



## IMPROVING SOCIAL PROTECTION PORTABILITY FOR MIGRATION-AFFECTED CHILDREN

### Snapshot of recommendations

#### 1. Broad thrusts

- Enabling continuity in education for migrant children.
- Facilitating portability in access to maternity benefits for migrant women.
- Creating systems for interstate migrants at destinations to access social protection, and ramping up registration.
- Strengthening and harmonizing existing data collection systems to enable real-time availability of disaggregated data on migration.

#### 2. Actionable recommendations

- Facilitating education interventions for migrant children through year-round admission, seasonal hostels at source, or direct cash transfers for kinship-based home care.
- Setting up on-site alternative learning schools and Anganwadis in remote areas where migrants live in workplaces.

- Extending PDS coverage for vulnerable migrants without ration cards or any forms of registration.
- Extending the Mukhyamantri Jana Arogya Yojana (MJAY) to in-migrant families.
- Leveraging relationships between Civil Society Organizations (CSOs) and the Labour Department to engage employers to increase registration.

#### 3. Future directions

- Creating migration cards for tracking of children and pregnant mothers.
- Empowering the employment commission as a nodal body on migration to collect data and coordinate across departments.
- Extending skill-mapping exercises beyond formal experiences for jobs using the Sewa Mitra Platform.
- Establishing bilateral arrangements with destination states to enable the portability of state schemes beyond the state.
- Rolling out an urban employment support programme in the state.

In the aftermath of the COVID-19 national lockdown in March 2020, India saw the mass movement of an estimated 11.4 million migrants back to their home states. Many more remained stranded at worksites and destination cities, and experienced hunger, indebtedness and sickness. The vulnerability of migrants was substantially exacerbated by their inadequate incorporation in social protection mechanisms, which have consistently failed to recognize circular and seasonal mobility patterns, despite being aimed at reducing the vulnerability of the poor. In particular, portability mechanisms that allow migrants to access entitlements across locations have remained inadequate.

The incorporation is more unequally skewed against women and children of migrant households. Pre-existing normative notions reinforce the already underrepresented migration of women and children through the silos of trafficking, marriage and associational migration, thereby underestimating them as beneficiaries in the social welfare infrastructure. Moreover, women have not been adequately enumerated as workers.

With reference to UNICEF's social protection framework, which aims to be shock responsive, the study investigates migrant incorporation and portability of benefits for social protection schemes that impact children directly, related to nutrition, maternal and antenatal care, immunization, primary healthcare and education. It also investigates food security, employment guarantee and worker welfare schemes that help migrant households cope with shocks, especially in the context of COVID-19. Based on qualitative data collected from five states (Chhattisgarh, Gujarat, Maharashtra, Odisha and Uttar Pradesh), the study documents challenges and good practices, and explores avenues to improve portability and access to social protection and welfare services for migrants, especially women and children.

This policy note focuses on initiatives and measures to improve portability and access to social protection and welfare for women and children affected by migration in the state of Uttar Pradesh. The study considered all children (up to the age of 18) affected by the migration process, including independent child migrants, those who accompany their parents and those left behind after their parents migrate for work.

## Data and methodology

Of the 72 semi-structured key informant interviews conducted for the study – with state government officials, CSO representatives and experts on migration conducted for the study – 10 were focused on UP. The note also relies on secondary material, including data from the Census and the National Sample Survey (NSS), policy documents, research reports, CSO studies and media articles. Authors acknowledge the limitations of purposive sampling as well as the degree of generalizability of official interviews, as respondents spoke about specific schemes within their domains.

