Migration Policy: Where Do We Stand?

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INTRODUCTION

Migration research and policy address internal and international migration separately as two independent disciplines drawing on different literature, concepts, methods and data sources. One of the reasons why the linkages between the two forms of movement have been ignored is the way in which researchers have dealt with the subject. The word migration has always been associated with international migration, while internal migration has been subsumed under such terms as population distribution (United Nations, 1998) or urbanization (Skeldon, 2006). Studies on internal migration have focused largely on ‘rural–urban movements and processes of urbanization in developing countries and on movements between regional labour markets’ within the more developed economies, with little or no connection to the discourse on international migration (DeWind & Holdway, 2008).

Furthermore, internal migration tends to be less documented than international migration, and in some cases, it has also been considered as an obstacle to development that needs to be restricted and controlled (Dang, 2003). Very little attention has been given to the formulation of policies on internal migration and ‘those working on international migration seldom consider internal migration as relevant to their interests, and vice versa’ (Hugo, 2016). This may be related to the ‘ambivalent’ nature of international migration, which presents challenges to both countries of origin and destination. Internal migration, instead, is more associated with concepts of nationalism and citizenship, and despite the larger

* The authors are grateful to Dr Arvind Pandey and Ms Annarita Imbucci for their research assistance.
number of internal migrants, is of less concern to policymakers (Skeldon, 2006). Often, internal migrants are ‘invisible’ (DFID, 2003) to the eyes of policymakers despite the immense potential of internal migration to contribute to development.

This chapter attempts to provide an overview of the interlinkages between internal and international migration, particularly on their convergence and divergence. The following section draws upon the case of India and data from the 2011 Census to understand the migration trajectories, and it provides an overview on the role of migration in national development plans to assess where India stands as regards to its migration policy. It also touches upon India’s three-year action agenda recently developed by the National Institution for Transforming India (NITI) Aayog. The last section of the chapter draws on the Migration Governance Index (MGI) and its five policy domains that India can potentially draw from.

Interlinkages between Internal and International Migration

The different perspectives presented by academics and researchers over the course of time show how the two forms of migration are related and where they converge or diverge as regards to their effects on development. Skeldon (2006) defines the two migratory processes as ‘different spatial responses to similar forces’. The thrusts for both ‘internal and international voluntary migration can be accounted in the disparity of opportunity between source and destination’. In other words, the drivers of both internal and international migration are similar—‘lack of adequate opportunities at source or availability of better opportunities at destination’ (Srivastava & Pandey, 2017). DeWind and Holdaway (2008) state that although internal and international migrants are often motivated by similar forces and may be linked with one another, whether or not their mobility can be an effective tool for economic growth and to fight poverty only if appropriate policies are developed and migrants—internal as well as international—are protected from abuse and exploitation. Yet, internal migration is barely mentioned in key policy documents that provide a framework for poverty reduction and development strategies in developing countries (IOM, 2005). Policies on internal migration in particular require a high level of collaboration among different ministries, as internal mobility impacts multiple sectors, such as agriculture, rural development, labour, urban development, healthcare, education, housing and social welfare. Authors like Deshingkar (2005) recognized this challenge by stating that ‘migration as a policy field represents the special problem of being at once everyone’s concern and also nobody’s concern’ and that internal migration is ‘an administrative and legislative nightmare, it crosses physical and departmental boundaries confusing rigid institutions that are not used to cooperating with each other’ (Deshingkar & Grimm, 2005). Policymakers need to take a more holistic approach as internal migration policies cannot and should not be the responsibility of one sector or one ministry alone. Policy analysts have created the concept of ‘joined-up policy making’ or ‘whole-of-government approaches’ to address this challenge (Castles, 2004).

Most writings converge on the view that mobility can be an effective tool for economic growth and to fight poverty only if appropriate policies are developed and migrants—internal as well as international—are protected from abuse and exploitation. Yet, internal migration is barely mentioned in key policy documents that provide a framework for poverty reduction and development strategies in developing countries (IOM, 2005). Policies on internal migration in particular require a high level of collaboration among different ministries, as internal mobility impacts multiple sectors, such as agriculture, rural development, labour, urban development, healthcare, education, housing and social welfare. Authors like Deshingkar (2005) recognized this challenge by stating that ‘migration as a policy field represents the special problem of being at once everyone’s concern and also nobody’s concern’ and that internal migration is ‘an administrative and legislative nightmare, it crosses physical and departmental boundaries confusing rigid institutions that are not used to cooperating with each other’ (Deshingkar & Grimm, 2005). Policymakers need to take a more holistic approach as internal migration policies cannot and should not be the responsibility of one sector or one ministry alone. Policy analysts have created the concept of ‘joined-up policy making’ or ‘whole-of-government approaches’ to address this challenge (Castles, 2004).

