

**Leaving the City
Behind: A Rapid
Assessment with
Migrant Workers in
Maharashtra**



**Terwilliger Center for
Innovation in Shelter**

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Sketch and photographs

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Executive summary

Habitat for Humanity's Terwilliger Center for Innovation in Shelter carried out a study to understand the impact of COVID-19 pandemic on migrant workers in Maharashtra, the highest migrant-receiving state in India. The purpose of this study was to understand the lives of migrant workers at their place of work before the nationwide lockdown that started on March 24 2020, changes encountered during the lockdown and their outlook on lives beyond lockdown. As part of the study, a rapid assessment survey was conducted with 974 interstate migrant workers in the regions of Pune and Ulhas Nagar in Maharashtra.

The rapid assessment results revealed that most of the respondents belong to the construction industry, followed by bag manufacturing and garment stitching industries. The report shows that awareness of and access to welfare schemes among migrant workers was relatively low, notwithstanding there was a willingness among them to return to their place of work post-lockdown and ease in travel restrictions.

This willingness presents an opportunity for the government to improve migration policies and develop new access channels to entitlements, such as decent and affordable housing, clean drinking water, sanitation facilities and other basic services at the place of work. Furthermore, migration itself serves as an economic and livelihood opportunity for migrants, their households, as well as the places of origin and destination. However, these opportunities can be seized only when migrants have the agency to migrate freely and safely.

Some of the key findings of the rapid assessment are as follows:

- 47% of the respondents worked in the construction sector, 23% in bag manufacturing and 13% in the garment industry and 17% were employed in other sectors.
- 62% of the construction workers were not aware of Building and Other Construction Workers welfare scheme.
- 71% of the respondents did not get wages after the announcement of the lockdown, 16% received the same wages as before and 5% received half the money.
- Only 15% of the respondents had access to all necessary conditions required for prevention of COVID-19, such as access to a serviceable toilet, clean drinking water, water for washing hands, and enough space to practice physical distancing.
- 28% of the respondents received no help from the Government during the lockdown. Among those who got help, 75% said that the help was not sufficient.
- Over 63% of the respondents were aware that they had no source of livelihood at their place of origin.
- 59% of the respondents expressed willingness to return to the destination state once the lockdown ends and travel restrictions are removed by the Government.

The report's recommendations are two-fold – those for the short and medium-terms (2-6 months), and those for the long-term (1-3 years).

In the short and medium-term, agreements between states governments as well as partnerships between governments and the NGO sector can be pursued to ensure that workers are able to access their entitlements and return to their workplaces.

Ensuring access to rations by removing Public Distribution System's domicile restrictions and to a safe working environment with adherence to sanitization, hygiene and distancing norms are two urgent measures needed to improve the confidence of migrant workers to return to their workplaces. In addition, labor intermediaries can be engaged as facilitators to scale up worker registration and to ensure delivery of welfare under the Building and Other Constructions Workers (Regulation of Employment and Conditions of Service) Act.

In the long term, cohesive policy frameworks supportive of migration are needed to ensure migrant workers' rights and welfare. The role of state borders as barriers to basic services and welfare programs has been highlighted in the current crisis and in the results of this study. Removing these barriers will help interstate migrant workers access food, health, and housing welfare schemes at their destination states.

The merger of BOCW Act with 12 other labour laws into a single labor code needs be reconsidered from first principles, as it reinforces the myopic view which places migrant labourers at the bottom of the labor welfare ecosystem and homogenizes their vulnerabilities. Finally, a holistic understanding of migration as an aspect of development is needed in the policy making process. This will ensure that all the systems that shape the life of a migrant labourer such as registration and identity, urban planning and infrastructure, social security, administrative arrangements and budgetary allocations are inclusive and supportive of migration.

Introduction

On March 24, 2020, India's Prime Minister announced a 21-day national lockdown starting on March 25 to stop the spread of COVID-19. All work and travel in the country came to a standstill as per the lockdown guidelines issued by India's Ministry of Home Affairs. On March 27, the MHA issued an advisory to all states and Union Territories to provide adequate support, including food and shelter, to migrant agricultural laborers, industrial workers, and other informally employed workers during the COVID-19 lockdown. The same advisory further stated that states and Union Territories should explore measures, with the support of non-profit organizations, to provide food, shelter and basic amenities, such as clean drinking water and sanitation facilities to informally employed workers, in particular to stranded migrant workers. They were also advised to make these vulnerable groups aware of the measures taken by the government, including provision of free food grains and other essential items through PDS and streamline the distribution of such items.

The Pradhan Mantri Garib Kalyan Yojana was provided as the first cushion by the government against the impact of the pandemic, made through direct cash transfers to female holders of Jan Dhan accounts, in addition to a transfer of Rs 1,000 to senior citizens. This was supplemented by the provision of cooking gas/LPG free of cost for the three months, from 1 April to 30 June 2020, to enrolled beneficiaries under Pradhan Mantri Ujjwala Yojana.

The first phase of the lockdown and the precarity of the pandemic pushed workers to start the journey back to their place of origin despite the curbs on transportation and mobility. Major cities in India started experiencing an exodus of migrant workers, driven by the shutdown of most industrial and commercial activities and the prospects of loss of income and livelihoods. A second phase of the lockdown was subsequently put in place until May 3, and interstate mobility continued to be restricted, forcing thousands of workers to travel back to their place of origin on foot. The Central Government, however, laid special emphasis on states to provide shelter and food to all migrant workers who were either in destination states or in transit. Registration for Shramik Special trains to transport migrant workers to their origin states began on May 1, with a record number of migrants registering themselves through government portals.

During the third phase of the lockdown, from May 4 to 17, the Finance Minister of India announced the Atma Nirbhar fiscal relief package, allocating an additional Rs 40,000 crore to the Mahatma Gandhi National Rural Employment Guarantee Act, in order to enhance support to the working poor in rural India. This was followed by the fourth phase of the lockdown, which started on May 18. During this phase, the country witnessed considerable relaxations, especially in terms of travel and transportation. Shramik Special trains continued to transport migrant workers to their place of origin.

According to the International Labour Organisation, more than 85% of India's workforce belong to the informal economy. The COVID-19 pandemic evidenced the plight of migrant workers, who despite being vital to several industries in the country, remain severely underpaid, living in precarious conditions and extremely vulnerable to economic downturns.

Internal migrants in India

India has one of the largest numbers of internal migrants in the world. According to the Census data of 2011, there were over 450 million internal migrants in the country. 54 million of these are interstate migrants, residing away from their usual place of residence, while the rest are intra-state, moving within and across districts of the same state. Agriculture and construction sectors absorb most of the internal migrant workers in India. A 2017 report by the Centre for Policy Research suggests that 42.6% of rural-urban migrants in the construction sector are interstate migrants, and 52% of all migrant construction workers travel to the top eight metro cities (Mumbai, Delhi, Kolkata, Chennai, Bengaluru, Hyderabad, Ahmedabad, and Pune) in search of work.

Employment of migrant workers predominantly through informal channels means that workers face double-marginalization in the destination states. First, due to their status as migrants- often unable to speak the local language and integrate into local customs- and second, due to the informal nature of their employment, leaving them subject to harassment and dire working conditions. An analysis by Dr. Ravi Srivastava of the National Sample Survey (NSS) data suggests that there has been an increase in informalization of the workforce in the last 20 years. Written contracts for employees have fallen from 25.4% in 2004-2005 to 20.9% in 2011-12. A statistical estimate by the International Labour Organization based on NSS data says that a staggering 97.6% of total jobs in the construction industry are informal.

Absence of ration card portability means that migrants are excluded from the Public Distribution System, which is still defined by domicile requirements. In addition, a 2017 Report of the Working Group on Migration, by the Ministry of Housing and Urban Poverty Alleviation found that migrants face difficulties in finding good quality low-income housing. As the country lacks a legal and institutional framework to address migrants' housing needs, they often resort to housing in slums and other informal settlements, where they often live in small, unsanitary and cramped spaces without access to basic services.

Migrants in the COVID- 19 crisis

The construction sector has been severely hit by COVID-19, with construction activities halting since the beginning of the lockdown in March. A report released by Jan Sahas in April 2020 highlights the glaring inadequacy of the workers' registration system under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act: 94% of the workers from Uttar Pradesh and Madhya Pradesh were not registered under the BOCW Act, and thus could not avail the construction workers' relief package. Another study conducted in Chhattisgarh by Samarthan in May 2020 reflects a similar situation- 89% of workers interviewed did not have BOCW registration. The 1996 BOCW Act regulates the safety, health and welfare measures of workers in the building and construction industry. Following the COVID-19 lockdown, it managed the disbursement of Rs 4,957 crore cash assistance to approximately twenty million construction workers registered under the scheme.