## Migration overview in Uttar Pradesh

### Key patterns of migration

UP is both a source and destination state. While Eastern UP and Bundelkhand are primarily out-migration regions, the industrialized and urbanized landscapes of Western UP, Lucknow, and NCR receive a fair number of interstate and intrastate migrants. Census 2011 data shows that approximately 4.86 million migrants moved out of UP between 2001 and 2010, and about one-third (1.44 million) were child migrants. **Figure 1** shows that 50 per cent of these children moved to only 14 districts of the other states, which are Thane, Mumbai and Pune of Maharashtra, five districts of Delhi, Surat (Gujarat), Faridabad (Haryana), Ludhiana (Punjab), and two districts of neighbouring Uttarakhand. Some of the notable out-migration corridors of UP are Azamgarh, Gorakhpur and Varanasi to Mumbai, Jaunpur and Allahabad to Thane, and Gorakhpur to Delhi. These concentrations in specific districts refer to established networks of migration framed by deep social and economic ties built over time.

In the case of UP, a substantial portion of both in- and out-migrants include children. There were 5.8 million child migrants in UP in 2011, of which 2.3 million moved between 2001 and 2010 and 13 per cent are from other states, mostly Rajasthan, Bihar, Madhya Pradesh and Chhattisgarh. Half the interstate child migrants in UP are concentrated in five districts: Ghaziabad, Gautam Buddha Nagar, Mathura, Agra and Lucknow (**see Figure 2**).

### Insights from primary data

Out-migration for work from UP to Mumbai and Delhi, even in the case of children, are based on the long-term labour and family networks built over time. The nature of work among women and children in-migrants varies by source regions. Women migrants who move with

their families from Chhattisgarh and Madhya Pradesh primarily work in the construction sector, where a lot of family labour is involved. Intrastate migrants and women migrants from Bihar tend to be engaged in domestic work. Additionally, there is a lot of distress work by left-behind women and children in vulnerable industries such as brick-kiln or agriculture, where they have no specified streams or regularity of movement. These are also the most deprived in terms of social protection.

During the 2020 COVID-19 national lockdown, UP witnessed the return of many families who had been living outside the state for long spans of time. This resulted in issues related to economic insecurity and livelihood in their place of origin, where they were treated as outsiders. Because they had been away for so long, they had minimal economic and social capital left in source villages to reorganize their lives. Issues related to property disputes were common, and they experienced setbacks in household savings and children’s education. Many women migrants faced economic hardship when earning male members went back to cities post the lockdown, as the women had to stay back in the villages and take care of their families. In a nutshell, pandemic-induced return migration blurred the boundary between ‘informed and aspirational migration’ and ‘distress migration’.

### Findings on access to social protection and welfare services for women and children

India’s social protection and welfare landscape is complex and continually evolving. Some aspects, in principle, provide universal coverage, such as education and health. Others, such as the public distribution system (PDS; for food rations), while broad-based, have eligibility criteria, in this case income levels and residential location. Social protection and welfare are operationalized through a gamut of Central and state schemes, missions and programmes.

The share of UP’s expenditure on broad social welfare programs is 42.8 per cent, as per the budgeted expenditure of 2021–22 ( 169,006 crore), a marginal increase from 40.1 per cent in the revised estimates of 2020–21.<sup>1</sup> While education and health constitute 57.4 per cent of the budgeted expenditure in social welfare in 2021–22, significant shares are also observed in the case of rural development (20.6 per cent), and social welfare and nutrition (16.4 per cent). The following sections provide snapshots of social security and social protection for migrants in UP.