The essays in the volume on Research and Policy Perspectives on Internal and International Migration (DeWind & Holdway, 2008) provide ample evidence from various regions on how the livelihoods of many rural families depend on both internal and international migration. Both processes contribute to an increase in their income and reduction of poverty. Although international migration
offers higher level of returns, domestic remittances are also an important source of income for migrant households, as research in several Asian countries has demonstrated (Deshingkar, 2005; Srivastava & Pandey, 2017). A study by Chellaraj and Mohapatra (2014) concluded that both ‘internal and international remittances have a poverty-reducing effect and are associated with higher household expenditure on food, health and education’. In India, for example, the household remittances sent by internal migrants in 2007–2008 were twice those of the household remittances sent by international migrants for the same period (Bhagat, 2014; NSSO, 2010). Remittances not only improve creditworthiness of internal migrants but are also crucial when it comes to repayment of debts, investments and offsetting social costs for marriage, festivals and various ceremonies (Deshingkar, 2005).

Internal and international migrants, families and their networks are often linked with one another, and they share resources both within and across national borders (Deshingkar, 2005). Also, it is much easier for migrants to move internally and establish networks that can play an important role in gaining access to employment locally as well as overseas. It is also less costly and poses fewer risks than crossing international borders. Skeldon (2006) observes that internal migration is a precursor to international migration in Asia with the movement of workers from largely rural hinterland areas to transit zones which are the launching points for international labour migration. Migration from rural to local areas and then to international cities and onwards to locations of secondary settlement is a chain process, which generates a series of employment opportunities for further waves of internal and international migrants (Hugo, 2003; Skeldon, 2006). Internal migration preempts international migration, and often, it is hard to distinguish internal migrants from international, especially where border shifts are unclear or porous (Koser, 2007).

Research findings on the urbanization—construction—migration nexus in five cities of South Asia, including Chennai, India, indicate that the policy challenges faced by internal rural–urban labour migrants, for example in the construction sector, are different from those experienced by international labour construction migrants. In both instances, they experience wage exploitation, health and safety violations and poor living conditions. However, not only is there more data available on the latter but ‘nation-states are less able to absolve themselves of their responsibility to their citizens abroad. In comparison, the State is largely absent in honouring its responsibility to internal rural-urban construction migrants’ (Kumar & Fernandez, 2015).

In sum, mobility can have positive outcomes in terms of economic development and poverty reduction for families, communities, regions and nations. However, migration policies need to pay sufficient attention to both internal and international migration as part of an integrated process rather than dealing with them in isolation as two distinct entities. International and internal migration can be ‘alternative strategies open to potential migrants or one can substitute for the other’ (Hugo, 2016). Indeed, internal migration is as relevant to development as international migration is, it deserves more policy attention than it has received to date, as it is likely to grow at a faster rate than international migration and ‘shape migration policy in the future’ (Koser, 2007).

The Case of India: What Does the Census Data Tell Us?

It is evident that migration is a defining feature of the 21st century and an increasingly important issue for India, as a country of origin, transit and destination that accounts for 469 million migrants—both international and internal. India has the largest diaspora population in the world followed by Mexico and
Russia. It is also the world’s largest recipient of remittances second only to China. Over the years, India’s emigration policy has evolved and the country has put in place several initiatives to engage with its diaspora. However, despite the large number of internal migrants in India, very little attention has been given to the formulation of policies on internal migration compared with international migration. Issues surrounding immigration into India have received even lesser attention over the years with an almost exclusive focus on migration. More importantly, migration has not been cohesively woven into the national development plans and vision of the country.

Drawing on the 2011 provisional Census data available, India accounts for about 453 million internal migrants and 28 million\(^1\) international migrants. Within its territorial borders, India witnesses extensive migration between different states and districts. About 37.5 per cent of the country’s population accounts for total migrants, having risen by 44 per cent over the decade of 2001–2011. Male migration rate has remained relatively constant. However, as illustrated in Table 50.1, female migration rate has shown a sharp increase.

Till 1991, internal migration rate consistently declined while the 1990s saw a reversal of the trend. The pattern is same in both rural and urban areas. Provisional figures from the recent census show a high increment in the total due to an increase in both rural and urban migration rates. However, urban migration rates are higher than rural migration and female migration rate is much higher than male migration rate (Table 50.2).

The migration rates based on the National Sample Survey (NSS) also support the trend presented by the Census, showing that migration rate in India increased after 1991. The stagnant growth rate in agricultural and non-farm employment sectors, increasing rural–urban and regional inequality in terms of employment, wages, healthcare and educational facilities are some of the prominent factors highlighted by scholars in India for the increase in the internal migration rate (Mahapatro, 2012; Parida & Madheswaran, 2010; Srivastava, 2012a). Also, these factors are mainly associated with the economic

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**Table 50.1 Internal Lifetime Migrants in India by Gender and Residence (in Percentage), 1971–2011**

<table>
<thead>
<tr>
<th>Census Year</th>
<th>Total (Persons)</th>
<th>Rural (Persons)</th>
<th>Urban (Persons)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Males</td>
<td>Females</td>
<td>Males</td>
</tr>
<tr>
<td>1971</td>
<td>30.60</td>
<td>18.90</td>
<td>42.80</td>
</tr>
<tr>
<td>1981(^a)</td>
<td>30.30</td>
<td>17.22</td>
<td>44.30</td>
</tr>
<tr>
<td>1991(^b)</td>
<td>26.75</td>
<td>13.96</td>
<td>40.53</td>
</tr>
<tr>
<td>2001</td>
<td>30.07</td>
<td>17.04</td>
<td>44.05</td>
</tr>
<tr>
<td>2011(^c)</td>
<td>37.47</td>
<td>22.62</td>
<td>53.23</td>
</tr>
</tbody>
</table>

Source: Computed from Migration Tables, Census of India (1971–2011).