A rapid needs assessment conducted by India Migration Now and Dvara Research between April 5-11 2020, found that 47% of respondents were not aware of the relief schemes announced by the government. In a follow up survey with a subset of the same respondents between April 20 to 23, there was no change in the awareness levels.



A study conducted by the Tata Institute of Social Sciences, Hyderabad, showed that out of a total of 10,672 migrant workers surveyed between April 16 to May 4, 97% did not have ration cards in the city and could not avail the food and ration benefits announced by the state government since the benefits are routed through PDS.

Mumbai is one of the major destinations for migrant workers. According to an interim report released by Youth for Unity and Voluntary Action in June 2020 on the urban poor in the Mumbai Metropolitan Region, 37% of the households did not have ration cards. The study also found that 28.9% of the interviewed households had a member working in the construction sector. Out of 1,237 households, only 5.3% of the workers were registered under the Maharashtra BOCW board.

Furthermore, as migrants return to their place of origin, loss of livelihood due to the lockdown has also emerged as a major challenge for workers, both in the destination as well as in the place of origin. A rapid assessment conducted by Caritas India in May 2020 with returnee migrants, across 10 states found that 95.2% of workers had lost all means of livelihood, despite the additional allocation to MGNREGA. The Stranded Workers Action Network, in a report published in June 2020, stated that out of 1,166 surveyed workers who were stuck in destination, 75% did not have any employment and 25% faced the threat of eviction from their homes.

Out of those who managed to go back to their place of origin, many had to spend money from their own pockets to facilitate their travel. Caritas India's survey states that 23% of the respondents had spent more than Rs 5,000 for their return journey, 16% spent between Rs 3,000 and Rs 5,000, and 14.4% migrants spent between Rs 2,000-3,000.

Rationale of the study

The COVID-19 crisis, accompanied by a national lockdown, has had an unprecedented impact on the country's economy. To curb the spread of the virus, a series of four lockdowns were announced by the government, starting in March 2020. In order to insulate workers from the impact of economic shutdown, the Indian Government came up with numerous schemes to assist migrant workers. However, insights from various field reports brought attention to the plight of migrant workers who were stuck at their place of work (destination regions) with no access to ration, food, essentials, and personal protective equipment. Loss of income and stress caused by the pandemic also fueled a sense of desperation among workers to return to their place of origin.

To understand their challenges better and inform the development of comprehensive and improved migrant labor policies, The Terwilliger Center for Innovation in Shelter, a unit of Habitat for Humanity, conducted a rapid assessment with 974 migrant workers in the state of Maharashtra, to ascertain their reasons to leave for their native villages, their outlook on livelihoods and circumstances for migrating back to the destination workplace once the lockdown is lifted.

Objectives

The main objectives of the rapid assessment were to understand:

- The changes in the living situation of migrant workers throughout the lockdown.
- The aspirations of migrant workers post lockdown and their decisions to re-migrate.
- The conditions that need to be fulfilled at the place of work for migrant workers to return post lockdown.



Methodology

The Terwilliger Center conducted a rapid assessment with migrant workers in the cities of Pune and Ulhas Nagar in Maharashtra. The assessment involved secondary research and a primary survey. A detailed secondary review was conducted on the orders and announcements by India's Ministry of Home Affairs in connection to the lockdown.

Based on the government's orders and review of secondary literature, such as reports published during the three initial phases of the lockdown, a survey tool was designed to understand the reasons for migrants to leave their destination, the outlook on livelihood opportunities in their origin locations, and the decision to return to their destination.

The survey was conducted by 151 volunteers in the cities of Pune and Ulhas Nagar. In Pune, 240 surveys were conducted via telephone with migrants who were en route to their place of origin from Pune, while the rest were conducted in person. In Ulhas Nagar, surveys were conducted both with migrants who were waiting to board, as well as with those already on the train bound for Jharkhand. Volunteers among the migrants were identified to conduct the surveys in the trains. Google Forms were used for the purpose of enumeration, and the survey tool was translated in Hindi. The primary survey was conducted between May 20 to 28, 2020 with 993 respondents, out of which 974 were valid responses. Purposive sampling was done based on availability.

Study limitations

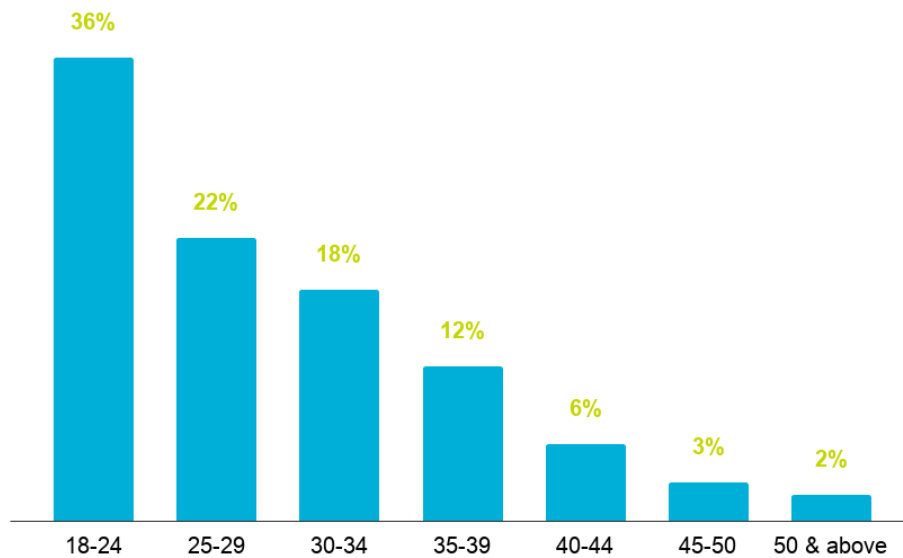
- This report is a result of a rapid assessment conducted with migrant workers in two regions of Maharashtra. The findings from this report are not representative of the conditions of migrant workers nationwide or regionally.
- The survey was conducted with migrant workers who were waiting for trains to a particular state, therefore most of the respondents belong to the same place of origin.
- In Ulhas Nagar, some volunteers who ran the survey are members of the migrant community and, therefore, are not trained enumerators.



Demographic details

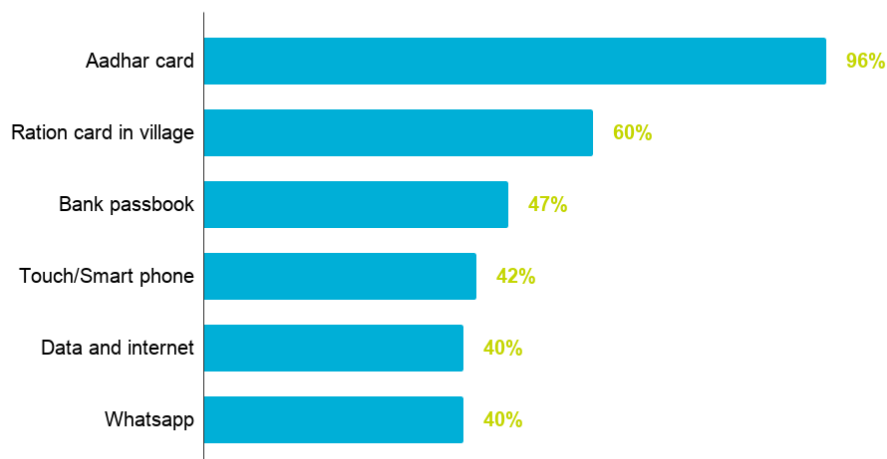
Almost 99% of the respondents surveyed belong to the state of Jharkhand. Most of the interviews were conducted at railway stations while they waited to board train to Jharkhand. The large majority of the respondents were under 40 years of age, with 36% of them between the ages of 18-24 and 22% between the ages of 25-39. Only 2% of the respondents were over the age of 50.

Age distribution of the respondents



Almost all the respondents, 96%, had Aadhar identity card but only 4% had a ration card at destination (Maharashtra). 60% of the respondents had their ration card at the origin state and 36% did not have access to ration card at destination or their place of origin and were outside PDS.

42% of the respondents had a smart phone, and 40% used their phones to access the internet and WhatsApp. 47% had bank passbooks, 12% had ATM cards and 15% used UPI.