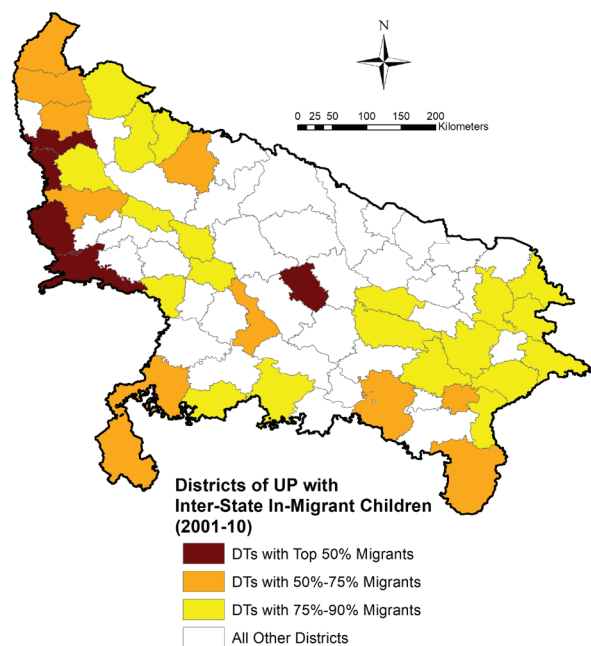


Figure 1. Districts in UP with interstate child migrants

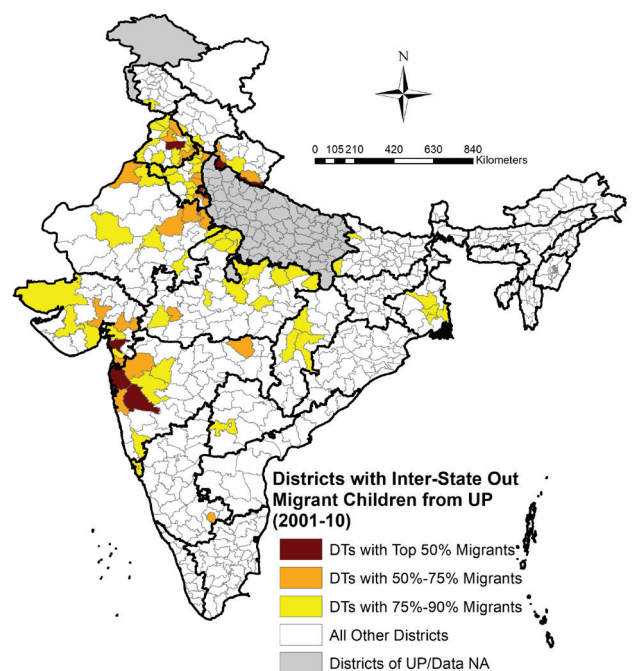


Figure 2. Districts in India with child migrants from UP

### Education

The Right of Children to Free and Compulsory Education Act 2009 (RTE Act) provides free and compulsory education to all children aged 6–14 years. In UP, the education of migrant children has been a major area of concern, especially after the onset of the COVID-19 pandemic. The return of long-term migrants to their native villages impacted the medium of instruction

of their children, many of whom were studying in other languages at the place of destination. This resulted in a growing dependence on private tuitions and placed an additional financial burden on parents. Unlike other source states, there seem to be no significant initiatives in UP to address the specific needs of left-behind children. Intervention is needed in this area, especially in the districts of eastern UP where the share of left-behind children is higher. Mechanisms such as seasonal hostels or kinship-based care models, which have been operating successfully in other states, could be adapted to the state's context.

The Mukhyamantri Bal-Shramik Abhyudaya Yojana is a scheme to discourage child labour in UP, through which financial assistance is provided to the children of daily wage labourers to continue education. This scheme only benefits intrastate migrant children because it is only available to UP residents, portable within the state.

### **Food security**

The principal architecture of food security in UP is enabled by the National Food Security Act, 2013 (NFSA), which guarantees foodgrain entitlements at subsidized rates to 50 per cent of urban households and 75 per cent of rural households. UP has about 148.01 million beneficiaries covered under the NFSA, which constitutes about 63.7 per cent of its projected population of 2021.<sup>2</sup> The NFSA is implemented through the PDS, which is designed to be household-specific and delivers entitlements in a place-specific manner. The need for portability of this infrastructure was highlighted during the COVID-19 lockdown, when stranded migrants across the country were unable to access the PDS.<sup>3</sup> In response, the Government of India expedited the One Nation One Ration Card (ONORC) scheme, which enables portability through an IT-driven system that includes the installation of electronic point of sale (ePoS) devices at PDS shops, seeding ration cards with Aadhar numbers, and biometric transactions. While the rollout of ONORC has been slow, about 39.1 per cent of its transactions between August 2020 and April 2021 were carried out by migrants holding ration cards issued from UP, indicating a relatively higher awareness of the scheme in the state. The information from the ONORC portal also shows that nearly 70 per cent of these transactions were in Haryana (37.5 per cent), Gujarat (17.3 per cent) and Maharashtra (14.8 per cent).<sup>4</sup> Comparing this with the spatiality of migration out of UP indicates that further expansion of ONORC in Delhi, Punjab, Rajasthan and West Bengal is necessary to benefit migrants from UP.

