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### INDIAN MIGRANT WORKERS DURING THE COVID-19 PANDEMIC

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#### **ABSTRACT: -**

India was one of the leading countries in the initial phase of the pandemic to implement the lockdown in the country but it still failed, and currently India joined the list of the countries which are most affected by the Pandemic. The COVID-19 Pandemic has not only affected the Regular Salaried working-class people but it had also affected the casual Migrant daily wage earner workers who were already fighting for their survival for every single minute of their life. When COVID-19 was globally announced as a Pandemic, at that point of time the lives of the workers were put on a standstill. Most of the migrant workers lost their jobs and they were also out of money and they left with nothing for themselves and their family members. They were the more prone persons to social, psychological, and emotional trauma in such situations, having the fear of being neglected from the society, local community and they were concern about the well-being of their family members in their native places. With this Article we'll study about the overall effect of the pandemic on the lives of the migrant workers, how their human rights

were neglected, how they tackled with the both mental and physical trauma during pandemic, and what measures and steps had been taken by the government for tackling the overall situation.

*“No pain is insignificant. All labour that uplifts Humanity has dignity and importance and should be undertaken with painstaking excellence.”- Dr. Martin Luther King Jr.*

**KEYWORD: -** Covid-19, Pandemic, Migrant Workers, Human Rights Violation.

#### **INTRODUCTION:**

The Sudden outbreak of Covid-19 pandemic has affected almost every sector of economy. The decline in the economic growth rate undoubtedly impacts all the sector of the society. However, the informal sector was the first to be hard hit by the strict lockdown and quarantine measures which have been taken to control the situation. Migration is the movement of people away from their usual native place of residence to another place either internal (*within the country*) or International (*across countries*) borders. As per the latest government data provided by the



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government as per 2011 census, India had 45.6 crore migrants in 2011 (38% of the population) compared to 31.5 crore migrants in 2001 (31% of the population)<sup>1</sup>. Between 2001 and 2011, the number of migrants increased by 45%.<sup>2</sup> During the Covid-19 pandemic the Indian Migrant workers have faced multiple numbers of hardships. People have undertaken hazardous journeys, sometimes they even walking up to 1000km with no money to spend and often without food for days together. Many of them were arrested by the law enforcement officials for violating the lockdown guidelines, some of them even died due to the exhaustion or accidents on the roads.

### MAIN CONCERN OF THE MIGRANT WORKERS DURING LOCKDOWN:

They were mainly concerned about the Food, Shelter, Health Care facilities, Fear of catching by the Virus, well-being of their Family members situation i.e. whether they are in good situation or not, fear of never getting back their jobs again,

psychological anxiety, Bad effect on their Physical health etc.

### PROBLEMS FACED BY THE MIGRANT WORKERS DURING PANDEMIC:

During the Lockdown period of India, Nationwide sudden bans on the travel, Lack of work led to the crisis of financial means to take care of daily food expenses and that led to the high level of anxiety among the laborer migrant workers.

The migrant workers were left with no option other than living in the shelter homes made by the government. Many of the Migrant workers started getting back to their native places with the feeling of that they will be reached to their native places and would met their family members again. In the media coverage also they seem to reach their native places by walking and cycling.

### GOVERNMENT REPORT ON THE TOTAL NUMBER OF DEATHS OF MIGRANT WORKERS:

<sup>1</sup> Vipul Vivek, *In India, women migrate for work at double the rate than men do*, HINDUSTAN TIMES (Last Updated on July 25, 2017 09:40 AM), <https://www.hindustantimes.com/india-news/in-india-women-migrate-for-work-at-double-the-rate-than-men-do/story-HjQdnG4ePPJErN4yQ8hqLO.html>

<sup>2</sup> Madhunika Iyer, *Migration in India and the impact of the lockdown on migrants*, (Last Updated on 10<sup>th</sup> June 2020), <https://www.prsindia.org/theprsblog/migration-india-and-impact-lockdown-migrants>, ( Last accessed 27<sup>th</sup> May 2021)