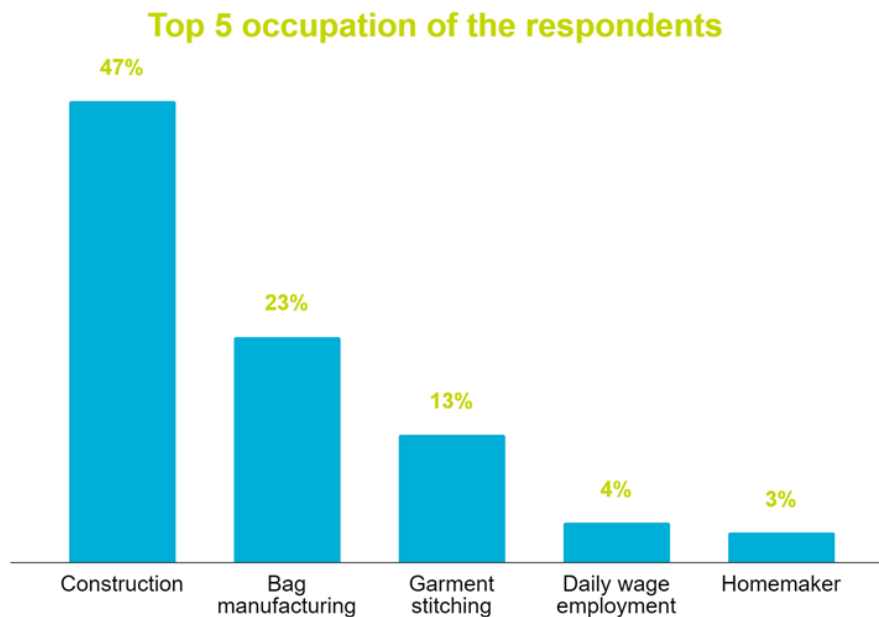


Findings

Life before lockdown

Employment

Construction sector was the largest employer among the respondents.



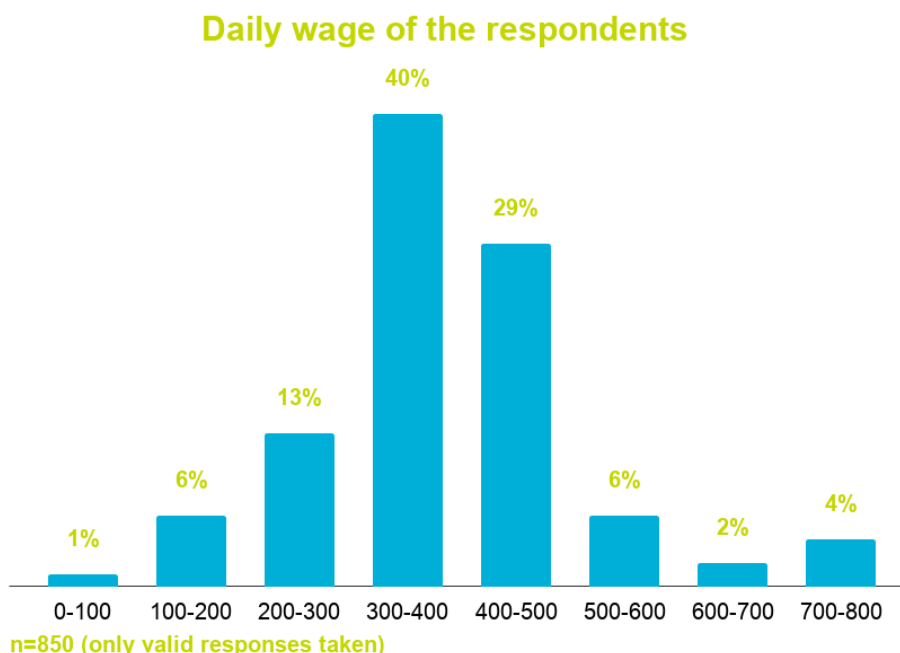
In order to understand their social networks, the respondents were asked about referrals for their current job. 37% of the respondents mentioned that they got the job through middlemen/petty contractors. Across India, middlemen or petty contractors play a significant role in the workers' migration decision. With more than 90% of India's working population informally employed, there is no formal chain of labor intermediation. As a result, workers often depend on middlemen to secure employment. Usually, these middlemen belong to the same social group as the worker, often a relative hailing from the same village.

According to a 2016 study by the Institute of Human Development, 94% of migrant workers at commercial complexes and 86% at residential complexes said they had decided to migrate because of the middleman's influence.

They not only play an important role in mediating the employment, but also in determining the conditions of work. They often fund the migrants' travel from their place of origin and provide shelter and food at the destination. The pecuniary nature of this assistance is considered an "advance" or "loan" and must be repaid once the worker starts the job.

Wages

The respondents were asked about their average daily wage. 40% mentioned that they earn Rs. 300-400 per day, while 29% said that they earn Rs. 400-500 per day.



Awareness and Access to Welfare Schemes

58% of the respondents were not aware of any workers' insurance schemes. 33% were aware of workers' insurance, but did not opt for any. Only 9% of the respondents had workers' insurance, out of which 39% were registered under a Government Insurance scheme, 25% took insurance by themselves, and 36% said that the employer took insurance for them.

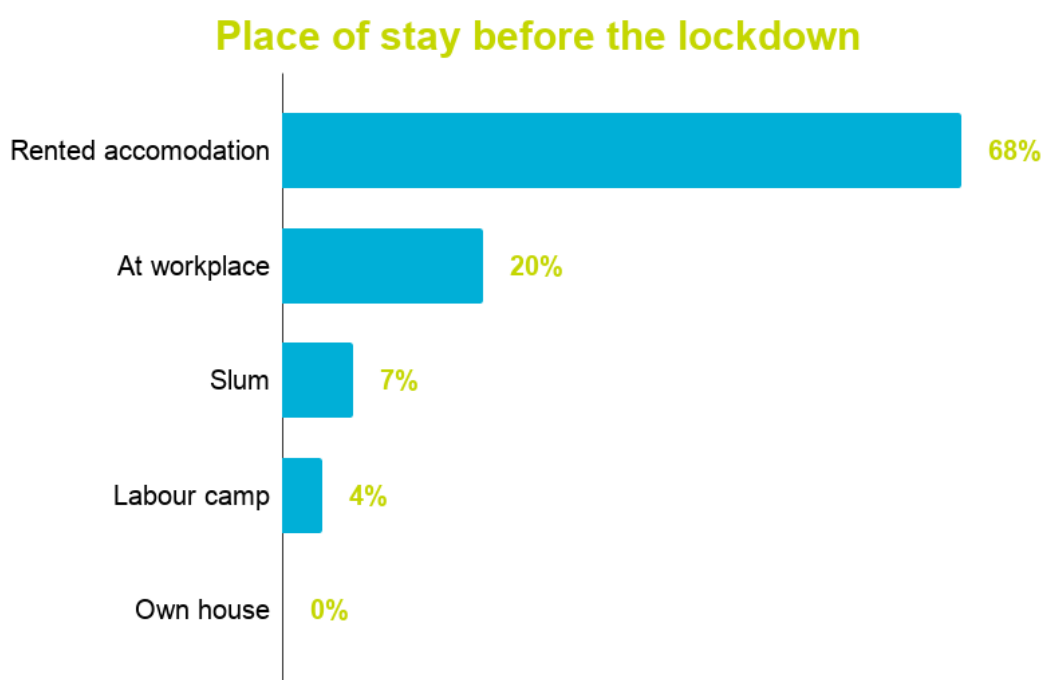
Among the 455 respondents employed in the construction sector, 62% were not aware of the BOCW Act. 20% were aware of BOCW but did not have access to it. Only 4%, or 18 respondents, had BOCW registrations, out of which 13 had their registration in Maharashtra and 5 were registered in their origin state.

Maharashtra is the highest migrant-receiving state in the country, with a total interstate migrant population of 9 million, as per the 2011 census. Figures from May 2020 show that the districts of Pune, Mumbai City, Mumbai Suburban and Thane have only 17,021, 14,660, 7,824 and 7,495 registered interstate migrant workers, respectively. These numbers substantiate that many construction workers are either not aware of BOCW or find it difficult to obtain BOCW registrations.