During the national lockdown in April–June 2020, the UP government provided dry ration to people who did not have any form of identification or registration and were not covered under the NFSA. This was beneficial to the migrant population who returned or were residing in the state. In addition to these arrangements, there are no other subsidiary food security schemes currently in operation in UP for people not covered by the NFSA. However, the Annapurna Bhojanalaya Scheme, operational across the urban areas of the state, provides subsidized cooked meals, without any identification criteria required for access. This was widely regarded as beneficial for migrant and daily-wage workers stranded during the lockdown in various urban areas of the state.

### **Early childhood care and nutrition**

The Integrated Child Development Service (ICDS) is an umbrella scheme comprising early childhood nutrition and health, and antenatal and postnatal care of pregnant and lactating mothers. While the ICDS is universal and can be accessed by migrants at their place of destination, significant outreach issues are reported for seasonal migrants who are multilocational and are usually engaged in activities in remote locations such as brick kilns. Existing ICDS infrastructure and staff also support the Pradhan Mantri Matru Vandana Yojana (PMMVY) for first-time pregnant and lactating mothers, which is an Aadhaar-based subsidy scheme, functioning through the Direct Benefit Transfer (DBT) model.

The impact of the COVID-19 pandemic on the ICDS programme was notable, as operational outreach of the Anganwadis was limited and Anganwadis Workers (AWWs) had been roped in for COVID-related duties. CSOs have expressed concern that this effective shutdown of the ICDS has meant that there has been no tracking of children over the past year.

### **Health**

The Pradhan Mantri Jan Arogya Yojana (PMJAY) is a health insurance scheme run by the Central government that provides a cover of up to 5 lakh for secondary and tertiary hospitalization for marginalized families identified on the basis of the Socio-economic and Caste Census (SECC) 2011. The benefits of the scheme are intended to be portable across the country.

After the launch of the PMJAY in UP, it was noted that there were several families that fall under the same deprivation criteria as determined for SECC 2011 but were not included in the scheme. In response to this, the state

government initiated a similar scheme in 2019 named Mukhyamantri Jan Arogya Abhiyan to include such left out families; this scheme covers 8.43 lakh families with all the benefits of PMJAY.

### **Livelihood and skills**

In terms of rural livelihood generation, there are two main schemes that are notable: the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) and the National Rural Livelihood Mission (NRLM). In UP, officials reiterated the objective of MGNREGA as a deterrent to urban migration and highlighted the state's role in providing 9.21 lakh job cards and enrolling 12.52 lakh returning migrants in MGNREGA during the COVID lockdown.

The Department of Rural Development and the Ministry of Micro, Small & Medium Enterprises (MSME) also converged efforts to sensitize gram panchayats (GPs) to facilitate local entrepreneurship among returning migrants under the NRLM. This was necessary because many returning migrants chose not to work in agriculture or MGNREGA, since manual jobs hampered their long-earned social status in the village. The NRLM has also been streamlined as a flagship scheme by the Rural Development Department to facilitate home-based work by left-behind women forming Self Help Groups (SHGs). There are dedicated staff for NRLM up to block level, who facilitate training and financing to these SHGs. One such popular initiative was mask-making, which was useful during the pandemic. The 2021–22 state budget has outlined a new scheme called Mukhyamantri Pravasi Shramik Udyamita Vikas Yojana, to provide employment to returned migrant workers.

