



Draft National Migrant Labour Policy

Why in News

Recently, [NITI Aayog](#), along with a working subgroup of officials and members of civil society, has prepared a **draft National Migrant Labour policy**.

- Earlier in December 2020, the Indian government decided to create a [database of migrant workers](#), including workers in the [informal economy](#).

Key Points

- **Migration:**
 - [Migration](#) is the **movement of people away from their usual place of residence**, across either internal (within country) or international (across countries) borders.
 - The latest government data on migration comes from the 2011 [Census](#). As per the 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).
- **Current Issues with Migrants:**
 - **Independent Migrants:**
 - The **Inter State Migrant Workers Act, 1979** covers only labourers migrating through a contractor, and **leaves out independent migrants**.
 - **Community Building Organisations (CBO):**
 - The absence of CBO and administrative staff in the source states has hindered access to development programmes, **pushing tribals towards migration**.
 - **Lack of Engagement by State Governments:**
 - State labour departments have little engagement with migration issues, and are in **halting human trafficking mode**.
 - **Middlemen:**
 - The local administration, given the usual constraints of manpower, is not in a position to monitor, making the way **for middlemen** to thrive on the situation and entrap migrants.
- **NITI Aayog's Draft Approach:**
 - The draft describes two approaches to policy design:
 - Focus on **cash transfers, special quotas, and reservations**.
 - **Enhance the agency and capability** of the community and thereby remove aspects that come in the way of an individual's own natural ability to thrive.
- **Draft Recommendations:**
 - **Facilitate Migration:**
 - Migration should be acknowledged as an **integral part of development**, and government policies should not hinder but seek to **facilitate internal migration**.
 - **Increase Wages:**
 - However, the draft asks source states to **raise minimum wages** to bring major shifts in local livelihood of tribals which may result in stemming migration to some extent.
 - **Central Database:**
 - There should be a **central database to help employers "fill the gap between demand and supply"** and ensure **"maximum benefit of social welfare"**

schemes”.

- It asks the Ministries and the Census office to be **consistent with the definitions of migrants and subpopulations**, capture seasonal and circular migrants, and **incorporate migrant-specific variables in existing surveys**.
- **Migration Resource Centres:**
 - The Ministries of Panchayati Raj, Rural Development, and Housing and Urban Affairs should use Tribal Affairs migration data to **help create migration resource centres in high migration zones**.
 - The Ministry of Skill Development and Entrepreneurship should focus on **skill-building** at these centres.
- **Education:**
 - The Ministry of Education should take measures under the [Right to Education Act 2009](#) to **mainstream migrant children’s education**, to map migrant children, and to provide local-language teachers in migrant destinations.
- **Shelter and Accommodation:**
 - The Ministry of Housing and Urban Affairs should address issues of **night shelters, short-stay homes, and seasonal accommodation** for migrants in cities.
- **Grievance Handling Cells:**
 - The [National Legal Services authority \(NALSA\)](#) and Ministry of Labour should set up **grievance handling cells and fast track legal responses** for trafficking, minimum wage violations, and workplace abuses and accidents for migrant workers.
- **Previous Recommendations:**
 - **Report of the Working Group on Migration**, released in January 2017 by the then Ministry of Housing and Urban Poverty Alleviation **recommended a comprehensive law for these workers**, which would form the legal basis for an architecture of social protection.
 - This was in line with the recommendations of a **2007 report by the National Commission for Enterprises in the Unorganised Sector** under the Ministry of Micro, Small and Medium Enterprises.

Way Forward

- A rights-based approach to welfare and social security would **work only if the workers have agency, politicisation, unionisation and mobilisation** as workers in the past have forced parties and governments to see welfare as an essential aspect of industrial development.
- The government has taken steps to ensure portability of welfare schemes, especially access to the [public distribution system](#), beyond state borders. **More needs to be done on that front.**
- The NITI Aayog draft is a **prompt to reimagine labour-capital relations** while integrating the migrant workers within the formal workforce. This is **necessary to build a compassionate society and a competitive economy**.

[Source:IE](#)