Housing

Most of the respondents (68%) lived in rented accommodation at the destination before the lockdown, 20% lived at their place of work, 4% in labor camps, and 7% lived in slums. As per an analysis of the Census data 2011, out of a migrant population of 62.6 million in Mumbai, Kolkata, Hyderabad, Chennai, Bengaluru, and Delhi, 33.4 million lived in the urban fringes. High cost of living, especially housing costs, in the urban core is one the key factors pushing more migrants - as well as some locals - to move to the peri-urban areas, according to a 2019 paper by the Observer Research Foundation, a Delhi-based public policy think-tank.

In addition to high living costs, government schemes for temporary and permanent housing exclude interstate migrants, according to India Migration Now's Interstate Migrant Policy Index 2019 (IMPEX 2019), which analyses state-level policies for the integration of out-of-state migrants. Thus, migrants often resort to living in slums and temporary habitats. The possibility of forced evictions without rehabilitation, compensation or notice pushes them to the fringes of urban areas. According to "Urbanisation and India's Slum Continuum: Evidence on the range of policy needs and scope of mobility," a paper published by the International Growth Centre in 2018, almost 30% of all slum dwellers in the cities of Bengaluru, Patna, and Jaipur are migrants and 23% among them are interstate migrants.



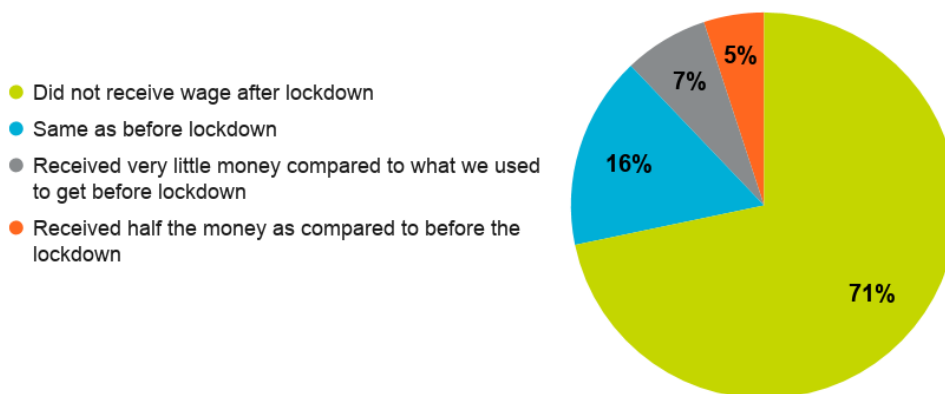
Life during lockdown

When the survey was conducted, India was in its fourth phase of the lockdown, having already been under lockdown for over 1.5 months. Maharashtra state had the greatest number of COVID-19 cases during the time. In this section, questions aimed at understanding life changes following lockdown that started in late March 2020.

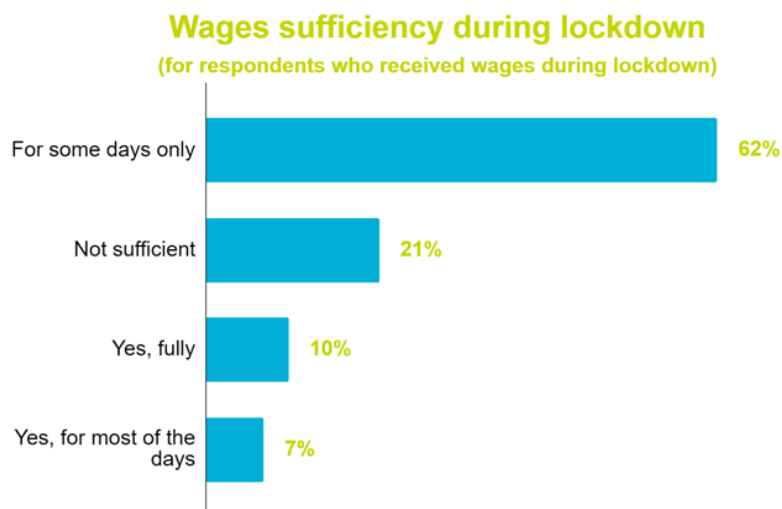
Wages

71% of the respondents stated that they did not get their wages during the lockdown. 16% received same wages as before, while the remaining received half or less than half the wages compared to what they were receiving prior to the lockdown.

Wages during lockdown



Among the respondents who received wages during lockdown, only 10% said that the wage was sufficient for them to survive the entire period and about 7% said that the wage was sufficient for most of the days. 62% of the respondents said that the wage was sufficient for some days only, while 21% said that they did not receive sufficient wages at all. This shows that despite working in cities for years, most of them did not have sufficient money to manage without their wages, neither could their families back home manage without remittances.



n=275

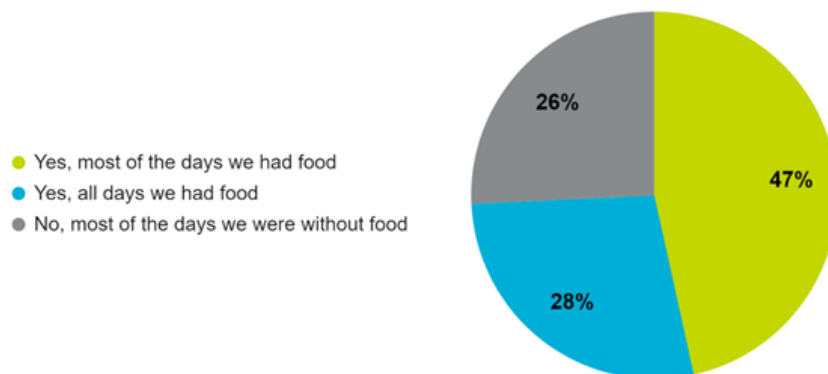
Housing

Approximately 83% of the respondents lived at the same place before and during the lockdown. Five percent lived at government quarantine centres and 2% were provided accommodation by social organizations.

Access to Essential Services

Ration and food

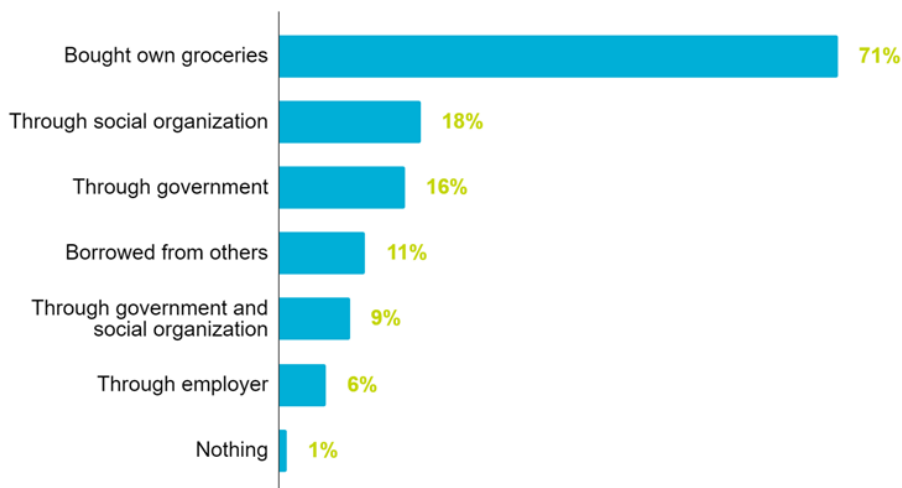
Access to food during lockdown



Several reports with evidence from the field in different parts of the country have highlighted the severe shortage of food and ration. In our survey, 28% of the respondents said that they had food on all days of the lockdown, while 47% said that they had food on most days and 26% of the respondents said that they did not have food on most days of the lockdown.

71% of all respondents said that during most days of the lockdown, they were able to buy groceries and prepare food. But they had to depend on external support for some days. 49% of all respondents relied on social organizations, government and their employers for food on most days.