The state government also launched the Sewa-Mitra Platform in 2020 to collect data, map skills and provide employment to migrants and other workers in the state. It converged three databases of over 37 lakh return migrants, resident workers registered under the Building and Other Construction Workers (BOCW), and other self-registered workers, and shared them with government departments, industry associations and to citizens through service providers to enable skill mapping, job generation and even social benefits such as targeted DBTs to vulnerable workers.<sup>6</sup>

However, interactions with CSOs reveal a mismatch of job-training initiatives and entrepreneurial push for the youth in the state. They pointed out that while districts of UP are diversified in terms of economic activity and that there is a

scheme called One District One Product in place under the Make in India initiative, these are not converged with the larger planning and execution of skill training and NRLM in the state, which results in out-migration of aspirational youth. Similarly, the process of skill mapping of return migrants in UP did not yield desired results, partly because the parameters for such mapping were not fixed and employers were not integrated into the system. Migrants were unable to provide formal certificates of skills as most of them did not have such paper documentation and were thereby excluded from the process. There was also not enough sensitization and education at the GP level to execute this initiative.

### **BOCW and labour welfare**

BOCW and other construction workers, who form a significant portion of the migrant workforce, are eligible for registration and social welfare benefits with state-level welfare boards under the BOCW (Regulation of Employment & Conditions of Service) Act, 1996. In UP, the Rural Development Department is trying to integrate MGNREGA data with the BOCW, to get an idea of how many workers with MGNREGA job cards are also registered under BOCW, with the objective of facilitating easy identification of unregistered workers. Further, to facilitate the registration of unorganized construction workers who are not usually contracted regularly through large contractors or builders/industry owners, three significant changes were made in the registration process during the COVID-19 pandemic: (i) for new registrations, there was a full fee-waiver till 31 March 2021, and a reduced registration fee thereafter; (ii) the periodicity for renewal of registrations increased from one to three years; (iii) the certification of 90 days' work from the employers/contractors was replaced with a self-affidavit on stamp paper. While beneficiaries still need a recommendation from an employer to receive benefits under the scheme, the category has been expanded to include informal and unorganized employers and contractors.

The COVID-19 pandemic also necessitated online registration through Customer Service Centres and Apna Seva Kendras. This technological intervention simplified the earlier manual process, which required facilitation by CSOs who would camp at labour sites, collect forms, submit them to the Labour Department, collect ID cards from the department and distribute them to the labourers. The new online single-window process has benefited labourers, who can now apply and receive their cards away from their workplace. The state has also facilitated BOCW registration for interstate migrants.

The state launched the Apada Rahat Sahayata Yojana during the lockdown for a DBT of 3,000 to all registered workers under BOCW. An issue that arose was linking bank accounts to BOCW accounts to avail the scheme. This was achieved remotely using Aadhaar and mobile, with CSO resource persons following up with them regarding the process of registration and subsequent receipt of benefits through a WhatsApp group created and maintained by the UP Labour Department. This is an example of state–CSO co-production using technology that can facilitate migrants. However, it excluded migrant workers who left cities during the lockdown and could not complete the registration process.

## Analysis

In UP, containing migration appears as a clear policy objective, with a thrust on skilling and employment at source to contain distress out-migration. At the same time, the out-migration of skilled migrants who send remittances is recognized as beneficial to the state. The migrant crisis appears to have sensitized state officials towards the mass intrastate migration, but interviews did not indicate a corresponding thrust on enhancing portability. Moreover, the extension of social protection to interstate in-migrants is not guaranteed by the state.

Interviews with government officials in UP indicated that the presence of nodal officers at source and destination states during the 2020 lockdown was helpful in providing relief for stranded migrants, and more permanent institutional arrangements along these lines might be useful. To this end, the state has set up an employment commission for migrants, and a migration cell in the UP Labour Department, to look after the protection of out-migrants.

There appears to be an acknowledgement from the state government that credible data is vital to design effective interventions for migrants, as evident in the multiple processes of data collection after the COVID-19-induced return migration in 2020. The UP Labour Department converged databases, mapped skills of returning migrants and shared them with GPs to provide employment under the MGNREGA. Efforts were made to sensitize and digitally enable GPs to collect data on migrants on a regular basis. However, these are only ad-hoc arrangements, and a core architecture to sustainably coordinate data across the departments has not been laid out yet. Practitioners highlighted the scope of convergence between migration resource centres, ASHA workers and GPs as a mechanism to enhance scheme delivery for mobile populations.