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During Lockdown period At least 10 million migrant workers left the cities and returned home to the countryside in states such as West Bengal, Bihar, Odisha, Jharkhand and Uttar Pradesh in the aftermath of the lockdown. As per the reports the central government had kept remained silent on being asked about the exact amount of data regarding the death of migrant workers and job losses among the migrant workers, No exact data is available.<sup>3</sup>

### ADVERSE AFFECT OF COVID-19 PANDEMIC ON THE MENTAL HEALTH STATUS OF MIGRANT WORKERS:

The pictures of the migrant workers in Delhi who were walking long distances and desperately looking for means to reach their hometowns have brought the plight of migrant labourers in the forefront. The people who were walking straight to their hometowns were not alone many times, they walk hundreds of kilometres with their families including the elderly and small children and putting their lives at risk have stirred the

nation's conscience. According to a National Sample Survey Report (NSS) in 2007-2008 it was revealed that 29% of the workforces in India were migrants with significant rural-urban and male-female differentials.<sup>4</sup> The migration rate (proportion of migrant in the population) in the urban areas (35%) was far higher than the migration rate in the rural areas (26%). Migrant workers play a very significant role in forming the growth of India, but still their existence is hardly acknowledged.

A Newspaper article<sup>5</sup> was published, talking about the Incident Happened in Ahmedabad, where a 45-year-old man started blabbering incessantly and protested violently where if anyone tried to come near to him- He was afraid that he would contact Covid-19 infection and he was diagnosed with the acute psychotic disorder.

The migrant workers had also faced problems related to psychosocial issues like high degrees

<sup>3</sup>Anisha Dutta, *Govt: No data on migrants' deaths during lockdown*, (SEP 14, 2020), <https://www.hindustantimes.com/india-news/govt-no-data-on-migrants-deaths-during-lockdown/story-oK12M0L3DZ9jlc0Ef2CpdM.html>. (Last Accessed 27th May 2021)

<sup>4</sup>National Sample Survey Office, *Migration in India 2007-2008*, Ministry of Statistics and Programme

Implementation. New Delhi Government of India, NSS Report No. 533 (64/10.2/2) p.g-9 June 2010. (Last Accessed 27<sup>th</sup> May 2021)

<sup>5</sup>Parth Shastri, "Migrant worker has nervous breakdown in Ahmedabad", (6<sup>th</sup> April 2020) <https://timesofindia.indiatimes.com/city/ahmedabad/migrant-worker-has-nervous-breakdown/articleshow/75000134.cms>, (Last Accessed 27th May 2021).



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of anxieties and fears due to various concerns related to the Covid-19 pandemic.<sup>6</sup>

Data on Number of Migrant Workers Suicidal cases due to Poor Mental Health conditions: 2018 National Crime Records Bureau report, shows that there were 22.4% suicides among daily wage earners, with a maximum number of suicides commonly found and being reported from the cities like Maharashtra, Followed by Tamil Nadu, West Bengal, Madhya Pradesh and Karnataka.<sup>7</sup>

#### HEALTH RELATED ISSUES FACED BY MIGRANT WORKERS:

Migration is an integral Part of population dynamics. According to the National Sample Survey 2007-2008, the number of migrant households per 1000 households in India was 33 in Urban Areas. 2/3<sup>rd</sup> of the households migrated for employment related issues. The migrant population being a non-native population is living in a vulnerable condition and is also exposed to various Health Problems. During the pandemic time also the very most common problems faced by the migrants in the urban areas

are related with the less awareness about the local health facility, inability to cope with psychological stress and frequent migration also affects the health-related issues of the migrant workers. The others concerning factors are: Food insecurity, climate, and other environmental hazards. Migration into the urban areas not only affects the health of the migrated workers but it also affects the health of the children in an adverse manner. According to a Report due to the lockdown, more than 300(three hundred) deaths were reported, with reasons ranging from starvation, suicides, exhaustion, road and rail accidents, police brutality and denial of timely medical care.

#### HUMAN RIGHTS VIOLATION OF MIGRANT WORKERS DURING PANDEMIC:

According to the National Commission on Rural Labour in India (*NCRL, 1991*) estimated that more than 10 million circular migrants in the rural areas alone. These include an estimated 4.5 million interstate migrants in India. One of the major reasons behind the Human Rights violation

<sup>6</sup> R. Chaudhari, *Covid-19 Pandemic: Mental Health challenges of internal migrant workers of India*, (Last Updated on 18 June 2020), <https://pubmed.ncbi.nlm.nih.gov/32593122/>.