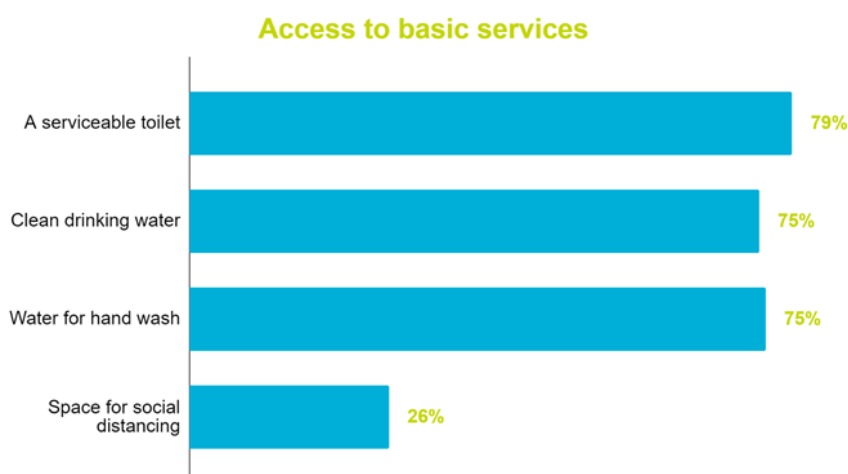
Access to food during lockdown



Access to other basic services

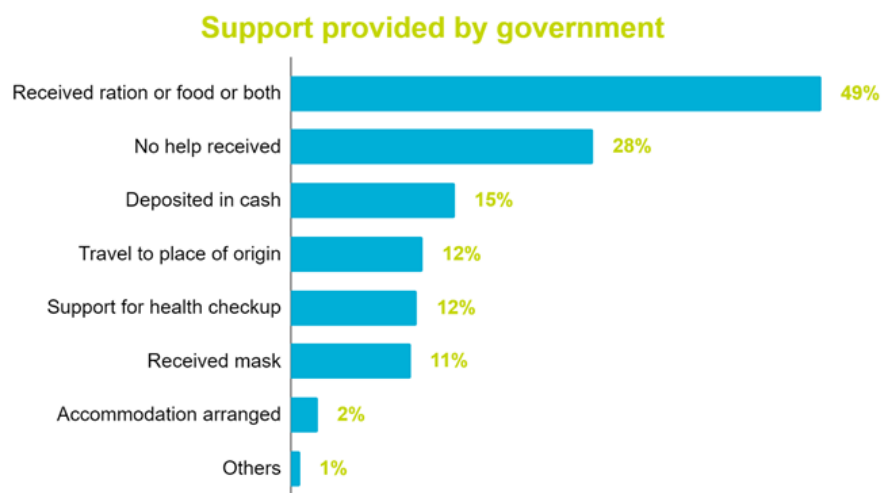
Only 15% of the respondents had access to all facilities required for protection against COVID-19, such as access to a serviceable toilet, clean drinking water, water for washing hands and adequate space to practice social distancing. Many respondents had access to one or more facilities but not all of them; 79% said they had access to a serviceable toilet, 75% had access to clean drinking water, 75% said they had water for washing hands and only 26% said they had sufficient space to practice social distancing in their place of stay.

Migrants often live in informal settlements or work places, that are cramped and do not have access to basic services. For example, a 2017 study by Indian Institute of Population Studies reported that on an average, one tap is shared by 52 slum dwellers in Mumbai.



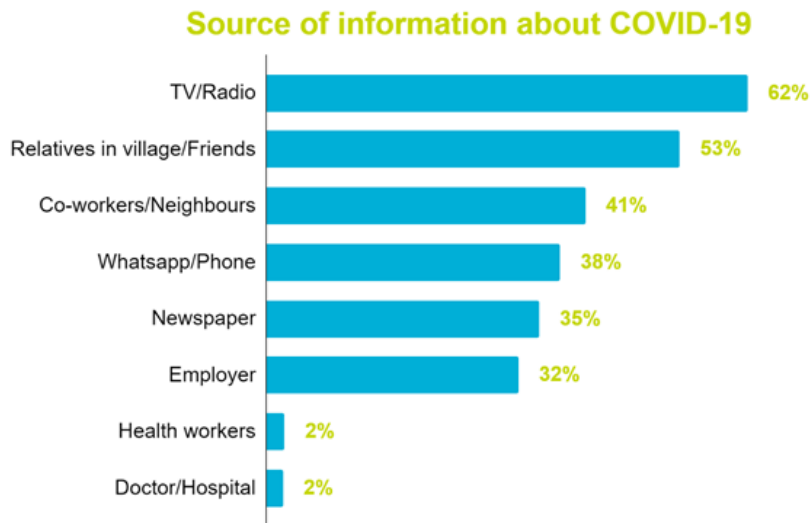
Support from Government

28% of the respondents said that they did not get any help from the government. 49% of the respondents mentioned that they got ration or food on some days, 15% mentioned that they received cash deposits, and 12% got health check-ups done through government support. However, among those who got help, over 75% said that it was not adequate. Only 17% said that the support they received from the Government was sufficient.

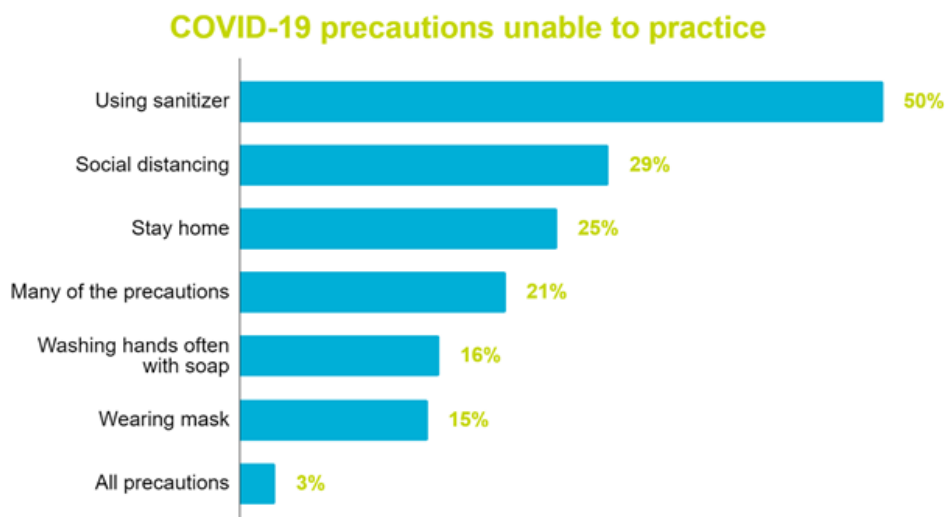


Awareness about coronavirus

TV and radio were the main source of information about the coronavirus, followed by relatives in villages and friends.

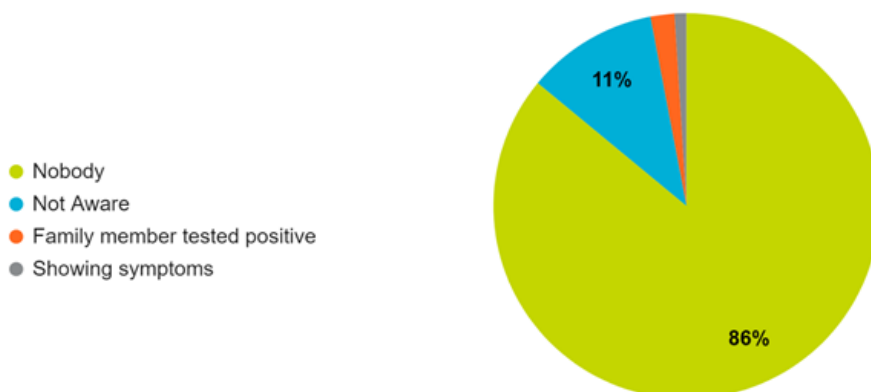


Respondents were asked about the ways in which they could protect themselves from the virus. While most were aware of the means such as physical distancing, staying at one place, wearing face masks, and washing hands frequently, about 21% of the respondents said that they could not practice many of the preventive measures. 50% of the respondents said that they were unable to use a sanitizer, 29% said that they could not practice physical distancing, and 25% said that they could not be at home or in one place all the time.



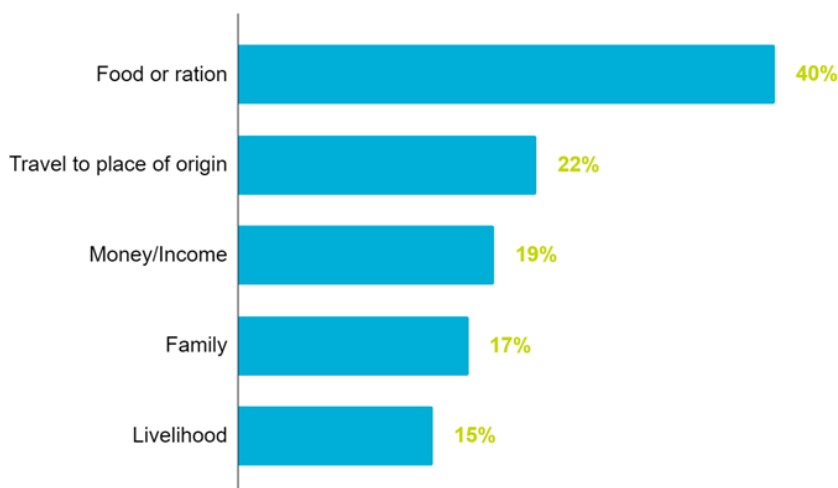
When asked whether any of their family members had symptoms of COVID-19, 86% said that nobody in their family had coronavirus or any symptoms, about 2% said one or more of their family members had tested positive for the virus and 1% said that their family members were showing symptoms.