Notes: Unclassified migrants are included in total, urban and rural figures.

\(^a\) The figures for 1981 do not include Assam as the Census was conducted in Assam in 1981.

\(^b\) The figures for 1991 do not include Jammu and Kashmir as the Census was not conducted in Jammu and Kashmir in 1991.

\(^c\) Provisional figures. The 2011 data is for total migrants because internal migration figures are not available.

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\(^1\) To be noted that MEA defines Indian diaspora comprising people of Indian origin and non-resident Indians, while the UN International Migration Report, 2017 estimates that 16.8 million people (equal to 1.17% of the population of India) lived outside the country in 2017, based on the stock of international migrants calculated using the national statistical data.

International migration from India witnessed a similar growth trajectory as that of internal migration registering a sharp increase since 1990 when total emigration from India was around 7 million, representing 4.40 per cent of the total international migrants’ stock, globally. However, it increased to 7.9 million in 2000 and 16.8 million in 2017. In other words, between 2008 and 2017, the percentage share of international migrants from India increased from 4.60 per cent to 6.39 per cent (Table 50.3).

Both internal and international migration have resulted in an increase in remittance flows. Based on migration schedules of the 49th and 64th rounds of NSS, the 2001 Census and the Reserve Bank of India (RBI) data, Tumbe (2011) estimated that in 2007–2008, the domestic remittance market was nearly $10 billion. He further noted that 80 per cent of remittances were directed to rural households, which constituted only 10 per cent of rural India. Also, 30 per cent of remittances received by rural households were used in consumption expenditure. Since the 1990s, the dependency on remittances has been high in Uttar Pradesh, Bihar and Rajasthan. Indeed, remittances are a source of regional inequality because only top 25 per cent households received half of the domestic remittances. In China, only 25 per cent remittances are channelled through informal ways. However, in India it is around 70 per cent, which suggests that there is a huge opportunity available for financial institutions in India to formalize the remittance receiving mechanism. A total of 40 per cent international remittances are received by three states only, namely Kerala, Punjab and Goa.

Furthermore, it may be noted that India is the largest recipient of international remittances in the world (World Bank, 2015). According to RBI, the total private transfer to India was $43.5 billion in 2007–2008. Family maintenance (50%), followed by the local withdrawals/redemptions of deposits of non-resident Indians (43%) and personal gifts/donations to charitable/religious institutions in India (6%) were three main heads in which the remittances were classified (RBI, 2010).

As regards, intrastate and interstate migration, the estimates from NSS 2007–2008

### Table 50.2 Total Internal Migration in India by Gender and Residence (in Percentage)

<table>
<thead>
<tr>
<th>NSS Rounds</th>
<th>Total Persons</th>
<th>Rural Persons</th>
<th>Urban Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Males</td>
<td>Females</td>
<td>Males</td>
</tr>
<tr>
<td>55th Round (July 1999–June 2000)</td>
<td>26.29</td>
<td>41.87</td>
<td>24.06</td>
</tr>
<tr>
<td>64th Round (July 2007–June 2008)</td>
<td>28.32</td>
<td>46.98</td>
<td>25.90</td>
</tr>
</tbody>
</table>

Source: Computed from unit level data of NSS 49th, 55th and 64th rounds.

### Table 50.3 International Migrants from India (1990–2017)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Emigrants in the World</th>
<th>Emigrants from India</th>
<th>Percentage Share of Emigrants from India in World</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>152,563,212</td>
<td>6,717,390</td>
<td>4.40</td>
</tr>
<tr>
<td>2000</td>
<td>172,703,309</td>
<td>7,952,368</td>
<td>4.60</td>
</tr>
<tr>
<td>2010</td>
<td>221,714,243</td>
<td>13,286,337</td>
<td>5.99</td>
</tr>
<tr>
<td>2015</td>
<td>243,700,236</td>
<td>15,575,724</td>
<td>6.39</td>
</tr>
<tr>
<td>2017</td>
<td>257,715,425</td>
<td>16,587,720</td>
<td>6.44</td>
</tr>
</tbody>
</table>

Source: Computed from International Migrant Stock, 2015, United Nations’ Department of Economic and Social Affairs.
show that 87 per cent migrants were intrastate migrants and the remaining 11.57 per cent were interstate migrants. The percentage share of international migrants was insignificant compared with that of intrastate and interstate migrants.

As Figure 50.1 shows, among the union territories (UTs), the highest percentage share of interstate migrants was in Chandigarh, followed by Delhi, Daman and Diu and Pondicherry. However, Goa, Arunachal Pradesh, Punjab, Haryana, Uttarakhand and Maharashtra are the states in which percentage share of interstate migrants was high. One of the reasons for the high percentage share of interstate migrants in UTs may be the existence of military bases (cantonment boards) because of which male selective migration is very high in these UTs. However, the high percentage share of interstate migration in Punjab and Haryana can be explained by the high share of agricultural and industrial workers moving here from neighbouring states. The reason for interstate migration in Delhi, Maharashtra and Gujarat can be linked to the economic development of these states which has historically been higher than other states. These states attract migrants in search of better opportunities from backward regions.