<sup>7</sup> National Crime Record Bureau. *Annual Crime in India Report*, New Delhi, India: Ministry of Home Affairs. (2018).



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of State migrant workers in India is political and economic. State migrants are considered as outsiders and because of that they do not have right to cast vote and thus cannot put governments under electoral pressure.

The Migrant workers in India were the worst hit by this pandemic. With no means of transportation and accommodation, they, along with their family members had travelled hundreds of miles on foot. Many migrant workers lost their employment due to the sudden outbreak of this pandemic. Human rights are inherent to all the human beings without any discrimination<sup>8</sup>. The ILO Declaration on fundamental principles and rights at work, adopted in 1998, states that *“economic growth alone is not enough to ensure equity and social progress”*.<sup>9</sup>

Almost 2582 cases were registered by the National Human Rights Commission (NHRC) in reference with the Human rights violation of the migrant workers in the month of April 2020. And the commission had sought explanation from

respective state authorities in most inhumane cases pertaining to starvation and death of migrant workers.

According to a standard worker’s action network’s report, published on 15<sup>th</sup> April 2020, which surveyed more than 11,000 migrant workers, they revealed that 50% of the respondents had no rations left even for a single day, while 96% had not received rations, 70% had not received cooked food from the government, 78% or the respondents had less than Rs.400 left.<sup>10</sup>

### **POLICE BRUTALITY ON MIGRANT WORKERS IN INDIA:**

There are number of police brutality incidents happened with the migrant workers during lockdown, On 26<sup>th</sup> march 2020, In Uttar Pradesh viral video it has shown that a group of young migrant workers were forced to hop down a main road with bags strapped to their backs, who were trying to return back to their homes. They were caught by the cops, who refused to listen to their

<sup>8</sup>Pranav Sharma, *Impact Of COVID-19 On The Rights Of Labourers And Workers In India*, (Dec 9, 2020), <https://www.humanrightspulse.com/mastercontentblog/impact-of-covid-19-on-the-rights-of-labourers-and-workers-in-india>, (Last accessed 28<sup>th</sup> May 2021).

<sup>9</sup> Labour, UN Geneva, <https://www.ungeneva.org/en/topics/labour>.

<sup>10</sup> Neetu Chandra Sharma, *How coronavirus turned into humanitarian crisis for migrant workers*, (Last Updated on 25<sup>th</sup> May 2020), <https://www.livemint.com/news/india/how-coronavirus-turned-into-humanitarian-crisis-for-migrant-workers-11590401718622.html>, (Last accessed 28<sup>th</sup> May 2021).



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pleas, and humiliated by being made to hop and crawl in this heat. In another incident happened in Bengaluru on 11<sup>th</sup> May 2020, a few migrant workers beaten and kicked by Bengaluru police personnel<sup>11</sup>.

### CONSTITUTIONAL RIGHTS:

Apart from the Labour Laws the Constitutional Rights of the migrant workers were also infringed, The Constitution of India From, Article 14-16, 19(1)(c), 23-24, 38 and 41-43A directly concern labour rights.

### CONCLUSION:

Today, in this Covid-19 Pandemic the migrant workers in India are the ones who were worst hit by this Pandemic, in this situation the main concern of the Indian Government should be to protect and preserve the human rights and dignity of the migrant workers (Unorganised Sector) of India, in road construction, Factories, agriculture, sugar factories, brick kilns, sugarcane harvesting seasonal migrant workers for whom a normal dignified livelihood is a very distant goal. The Government of India should ratify all the relevant international ILO Conventions No. 87 of the

freedom of association and protection of the right to organize convention. For the wellbeing and growth of the migrant workers along with their family members there must be Formation of Uniform Labour standards in reference with the unorganized sector workers.

<sup>11</sup> Negi, Chitranjali, *Human Rights Violations of Migrants Workers in India During COVID-19 Pandemic* (Last Updated on June 17, 2020) at 3-4. Available at

SSRN: <https://ssrn.com/abstract=3629773>, (Last Retrieved 28th May, 2021).