Family member affected by COVID-19



When asked about their major worries during lockdown, 40% of the respondents mentioned food or ration, 22% mentioned travel to origin state and 19% mentioned income.

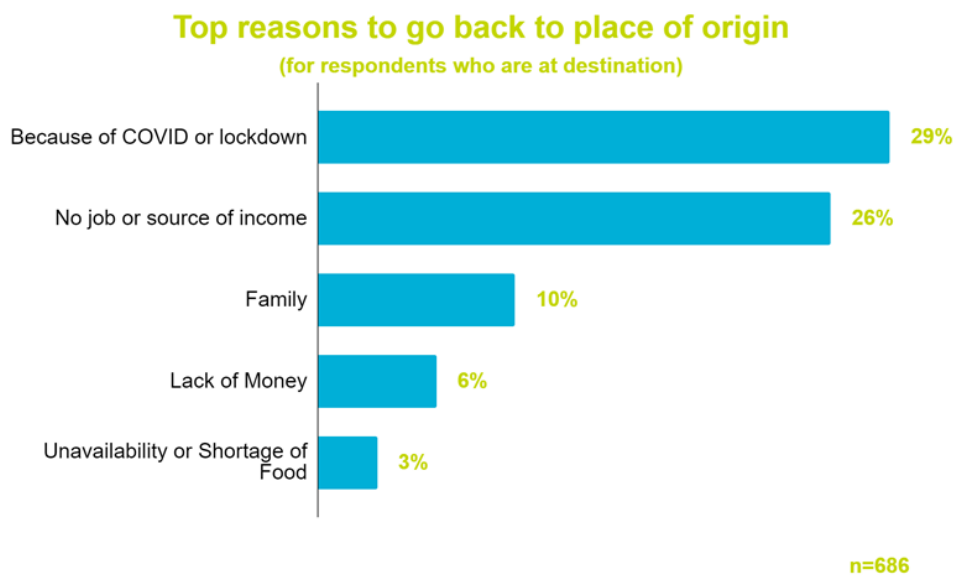
Top 5 concerns during lockdown



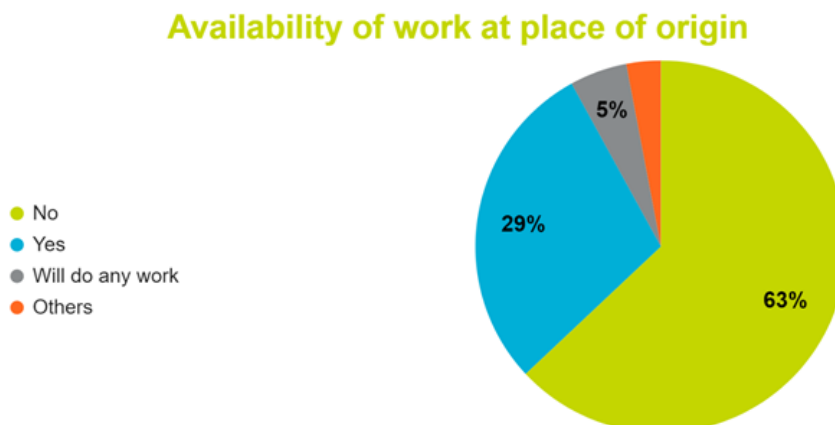
Life after lockdown

One of the main objectives of the survey was to understand the aspirations, livelihoods, and prospects of migrant workers in their place of origin, as well as understand their outlook on re-migrating to the destination. Since the survey was conducted in the fourth phase of the lockdown, when Shramik trains and other means of transportation were available, about one-fourth of the respondents had reached their place of origin.

Uncertainties caused due to COVID-19, extended lockdown, cessation of job and source of income and concerns about the well-being of family members were the top reasons to go back to place of origin.

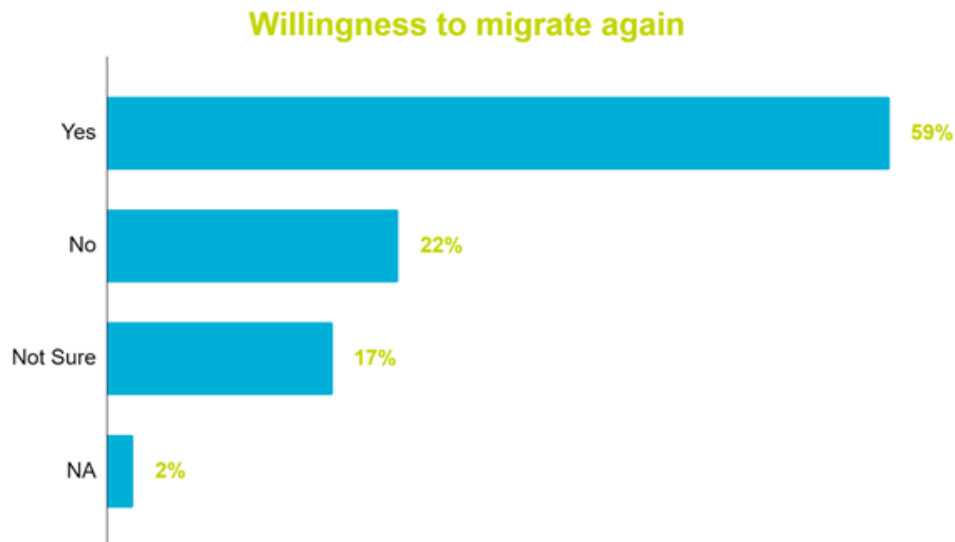


63% of the respondents were aware that they had no source of livelihood in their origin state, but that did not deter them from going back. Only 29% said that there is work available at their origin state.

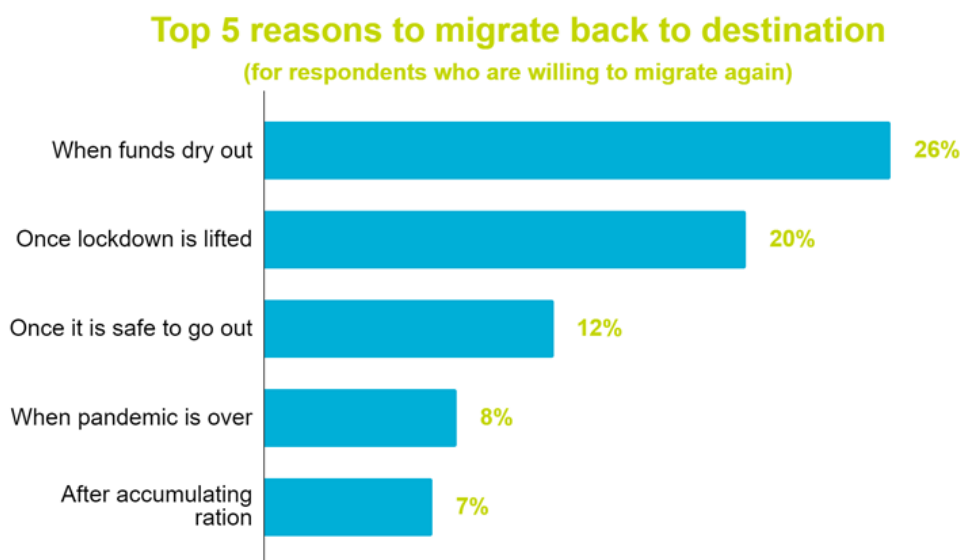


Willingness to migrate again

Despite the hardships faced by migrants in their place of work and subsequently travelling back home, 59% of respondents expressed willingness to return to the destination state. 22% said that they don't intent to migrate again and 17% were unsure at the time of survey. Their willingness to migrate again in part stems from the awareness that there are limited options for livelihood in origin states. This shows that the current models of economic and social development in India increase rural-urban disparities in infrastructure, services and livelihood opportunities and the hard choices that are faced by millions of rural people in deciding to migrate.