Given India’s vast socio-economic and cultural diversity, internal migration is quite heterogeneous in character. People from different backgrounds migrate for different reasons. On an average, people from higher socio-economic groups migrate to cities/urban centres for better jobs/employment and to enhance their educational skills. Scheduled Castes (SCs) and Scheduled Tribes (STs), on the other hand, migrate primarily as a part of survival strategy to cope with poverty and landlessness. Often, they are more involved in seasonal migration as compared to other groups. It is well documented in many microstudies (Deshingkar, Sharma, Kumar, Akter & Farrington, 2008; Mosse, Gupta & Shah, 2005) and is also reflected in the NSS data, the only official source which captures seasonal/short-term migration, that this is one of the most significant forms of survival strategies adopted by the poorest sections of rural India. According to the last two rounds of NSS on migration, the total volume of seasonal migrants in India was 10.8 million in 1999–2000, which increased to 13.6 million in 2007–2008 with a slight change in definition of the term. Studies based on secondary data sources (Keshri & Bhagat, 2010, 2012; Srivastava, 2012a) also show that propensity of seasonal migration is more among SCs and STs, illiterate and the less educated who belong to the poorest strata of society with limited assets and resources. These results are further substantiated by microstudies based on field surveys (Deshingkar & Farrington 2009; Mosse et al., 2005; Rogaly et al., 2001). The National Commission of Rural Labour and field studies indicate that magnitude of seasonal migration in India is very high and NSS underestimates the total volume of seasonal/short-term migration.

Many studies (Connell, Dasgupta, Laishley & Lipton, 1976, Kundu & Saraswati, 2012; Srivastava, 2012a) have further shown that people from adult age groups migrate more compared with other age groups. Female migration is higher compared with male migration as it is related to marriage migration. However, there are studies (Shanthi, 1991, 2005) that indicate that secondary data largely underestimates employment-related female migration. Micro-level studies (Neetha, 2003) show that the volume of female migration for employment-related reasons, especially as domestic maids and in care sectors, is increasing. Also, the highly educated and the least educated have high migration rates but the propensity to migrate seasonally is more among illiterates (Connell et al., 1976; Rogaly et al., 2001). This can also be attributed to the caste to which a migrant belongs. The same type of relationship is found with respect to land and consumption expenditure. A clustering of migrants is found at both high and low ends of landholders and levels of consumption (Connell et al., 1976; Pandey, 2015). However, the share of migrants from the poor strata of
Figure 50.1  Intradistrict, Interdistrict and Interstate Migration

Source: Computed from unit level data of NSS, 64th round.

Note: The share of interstate migration is provided in the figure in ascending order.
society is more in short-distance (intradistrict) category (Pandey, 2015) because long-distance (interstate) migration requires certain amount of resources and networks (Srivastava, 2012a).

**Does India Have a Comprehensive Migration Policy?**

Given the magnitude in terms of numbers and the changing profile of migration trajectories at the regional, subregional and national levels, including intrastate and interstate movements, there is a growing need for appropriate policy responses to manage both internal and international migration. Policy instruments and national schemes developed thus far have been inadequate. They do not meet fundamental human rights of the migrants as enshrined in the Constitution of India, especially when it comes to ensuring access to basic services. Moreover, migration policy has not been approached in a coherent manner. There are major gaps and implementation challenges. Many migrants, particularly those in low-skilled jobs, are exposed to several vulnerabilities and exploitation. Female migrants in particular are highly vulnerable and face double discrimination as victims of gender-based violence, physical and psychological abuse, exploitation and trafficking (UNESCO, 2011).

**International**

The Emigration Act, 1983 is the only legal instrument that deals with emigration matters and emigrants’ welfare. The Act replaced the colonial-era Immigration Act of 1922 whose objective was, primarily, to regulate the recruitment of the unskilled agricultural workers. It mainly addresses temporary and contractual migration, especially of low-skilled migrants through recruitment laws which demand the registration of recruitment agencies and provides grievance redressal mechanisms (Srivastava & Sasikumar, 2003). The 1983 Act is ‘outdated; it is a policy that originally was applicable to all emigration from India but today, by executive order, stands restricted to just 17 countries and to emigrants that have less than class 10 educational qualifications’ (Singh & Rajan, 2016).

As a result of exploitation and abuse of female workers overseas, the government introduced an age criterion and restricted mobility of low-skilled female domestic workers below the age of 30 years. This led to many women resorting to risky and irregular means to migrate. Consequently, this ‘mandatory restriction irrespective of the nature/category of employment’ reduced the possibilities for legal migration and led to an increase in irregular migration of women (Thimothy & Sasikumar, 2012). In addition, some ‘State Governments selectively introduce their own regulations often based on moral judgment and continue sending women to the Gulf’. In short, the notion of ‘emigration clearance’ falls far short of meeting its objective of protection (Kumar & Rajan, 2014; Rajan, Varghese & Jaykumar, 2011; Varghese & Rajan, 2011). There have been several calls for revision of the Emigration Act, particularly after a number of abuse cases that came to light from the Gulf Cooperation Council (GCC) region, involving the indiscriminate practices of the private and irregular recruitment agents (Kanchana, 2016, 2018; Rajan & Joseph, 2013, 2015; Rajan, 2015). Critics point out that the legislation has, in a nutshell, ‘reintroduced the colonial mechanism of discrimination in the guise of protection’ (Rajan, 2016). The government is currently revising the Emigration Act which will be shared shortly with various stakeholders to solicit their views.

