033	5,74,369	1,42,459	68,012	33,290	50,640	32,137
Urban	All	Total	833,70,874	991,95,636	298,85,254	42,70,732	25,55,152	6,74,013	29,85,615	18,71,035
Urban	All	Rural	376,63,110	449,48,093	175,04,972	20,76,591	12,08,259	2,29,958	15,36,064	8,86,273
Urban	All	Urban	359,51,018	433,66,986	108,48,400	18,31,342	11,49,015	3,57,876	11,82,338	8,06,401
Urban	0-9 years	Total	338,21,587	393,35,258	114,47,171	18,28,759	7,42,709	2,21,880	16,76,626	11,44,275
Urban	0-9 years	Rural	150,32,795	171,24,667	65,01,391	8,84,728	3,49,459	79,306	9,26,953	6,08,948
Urban	0-9 years	Urban	150,45,081	179,02,944	44,50,126	8,34,184	3,49,674	1,22,733	6,44,675	4,63,336
Urban	10 years and above	Total	493,89,526	597,07,339	184,14,855	24,35,327	18,09,273	4,50,472	13,01,727	7,22,359
Urban	10 years and above	Rural	225,95,955	277,87,623	109,93,404	11,89,627	8,57,948	1,50,290	6,07,079	2,76,201
Urban	10 years and above	Urban	208,49,022	254,05,399	63,90,319	9,94,762	7,97,837	2,34,358	5,34,944	3,41,108



**Appendix 1C: Extract from Provisional -D-5 Migrants by Place of Last Residence, Sex, Reason for Migration and Duration of Residence 2011 (concl.)**

Current Residence	Duration of residence	Last residence	Marriage		Moved after birth		Moved with household		Others	
			M	F	M	F	M	F	M	F
Total	All	Total	60,17,923	2178,64,787	285,23,392	194,35,802	314,83,085	383,19,284	279,41,572	253,17,673
Total	All	Rural	46,26,322	1792,75,461	155,09,438	98,86,835	176,34,208	214,05,074	128,54,435	109,18,327
Total	All	Urban	9,24,953	271,27,208	104,07,408	77,28,139	111,09,182	139,56,118	74,50,491	60,53,360
Total	0-9 years	Total	14,90,508	586,84,989	109,89,683	99,45,155	152,49,778	202,86,947	95,88,581	100,30,860
Total	0-9 years	Rural	11,06,633	468,61,811	54,87,731	49,77,192	82,25,797	110,32,734	38,14,565	40,75,262
Total	0-9 years	Urban	2,87,211	86,98,922	45,20,974	40,83,157	57,58,905	77,86,199	27,49,791	23,28,648
Total	10 years and above	Total	45,21,113	1590,51,969	175,07,324	94,72,904	162,03,938	180,02,918	180,89,414	151,02,131
Total	10 years and above	Rural	35,15,825	1323,22,604	100,10,997	49,02,834	93,96,859	103,60,933	89,90,120	67,98,319
Total	10 years and above	Urban	6,36,920	184,11,071	58,77,571	36,38,556	53,39,186	61,58,354	46,72,244	36,98,337
Rural	All	Total	43,93,472	1725,28,153	172,28,157	114,31,327	111,38,483	115,93,956	132,61,007	130,04,254
Rural	All	Rural	37,95,374	1556,39,026	116,31,804	72,85,418	86,50,407	87,79,575	91,33,003	80,26,407
Rural	All	Urban	2,70,118	85,82,922	43,32,362	32,90,711	16,07,230	19,27,269	9,11,059	6,92,556
Rural	0-9 years	Total	10,27,802	449,72,041	67,64,882	61,30,968	54,17,912	66,22,050	41,52,873	50,82,548
Rural	0-9 years	Rural	8,79,557	398,80,883	41,10,992	37,36,439	39,85,860	48,45,887	24,03,325	29,32,105
Rural	0-9 years	Urban	84,523	28,33,895	21,61,304	19,46,345	9,87,545	12,78,681	4,82,903	3,55,314
Rural	10 years and above	Total	33,60,960	1274,60,251	104,51,082	52,92,571	57,13,981	49,66,446	89,32,095	78,11,473
Rural	10 years and above	Rural	29,12,489	1156,79,219	75,13,132	35,44,207	46,59,903	39,29,905	66,90,753	50,59,854
Rural	10 years and above	Urban	1,85,405	57,44,816	21,69,128	13,42,939	6,19,069	6,47,988	4,26,397	3,35,404
Urban	All	Total	16,24,451	453,36,634	112,95,235	80,04,475	203,44,602	267,25,328	146,80,565	123,13,419
Urban	All	Rural	8,30,948	236,36,435	38,77,634	26,01,417	89,83,801	126,25,499	37,21,432	28,91,920
Urban	All	Urban	6,54,835	185,44,286	60,75,046	44,37,428	95,01,952	120,28,849	65,39,432	53,60,804
Urban	0-9 years	Total	4,62,706	137,12,948	42,24,801	38,14,187	98,31,866	136,64,897	54,35,708	49,48,312
Urban	0-9 years	Rural	2,27,076	69,80,928	13,76,739	12,40,753	42,39,937	61,86,847	14,11,240	11,43,157
Urban	0-9 years	Urban	2,02,688	58,65,027	23,59,670	21,36,812	47,71,360	65,07,518	22,66,888	19,73,334
Urban	10 years and above	Total	11,60,153	315,91,718	70,56,242	41,80,333	104,89,957	130,36,472	91,57,319	72,90,658
Urban	10 years and above	Rural	6,03,336	166,43,385	24,97,865	13,58,627	47,36,956	64,31,028	22,99,367	17,38,465
Urban	10 years and above	Urban	4,51,515	126,66,255	37,08,443	22,95,617	47,20,117	55,10,366	42,45,847	33,62,933