Among those willing to migrate again, the top reasons anticipated by them in influencing their decision include running out of funds, removal of lockdown and travel restrictions and end of the COVID-19 pandemic.



n=579

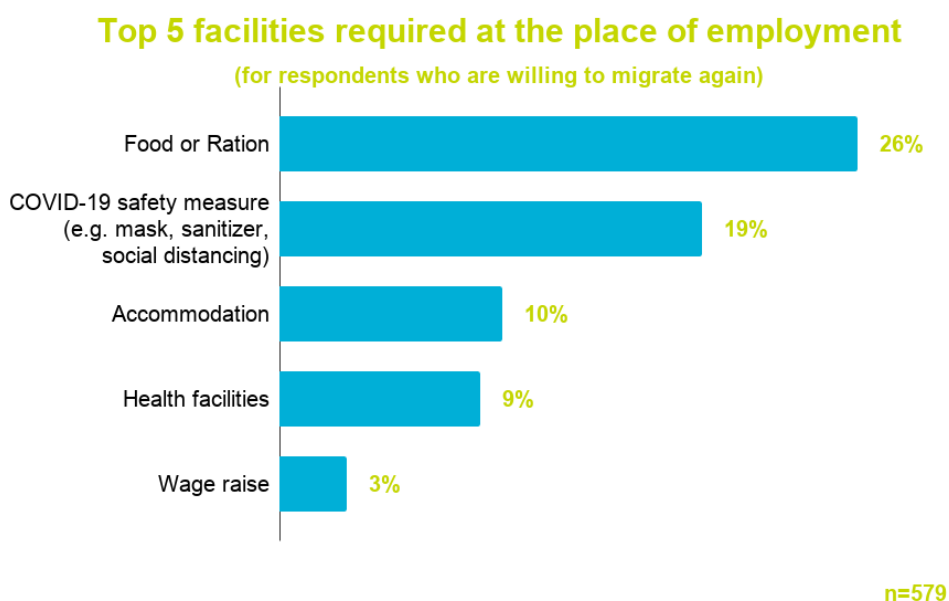
On June 2020, The Government of India launched the Garib Kalyan Rozgar Abhiyan scheme, to provide employment to returning migrants and locals within 116 districts in six states of the country. The programme aims to provide employment under 25 categories of work or activities based on the skillset of migrants in their place of origin for the next 125 days, or approximately 4 months. In our survey, however, less than 1% of the respondents expressed their intent of staying if the origin state government were to provide them with employment.

Willingness to return to the same place of employment

Among the 59% of respondents who were willing to migrate again, 71% mentioned that they will return to the same place of employment once lockdown and travel restrictions are lifted and government allows free movement between states.

Facilities expected at the place of work

Among those willing to migrate again, we sought to understand what would be the minimum necessary facilities or support that would be needed in the destination states. Most of them expect their employers to provide support with food, COVID-19 safety measures, accommodation and health facilities at the place work upon return.



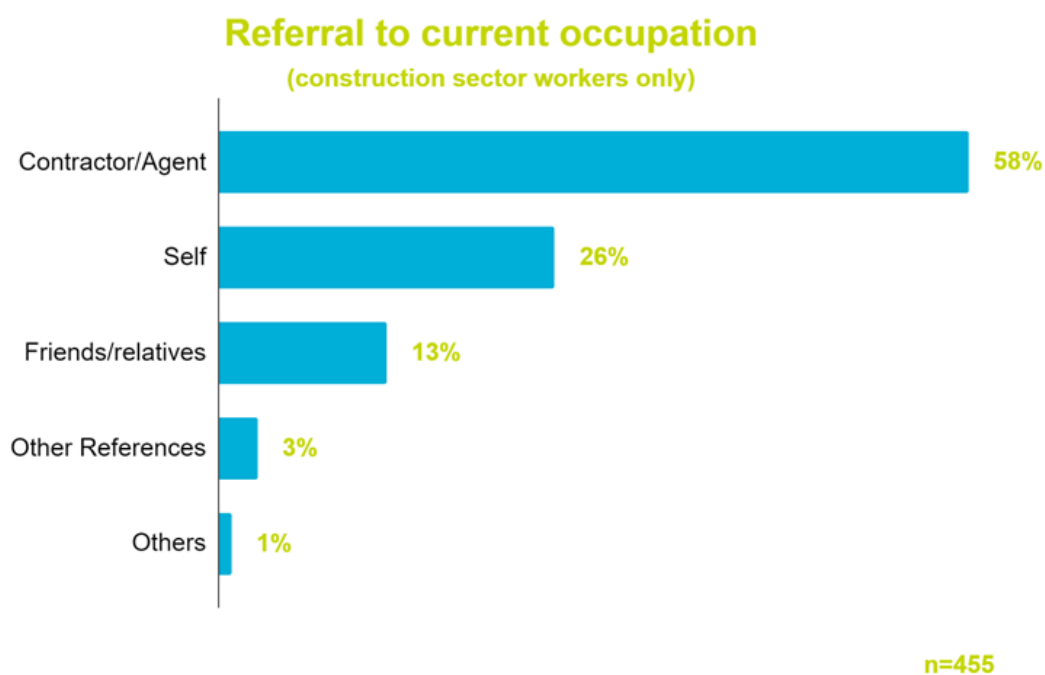
Migrants in the construction sector

Multiple studies have shown that the construction industry is the single largest absorber of both interstate and intra-state seasonal migrant workers. The sector's workforce largely comprises seasonal migrants. Data from NSS 2007-08 reveals that approximately 43% of those employed in the construction sector belong to socially backward communities. Among these, 13% of Scheduled Tribe workers and nearly a quarter of the Scheduled Caste workers are inter-state migrants. Since government entitlements are limited by administrative borders, interstate migrants from socially backward communities who migrate for construction work are often unable to access any welfare schemes at destination.

As part of the Garib Kalyan Yojana in March 2020, the government announced financial assistance of Rs. 3.50 crores to registered construction workers, most of whom are migrants, under the welfare fund of Building and Other Construction Workers Act.

Findings from our survey reveal that, while 47% of the respondents were employed in the construction sector, 62% among them were not aware of the BOCW Act. Another 20% were aware of BOCW but did not have access to it. Only 4% (18 respondents) had BOCW entitlements out of which 13 had their BOCW registration in Maharashtra and the remaining 5 had BOCW registrations in their place of origin.

Contractors or middlemen play a crucial role in the contracting value chain as they mobilise labour needed to work in the sector. Among construction workers, 58% of the respondents relied on contractors to find jobs. 26% found employment on their own and 13% through referrals from friends or relatives.



Willingness among construction workers to migrate again

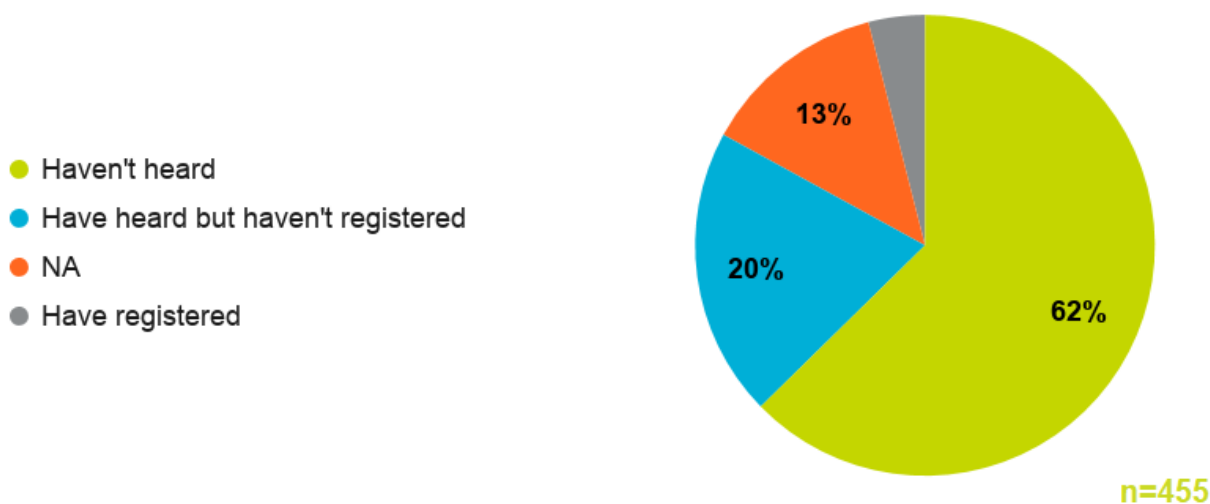
68% of the construction workers said that they will return to the destination state once the government allows interstate travel. 76% were aware that there was no source of livelihood in their origin state which is one of the key factors influencing their decision to return to destination state.