Another aspect that needs closer review, given the changing dynamics of international migration, is the role of the states in facilitating migration. Whilst prescribing to the Emigration Act in principle, there is substantial scope for state governments to set their own direction in relation to labour migration for both local and overseas employment as well
as connecting with their diaspora. Given the size and diversity of the population in India, as well as a move towards greater decentralization, there is an increased interest among a number of states to compete for a share in the overseas labour markets. State-level policymaking and strategizing in these areas, targeting non-resident nationals has gained momentum. For example, the state of Kerala, with a long history of migrant workers going to the Gulf since the 1970s, has established the Non-Resident Keralites’ Affairs Department to support the welfare of the non-resident Keralites. The department is currently developing an institutional framework to build and promote the livelihood competencies and marketable skills of migrants who have been forced to return to the state. Telangana is in the process of establishing a Centre for Non-Resident Telanganaites’ Affairs to handle the issues of non-resident Indians (NRIs) from Telangana. The focus of the policy would be on the welfare of overseas workers and the Indian diaspora. Other forms of schemes for the welfare of overseas workers include the Pravasi Bharatiya Bima Yojana, which consists of a mandatory insurance scheme that covers work-related travel and travel for death or permanent disability, and the Mahatma Gandhi Pravasi Suraksha Yojana, which provides pension and life insurance cover against natural death as well as a contribution for return and resettlement. All schemes should be fully portable and the central government should enter into agreements with the state governments to ensure that the benefits continue to accrue to migrant workers. The government passed a legislation on social security for unorganized workers, however, it was fragmented and piecemeal and fell far short of the universal proposals presented by the Commission (UNESCO, 2011).

**Internal**

India is the only country in South Asia which has a distinct legislation on internal migration, the Interstate Migrant Workmen Act, 1979, to protect its interstate migrant workers. This Act applies to every establishment/contractor employing five or more interstate migrant workers before they trigger additional challenges.

The central government has launched several initiatives for the benefit and welfare of overseas workers and for the Indian diaspora. The eMigrate Online system, for instance, was designed by the Ministry of External Affairs to facilitate emigration of Indians for work-related purposes. Under the project, the Protector General of Emigrants, the Protectors of Emigrants, Indian missions, employers, recruiting agents, emigrants, insurance agencies and passport system of the Ministry of External Affairs (MEA) are linked electronically on a common platform to provide a transparent and accessible service.

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2 Kerala shows an increasing number of returnees, up to 1.16 million in 2008, 1.15 million in 2011 and 1.25 million in 2014.
workers, and is aimed at regulation of recruitment and working conditions of migrant workers’. It has provisions regarding wages, entitlements and amenities to be provided, including provision of suitable housing and the role of inspectors to oversee and monitor its implementation. However, the law is poorly implemented and most interstate migrants in India are not aware of its basic principles (Srivastava & Pandey, 2017). Many studies converge on the view that the existing legislations are biased towards the formal and organized sector and the 1979 Act is ‘obsolete and hardly enforced anywhere’ (Borhade, 2012; Srivastava, 2012b). There is no state machinery to operationalize the basic provisions of the Act which require registration of migrant workers by the contractors and the employers who bring them for work from another state, and therefore, a large section of migrants are excluded from its ambit.

The Act does not monitor unregistered contractors and establishments. It does not address access to social protection of migrants, their right to the city and the special vulnerabilities of children and female migrants. It remains silent on provision for crèches, education centres for children and mobile medical units for the migrant workers. Lastly, it does not provide any guidelines for interstate cooperation. The multiple labour supply chains and intermediaries are among the reasons cited for lack of implementation of these provisions (UNESCO, 2011).

Although ministries have established regulations and schemes primarily in support of organized and unorganized migrant workers, implementation is weak with limited impact and a comprehensive policy on migration is yet to be formulated.

Evaluations of different rural development programmes on common property resource management, watershed management and agricultural development have underlined how the different existing schemes in reality are aimed at reducing migration flows through employment creation and resource regeneration (Kundu, 2003). The recent report of the Working Group on Migration (2017) also pointed out how schemes such as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in rural areas and the rural housing scheme—the Prime Minister’s Awas Yojana—Rural—can be seen as strategies to mitigate push factors and rural out-migration but do not constitute an integrated migration policy approach.

Notwithstanding, the government should recognize the contribution of internal migrants, especially their role in sustaining and building India’s economy and provide them with adequate living conditions, access to healthcare and education, minimum wages and freedom from exploitation and harassment. More importantly, the links between internal migration and development and the need to follow an integrated rights-based approach must be promoted.

### Mainstreaming Migration in National Development Plans

As observed by Kundu (2003), until the Sixth plan (1980–1985), India had not developed any policy on migration. Migration was covered under the framework of urbanization, with polices aimed at decreasing the rate of rural–urban migration or facilitating out-migration. In addition, as a result of the growing concern around urbanization, the National Commission on Urbanization was established in 1988 which encouraged growth in non-metropolitan centres through formation of cities generating economic momentum and spatial priority urbanization regions. These growth centres were promoted to channelize migrants into them, thereby restricting migration to existing metropolitan centres.

