

## Opinion — Cloaked to Invisibility: Circular Migrants in India

Written by Harshita Sinha

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HARSHITA SINHA, OCT 13 2020

The COVID-19 pandemic has been a testing time for many development paradigms. Not only has it highlighted systemic disjunctures of policy and practice but also amplified existent socio-economic inequalities. In particular, the pandemic brought forth the dispossession of a class of migrant workers in India, who have over the years been invisible in the country's policy discourse. India accounts for over 400 million internal migrants, with an estimated 120 million circular migrant workers. Flow of temporary circular migrants from rural to urban areas increasingly make up a growing share of urban informal labour force who work in extremely insecure conditions.

The representation of circular migrants in the context of the Indian economy is contentious and lopsided. While the presence of the migrant workers in the urban labour markets is a vivid reality of city life, it is more often than not accompanied by tales of the dark underbelly of precarious living. Circular migrants, widely noted as '*footloose labour*' are placed in the informal market with notably low pay and insecure working environments. This nexus is further skewed across the lines of gender and caste in most market settings due to subcontracting, lack of recognition of paid work and the overarching invisibility of certain occupations in the informal sector such as domestic work.

In predominant literature, the disposition of migrant workers as a class is noted due to their presence in the informal/unorganized economy- a space which is seen to be outside the regulation of the state. However, I argue that migrant workers present in the cities are cloaked in invisibility due to their neglected position vis-à-vis the state. This week, the Indian government in its statement to the parliament stated that 'no data is available' on the death of migrant workers or the loss of their livelihood during the lockdown in India. This statement follows the trend of an ongoing saga on the lack of concrete data available about the characteristics and scale of circular migration in India. However literature on migration in India has provided an approximation of the scale of movement using alternative sources of data. A report by UNESCO and UNICEF (2012) note that current data collection indices such as Census and NSSO fall short in capturing these flows of migration. As a result, internal migrant workers representation in policy and government planning remains skewed, leading to continual cycles of subordination and exploitation in the labour market.

While there exists a dearth of data on the scale of migration, it cannot be said that their lived realities or presence in the economy are unknown. Especially in the context of the pandemic, the Centre for Sustainable Employment at Azim Premji University compiled a database which notes numerous sources of data highlighting the debilitating conditions migrant workers faced during this period. The issue here is not merely knowing the scale of their presence but it is also the deeper question of recognition, intent and implementation of policies for the welfare, for a class which so far has been the backbone to provide cheap and disposable labour. Prior to the pandemic, issues of subordination and unequal integration of migrant labourers as a class of workers have existed. Literature emerging from both academic and civil society groups have continually pointed to the marginalised position of migrant workers due to the subordinate access to resources that migrant workers have in the destination states vis-à-vis the general work pool in cities. In many destination states, migrant workers have relatively lower wages, degree of security, and lower bargaining power because of lack of contracts, sub-contracting, and minimal inroads to collective bargaining opportunities.

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While migrant workers have the constitutionally guaranteed right to move, reside and work across the country, their presence in the city remains peripheral because of the strong sedentary bias in the policy imagination of the State. Report by Aajeevika and ODI highlight that even when migrant workers have entitlements, their ability and position to claim these are unfavourably skewed against them.

Further, this dispossession to their rights is not merely a character of their presence in the informal economy, as circular migrants undertake these opportunities not only as a survival strategy but also a livelihood improvement and growth strategy. Here being part of the informal sector doesn't translate to the informal migrant workers dissociation with the state or labour laws. Instead, many migrant workers fall both under the mandate of social protection schemes such as the Unorganised Sector Workers Social Security Act, 2008 and the Inter-State Migrant Workman Act, 1979; which grants them due recognition and claims as workers. However, it is the actualisation of these policies alongside the need for recognition of migrant labourers as workers in other state policies which results in their invisibility in the development discourse of the country.

Going forward, there is a need for recognition and inclusion of migrant workers in the policy imagination. Prior to and during the pandemic, the State response has been to band-aid new and old wounds which mar the lives of informal workers. However, in order to bring about a concrete and positive change in the lived realities of migrant workers, policies at both the level of the states and Centre need to holistically account for this class of mobile workers. The underlying terrains of class bias, where the socio-economically disadvantaged groups are penalized across the yardstick of mobility needs to be re-evaluated. The pressing need of the hour is for the state to recognize what went down during the pandemic and address it for the better with the new labour codes. As it currently stands, we are at a brink of repeating the same mistake twice – by changing policies without acknowledging the distinct realities that migrant workers as a mobile category face. While the current State undertaking of simplifying the labour laws might warrant administrative ease of application and jurisdiction of applicability of rules, at present it falls far from making any redeemable change for migrant workers who have been pushed to the brink of their existence this year. Remoulding statutes of labour legislation without accounting for actual practices of subcontracting and astronomically low figures of registration, deems to perpetuate the same cycle of subordination and invisibility for migrant workers in destination states as they currently exist.

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### About the author:

**Harshita Sinha** is a PhD Candidate at the Department of International Development at the London School of Economics (LSE). Her research looks at migrant workers experiences of precarity in the Indian Informal Economy. She holds an MRes and MSc. in Development Studies and her areas of interest are migration regimes, gender, informal economy and South Asia. You can follow her on Twitter at @Harshita\_Sinha1.