In June 2020, India's Ministry of Labor and Employment, stated that 20 million workers registered with BOCW were provided cash assistance during the lockdown. Findings from our survey and other assessments conducted by various civil society organizations reveal that most construction workers are not even aware of BOCW.

While the Government of India took positive measures to provide relief to construction workers, through provision of rations and essentials at work sites and release of funds under the Building and Other Construction Workers Act, findings from recent studies, including this study, reveal that there are systemic issues in the delivery architecture, such as an exclusionary and cumbersome registration process, lack of awareness among workers and the welfare boards' weak institutional capacity to onboard workers and enforce the delivery of welfare. These issues warrant immediate attention.

Awareness about BOCW

(construction sector workers)



Way forward

This section is divided into two categories: Recommendations in the short-medium-term (2-6 months), and long-term (1-3 years).

Short - medium-term (2-6 months)

In our rapid assessment study, we found that there is clear willingness among migrant workers to return to their place of work after the government allows free movement of people. This willingness presents an opportunity for both source and destination states to coordinate with each other and ensure access to entitlements for migrant workers at their place of work. An example worth reviving is the memorandum signed between Odisha and Andhra Pradesh in 2012 aimed at facilitating access to entitlements for workers migrating between the states.

Findings from our study and several other field assessments since March 2020 highlight that migrant workers were not able to access ration in the destination states. Domicile restrictions for accessing social security schemes such as the Public Distribution System must be removed. Implementing the One Nation One Card Scheme, as per design, would be a step in the right direction.

Many migrant workers were aware of the precautions needed against COVID-19, however they were not able to practice such precautions. With the economy opening up gradually, employers need to ensure that the safety of workers are taken care of and social distancing norms are enforced at their worksites. Migrant workers' willingness to return to their place of work was contingent on the employer providing them with travel arrangements, food and a safe, clean and hygienic workplace.

The state governments can partner with non-government and civil society organizations, and social enterprises for last mile delivery of entitlements and for disseminating information regarding welfare schemes in the regional languages of migrants.

In the construction sector, petty contractors offer informal intermediation services to employers in the form labour mobilisation for work sites. Builders and construction firms need to formally recognise their roles and pay for their services, while keeping the relationship between the worker and employer linear. Employers can also explore partnerships with civil society organizations to sensitise, train and expand the services of petty contractors as facilitators of entitlements to migrant workers in the destination states

Implementation issues in the Building and Other Construction Workers Welfare Act must be addressed immediately as significant number of migrant workers are employed in the construction sector. The welfare boards in states need to be inclusive and ease registration process for migrant workers and can engage with petty contractors to scale up migrant worker registrations. At the same time, builders and construction firms who contribute cess to the state governments must hold the state BOCW welfare boards accountable and ensure delivery of entitlements for the registered workers.

Long term (1-3 years)

India does not have a legal framework for the right to housing, which makes it difficult for migrants to acquire shelter, in the absence of which they rely on intermediaries or petty contractors for accommodation. The Report of the Working Group on Migration from 2017 had suggested utilizing the Construction Workers Welfare Board funds for provision of housing for migrant workers in the construction sector. The report also recommended the provision of dormitory accommodation, active participation of states on a mutually reciprocal basis in providing housing for marginalized groups, such as the scheduled caste and scheduled tribes who get excluded in the housing process.

The states and local governments have a significant role and responsibility in the context of interstate migration. Often local governments, urban or rural, do not have arrangements to address the needs of migrant settlements which are informal, unmapped, and lacking in access to basic services. Registration systems, urban planning, administrative arrangements and budgetary allocations need to be inclusive and supportive of migration. Smart cards, portable nationwide, can be introduced for migrant workers.

The states shall consider setting up migrant workers' facilitation centers in both origin and destination to act as a bridge between workers and the institutions that deliver welfare and social security. The centers can also act as a grievance redressal forum for migrant workers.

The BOCW Act along with 12 other laws is getting dissolved into one labor code, titled "The Occupational Safety, Health and Working Conditions Code, 2019". It is recommended that this move be reconsidered. Vulnerabilities of migrant workers vary according to their place of work and sector - dissolving these laws into one code will mean that their unique vulnerabilities are further homogenized. Instead, a central law that takes into account the basic set of entitlements, social security and protection for all migrants, while recognizing their unique demands, can be enacted through a ministry that focuses solely on migration in the country.

This report was developed by India Migration Now for Habitat for Humanity's Terwilliger Center for Innovation in Shelter. Authoured by Priyansha Singh and Geetika Varshney, and reviewed by Varun Aggarwal and Rohini Mitra of India Migration Now and Prasanna Sriraman, Ashwin Kumar Rao and Julia Ferraz of Habitat for Humanity. The Terwilliger Center thanks MASHAL, Global Rights Foundation Trust and their volunteers for conducting the assessment in Pune and Ulhas Nagar and India Migration Now for data analysis and report preparation.

India Migration Now (IMN) is a Mumbai based migration data, research and consultancy agency. IMN Utilises its niche expertise in migration research and policy along with its extensive network of government, private sector, non-profit, grassroots, academic and media partners to develop insights and solutions for low income migrant households in India. IMN's research team houses an interdisciplinary team of public policy, communications, and research professionals and an advisory board constituted by the leading migration scholars and policy makers in India.



INDIA MIGRATION NOW

A SEM Foundation Venture



Maharashtra Social Housing and Action League

MASHAL

Maharashtra Social Housing and Action League (MASHAL) is a non- governmental organization conceived in the year 1985 by a group of like- minded people who believed in community development through people's participation and recognized adequate shelter and a healthy living environment with access to services as a basic human right. MASHAL works in the area of housing, environment, sanitation and education for the poor. MASHAL worked in the rehabilitation/ redevelopment of around 6,000 slum units. Some of the major achievements of MASHAL include preparation of Environmental Status Reports (ESRs) for various municipal corporations in Maharashtra, publication of Pune Slum Atlas in 2012 and socio- economic survey of entire Dharavi for Dharavi Redevelopment Project. During the CoVID- 19 lockdown, MASHAL served cooked food to 22,350 families and provided dry ration kits to 7,332 needy people in Pune district. Under its initiative of 'Surakshit Safar Seva', MASHAL enabled 3,460 migrant laborers to reach their hometown via air, railway and road way. Safety medical kits were provided to 1,200 police personnel and to more than 1,000 doctors and healthcare workers under the initiative of 'Security of CoVID- 19 warriors'.

Established in the year 2019, Global Rights Foundation Trust is one of the pioneering organizations working for the welfare of Women, Children, Transgender, People Living with HIV and Migrant Workers since 2019. GRF, was founded by a Speaker, Social Activist and Performing Artist Dr. Yoga Nambiar. Formally registered in 2019, the activities of the organization started in 2015. GRF has completed five years and has been very active in transgender rights advocacy, women empowerment programme, community kitchen and health care services in India. GRF has its head office at Ulhasnagar, Thane Dist. Maharashtra. During the pandemic, GRF supported Mashal in their 'Surakshit Safar Seva' from Mumbai. Transgenders handled 'Community Kitchens' for hungry migrant workers, quarantine centers and slums. GRF also worked with different stakeholders like Government officials, Police, NGOs and Poor People during the pandemic.



About Habitat for Humanity

Driven by the vision that everyone needs a decent place to live, Habitat for Humanity began in 1976 as a grassroots effort and has since grown to become a leading global nonprofit working in more than 70 countries. In the Asia-Pacific region since 1983, Habitat for Humanity has supported millions of people to build or improve a place they can call home. Through financial support, volunteering or adding a voice to support affordable housing, everyone can help families achieve the strength, stability and self-reliance they need to build better lives for themselves. To learn more, donate or volunteer, visit habitat.org/asiapacific.

About Habitat's Terwilliger Center for Innovation in Shelter

Through the Terwilliger Center for Innovation in Shelter, Habitat for Humanity explores strategies for improving low-income households' access to affordable financing, quality labour and materials – all core elements, and often constraints, in a household's ability to access adequate shelter. To address these market constraints, the Terwilliger Center focuses on making building materials and housing finance solutions accessible, available and affordable, improving construction labour markets and practices, and creating a thriving ecosystem for innovation and affordable housing entrepreneurs. To learn more, visit habitat.org/tcis.



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