The Integrated Development of Small and Medium Towns scheme, launched under the Sixth plan, was not only a valid instrument for the development of small and medium towns but also a strategy to discourage migration to larger towns and cities. Within the same approach of diverting migration to
metropolises, the Seventh Plan (1985–1990) declared that private and public industrial investment needed to be channelized in the vicinity of small and medium towns, as urban development and planning had to support the economic development of the country. The Eighth (1992–1997) and Ninth (1997–2002) Plans were also aimed at reducing rural–urban migration by enhancing work opportunities and minimum wages in rural areas. Under the Ninth Plan, the Employment Assurance Scheme and Rural Electrification Programme were launched with this objective. In the 10th plan (2002–2007), the MGNREGA was launched. It aimed at ensuring legal entitlement to 100 days of work in rural areas resulting in a decline in the pace of rural–rural male migration and rural–urban migration (Chowdhury, 2011; Mahapatro, 2012).

The 11th Plan (2007–2012) was the first plan that gave greater attention to migrants’ rights and their conditions. In addition, the Village Grain Bank Scheme provided safeguards against starvation during the lean periods in chronically food-scarce areas. The 12th Plan (2012–2017) included elements aimed at preventing migration by encouraging the rural non-farm sector and the development of \textit{khadi} and village-industry products. It also recommended a number of policies/initiatives to make the transition for migrants smoother, for instance, by strengthening the expansion of the Kasturba Gandhi Balika Vidyalaya in urban areas.

In January 2015, the NITI Aayog replaced the Planning Commission and was directed by the Prime Minister’s Office to prepare a 15-year Vision, 7-year Strategy and 3-year Action Agenda to recommend policy changes and programmes for action from 2017–2018 to 2019–2020, representing the last three years of the 14th Finance Commission. The Vision, Strategy and Action Agenda (2017) was indeed a departure from the five-year plan process.

In order to fast-track the reforms, the three-year action agenda came up with far reaching proposals for policy changes aimed at achieving all-round development of India and its people. Promoting the young skilled workforce as India’s key asset and setting up of the Overseas Employment Promotion Agency (OEPA) at the national level under the auspices of the MEA were among the immediate priorities. Not only would OPEA serve as the nodal agency for identifying potential partners around the globe, it would also outline areas where skill gaps existed, including establishing bilateral agreements or memorandums of understanding (MoUs) with other countries. OPEA was also made responsible for streamlining the efforts of the India International Skill Centers being set up across the country.

In addition, the action agenda called for formulating a diaspora strategy to engage NRIs in short-term assignments aimed at skills development and in other areas which would contribute to India’s development. The agenda also called for setting up dedicated communication channels with the Indian diaspora to ensure effective promotion of the opportunities that exist in India.

Furthermore, the action agenda called for ‘encouraging entrepreneurs and researchers from around the world to develop, design and build products in India as this would encourage integration of knowledge and propel job creation as well as improve the quality of domestic skills’. Complementing this, is setting up of a centralized system for granting entrepreneur visas based on criteria which include novelty in the technology sector, job creation potential and ease of dissemination of the product/service, among others. International centres to facilitate document verification, including a guidance mechanism, are also recommended by the action agenda.

The action agenda, indeed, is a significant step forward for India but there are many lessons it can draw upon. As pointed out by the Global Commission on International Migration (GCIM) report, globally there are indeed ‘many contradictions, constraints and challenges in existing migration policies’. There exist:
negative attitudes towards migrants in some parts of the world despite the fact that entire sectors of the economy depend on foreign labour. States which had ratified the core UN human rights treaties were not implementing the provisions of those legal instruments as a result many migrants continue to experience exploitation, discrimination and abuse. Some Governments admitted considerable number of migrants into their country, but failed to invest in the integration process required for migrants to realize their potential and make a positive contribution to their new society. At the same time, certain migrants did not respect the laws of their host countries, and, as recent events have shown, can also pose a serious threat to public security. (GCIM, 2005)

Towards an Integrated Rights-based Policy Approach?

Against such a backdrop, it is important to understand how India as a country with the largest diaspora population in the world after Mexico and Russia, and the second largest receiver of remittances after China, can progress towards a more holistic, integrated rights-based approach in managing migration. Is there an appropriate policy framework and/or policy instrument that India can build on and contextualize to its local situation? What is the role of state governments in managing both internal as well as international migration?

It may be argued that India should strive towards developing a comprehensive integrated rights-based approach that brings internal and international population movements within a single mobility framework. It is evident that the contribution of internal migration is as relevant to development as international migration. Large gains to human development can only be achieved by ‘lowering the barriers to movement within and across borders and improving the treatment of movers so as to expand human choices and freedoms’ (UNDP, 2009). Moreover, well-managed international migration does not on its own lead to a national human-development strategy but policymakers need to design and implement migration policies according to their national and local circumstances. In the same vein, bilateral and regional agreements are equally important and can have significant impact on migration flows (UNDP, 2009). In short, how structural factors affect mobility in future will very much depend on the national migration policies that are in place at that time.

This chapter draws upon the MGI framework to make recommendations across five policy domains identified as the building blocks of effective migration governance. MGI’s key objective is to assist countries in developing migration policies across a comprehensive set of domains so that countries are able to assess where the gaps exist and what areas may need improvement. This section highlights the five policy domains along with country examples that can be adapted to the Indian situation.

Institutional Capacity

The first policy domain that the MGI highlights for developing a robust migration governance system is the need for institutional capacity which implies that there should be a ‘lead’ institution responsible for forging coherence, coordination and collaboration

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3 The MGI was born out of an appreciation for connections between development, migration, governance and metrics. Commissioned by the International Organization for Migration (IOM) and designed by the Economist Intelligence Unit, it aims to provide a consolidated framework for evaluating country-specific migration governance structures and to act as a potential source for informing implementation of the migration-related SDGs. The MGI looks at 15 countries—selected to provide a broad representation of levels of economic development, type of migration profile (including receiving and sending countries) and geographic scope—and uses 73 qualitative questions to measure performance across five domains identified as the building blocks of effective migration governance.
across relevant governmental ministries and departments. Moreover, countries with the most advanced migration governance frameworks have well-established mechanisms that provide clear information in a ‘transparent’ manner for all migrants about the laws, regulations, visas and opportunities available in destination countries. Transparency is noted as ‘an essential marker of a comprehensive migration policy’.

In January 2016, the Ministry of Overseas Affairs, established in 2004, was merged with the Ministry of External Affairs, to ensure better synergies in dealing with matters pertaining to welfare and protection of Indian nationals abroad. The merger was in accordance with the government’s objective of maximum governance with minimum governmental interference. With this restructuring, the MEA became the lead agency. Importantly, Ministries of Housing and Urban Affairs (MoHUA), Rural Development, Health, Labour and Employment, Women and Child Development as well as Ministry of Skill Development and Entrepreneurship are all important stakeholders in the migration domain. There is a need for more coordination and collaboration among these ministries, particularly whilst developing policies that have a direct or indirect impact on migration.

The Government of India (GoI) has also stepped up its efforts on sharing information in the public domain. It has established portals such as eMigrate to curb fraudulent recruitment practices and to aid and assist workers in distress. Furthermore, the MEA has also launched the Videsh Sampark series to engage state governments in various programmes of the ministry.

Migrant Rights

The second policy domain measures access to basic social services for migrants, health-care services, education (primary, secondary and tertiary), family reunification and right to work, residency and citizenship. These ‘aspects determine a migrants quality of life and future prosperity’. In some countries, migrants are unable to access these basic services. In others, they may have access but lack of knowledge, fear, insecurity, and/or administrative factors (not being registered) prevent them from availing these services.

In India, efforts are underway but an integrated rights-based approach in policies and programmes is missing. Certain rights are available to Indian citizens as part of their constitutional fundamental rights guaranteed by Article 14 and Articles 20–28 to all persons, including foreigners, because of which they can access some services, such as right to elementary education. However, there are no clear guidelines related to access of other social services for all categories of migrants. The existing legislations are biased towards the formal and organized sector, and therefore, a large section of the migrant population, who are part of the informal economy, are often excluded and lack labour law protection, social benefits and have restricted access to public services.

Safe and Orderly Migration

The third policy domain MGI highlights ‘safe and orderly migration’, which is an integral component of effective and comprehensive migration management. This also includes ‘quality and efficiency of border control, return and reintegration support for migrants and measures to combat human trafficking and smuggling’. Some MGI-participant countries have made substantive efforts to improve the safety and orderliness of inward flows of distress-driven migrants. However, perspectives on return migration differ from country to country, leading to variations in the formulation of return migration-related policies and in the development and implementation of return programmes. Countries like Ghana, Morocco and Philippines have active systems in place to help reintegrate returning citizens.
In terms of managing its migratory flows, India has made great strides with the introduction of the first comprehensive draft of Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill by the Ministry for Women and Child Development. The Bill was approved on 28 February 2018 by the Union Cabinet to be presented in the upcoming session of the Parliament. It is planned to establish institutional mechanisms at district, state and central levels, responsible for prevention, protection, investigation and rehabilitation work related to trafficking. The National Investigation Agency would serve as the nodal authority for probing cases of human trafficking under the Ministry of Home Affairs. States like Andhra Pradesh, Bihar, Chhattisgarh, Goa, Jharkhand, Odisha, Tamil Nadu and West Bengal have formulated laws and policies to prevent human trafficking and protect and rehabilitate rescued women and children. All states have established Anti-Trafficking Nodal Cells with officers who collaborate with the Central government, share best practices and data and discuss issues related to trafficking (Hameed et al., 2010). However, India still needs to develop mechanisms on addressing international trafficking (foreign women being trafficked into India), where cross-border trafficking is rampant given the porous borders and lack of cooperation.

On return migration, whilst there is no comprehensive policy for return migrants in India, the GoI has entered into bilateral agreements with several destination countries that benefit from its workers. It has also put in place several policy initiatives aimed at fostering dialogue and cooperation with the diaspora as well as organized repatriation of its nationals aimed at ‘providing safety and security of Indian workers in conflict zones’ (Xavier, 2016). A few states, such as Kerala, Telangana and Andhra Pradesh, have started formulating welfare policies to reinstate returning migrants to better utilize their knowledge, experience and skills. Indeed, India needs to focus more on this component of migration policy. Most recently, in the wake of the killing of Indian workers in Iraq, the parliamentary standing committee has called for development of an appropriate legislative framework for prospective emigrants with emphasis on the safety and security of Indian workers in conflict zones (Statesman, 2018).

Labour Migration: Acceleration of Skill Development

The fourth policy domain assesses whether migration is a part of national development strategies and if labour markets are a key consideration in migration policy, particularly regarding decent working conditions for migrant workers. Adherence to international codes and standards is also essential. For many countries with ageing populations, young, productive and healthy migrants can make a meaningful contribution to their workforce.

A large number of emigrants from India are unskilled or semi-skilled contract labour. India established the National Skill Development Agency which is an autonomous body under the Ministry of Skill Development and Entrepreneurship. The main role of this agency is to anchor the National Skill Qualifications Framework and allied quality assurance mechanisms for synergizing skill initiatives in the country. It focuses on fulfilling the skill needs of the disadvantaged and marginalized groups. In particular, placement of youth, that represent the bulk of the skill dividend and are potential migrants, needs to be accelerated to complement ongoing programmes such as ‘Skill India’ and ‘Startup India’.

India has ratified many International Labour Organization (ILO) conventions (convention number C029, C100, C105 and C111) for the protection and welfare of its workers. There are many national laws related to prevention, protection and welfare of workers as well in India but there is only one law which is directly related to migrant workers—the Interstate Migrant Workmen
Act, 1979—which has been amply discussed in the previous section. These protection mechanisms are insufficient to protect the rights of migrants because of poor implementation and low level of awareness. A more robust, holistic and integrated approach is required to promote a productive workforce with decent working conditions.

**Regional and International Cooperation and Other Partnerships**

The fifth policy domain indicates that ‘productive, safe and harmonious migration can only be achieved if there is collaboration and cooperation among sending, receiving and transit countries’. This form of cooperation can contribute to strengthening of migration governance by aligning and raising standards, increasing dialogue among countries and providing relevant structures to resolve problems.

India, since 2003, has been participating in the Asia-based Colombo Process, which has contributed many concrete steps, such as amending legislations, creating new structures for managing migrant flows and signing bilateral agreements between migrant-sending and migrant-receiving countries. This was followed by the launch of the Abu Dhabi Dialogue in 2008 that brought together migrant-receiving countries and India has continued to participate in the regional dialogue. In 2016, the South Asian Association for Regional Cooperation (SAARC) developed a plan of action to ‘collaborate and cooperate on safe, orderly and responsible management of labour migration from South Asia to ensure safety, security and wellbeing of their migrant workers in the destination countries outside the region’. Despite the progress made, there remain many challenges related to human rights issues and protection of workers, and all participating governments, including India, need to improve the governance of contractual labour in countries of origin and destination.

**CONCLUSION**

To conclude, it is important to note that policymakers around the world need timely, reliable, accessible and comparable data on migration in order to manage migration effectively and protect the rights of migrants. Despite the growing importance of migration, data to characterize migration flows, monitor changes over time and provide governments with a solid basis for the formulation and implementation of policies is often lacking (UN, 1998). This often results in poorly designed policies and interventions and makes it much harder to identify and assist migrants in vulnerable situations.

The report of the Commission on International Migration Data for Development Research and Policy titled ‘Migrants Count: Five steps to better migration data’ calls for more censuses to include basic questions on migration, the need to use administrative data on international and internal migrants more extensively, to make better use of the migration data collected in labour force surveys, to integrate migration modules into existing household surveys and to make micro data from migration surveys and censuses publicly available.

In order to progress along the above policy domains, India has to embark on a more robust approach towards data collection, compilation and timely dissemination. Whilst a large amount of migration data is drawn from its population censuses, when released, it tends to be several years old. The census relies on a limited number of questions on migration, and thus, cannot provide disaggregated information required for a comprehensive policy analysis. From a technical perspective, there are many challenges given the dynamic nature of migration. The census does not capture or present estimation on undocumented and irregular migrants. International and internal migrants returning home or engaging in circular migration is another set of data that is completely missing. Similarly, data on forced
labour and exploitation and trafficking of women and children, internally as well as internationally, is usually maintained by ministries and is not captured in the census data to be shared with policymakers and researchers. Often, usage of different definitions and timelines makes comparisons problematic.

The inclusion of migration indices in the Sustainable Development Goals (SDGs) further implies that India needs to improve its data collection and analysis on internal and international migration as well as disaggregate data on the basis of migratory status to not only measure progress but also to ensure a more inclusive approach. It is also important that migration is mainstreamed across different states and ministries to ensure a whole-of-government approach is applied to migration issues. Lastly, there is a need to develop a coherent national policy framework that can facilitate migration by choice and provide protection to vulnerable migrants through political, economic and legal measures to ensure that nobody is ‘left behind’ in the development process, as called for by the 2030 development agenda, given the trend of exclusionary urbanization in recent decades.

REFERENCES