The migration policies and efforts of the UP government during the pandemic seem focused on male workers and are not as sensitive to the specific needs of women and children. CSOs noted the plight of women and children on return migration, with the discontinuation of education and their involvement in precarious jobs to support families. Yet, bureaucrats' imagination of children in migration came across either in the context of trafficking or as indirectly impacted by migration. Officials emphasized the challenges of tracking and documenting children or child labourers who move with their families or in disguise to visit their relatives. There are also challenges associated with ensuring health, nutrition, education and safety, especially among young children, who are present in some of the most vulnerable sectors such as brick kilns.

There are several schemes conditional to the registration under BOCW in UP, and these vary from conditional cash transfers, pensions, scholarships and allowances, and even rations for registered workers. It is evident that there is a lot of convergence already in place across the various departments to serve the registered labourers; easing the identification and the registration barriers can be immensely useful for using these schemes to their full potential.

DBT has become a preferred mode to deliver benefits in UP since it uses biometrics and digital infrastructure for instant delivery, bypassing traditional identity-based methods of delivery. This can be leveraged to maintain digital databases on social benefits and track mobilities of seasonal migrant workers. However, DBTs sometimes involve eligibility conditionalities such as residency and often rely on the universal possession of bank accounts and Aadhaar, which migrants may not have.

The role of the employment commission and the Sewa Mitra initiative in UP is an innovative step to carry forward the state's work of keeping vulnerable migrants home and mobilizing job potential for aspirational migrants. Interestingly, the commission has very diverse objectives: starting from linking the workers to employers and industry chambers within the state through skill-mapping portals, connecting labourers registered under different schemes to various self-employment schemes running in the state through the MSME departments and the NLM, converging BOCW and MGNREGA data, and looking into job security conditions of workers of UP in other states. While the Commission works under the UP Infrastructure and Industrial Development Commissioner and promises to converge departments to achieve its ambitious goal

of creating 10 million local jobs, the actual contours of its operation have not been laid out yet. Interviews with state government officials did not offer clarity in this regard.

## Policy recommendations

- The inclusion of migrants in the policy imagination of UP as a state of destination is marginal. The government should recognize the contribution that migrants make to their workforce and economy and seek to actively include them in social protection schemes.
  - The government interviews in UP were not sufficient to offer a commentary on the facilitation of women and children migrants in policy, but CSO interactions and scheme descriptions suggest some scope for increased social protection for these vulnerable groups. The incorporation of child migrants in education policy is necessary, especially in the background of the pandemic and lockdown. Potential interventions include operating seasonal hostels for children of seasonal or circular migrants, financially supporting caregivers to prevent child labour, and setting up on-site alternative learning schools where migrants live on worksites.
  - The use of the Poshan-CAS database under the ICDS to effectively track and monitor the situation of migrant children must be leveraged as a bottom-up mechanism to augment social protection for family migrants. This will provide an effective real-time database for groundworkers to track mother and child health and improve the ICDS services to migrants overall.
  - The UP government can initiate conversations with destination states and the central government for more effective ONORC implementation and for extending the benefits of state schemes to out-migrants in other states.
- The UP government's attempt to provide dry ration to people without any form of identification during the 2020 national lockdown was beneficial for those not covered under the NFSA. This can be extended until the ONORC rolls out to its full extent and can be beneficial for migrants in the medium run.
  - Urban Local Bodies (ULBs) can also be empowered on the lines of GP, to facilitate solutions for mitigating the identity issues of migrants and their families and preventing location-based exclusions. Given the higher share of both interstate and intrastate migrants in the urban areas of UP, this will facilitate easy registration of workers under various schemes. The ULBs can also act as nodal bodies for the ICDS in urban areas, where institutional responses to child welfare are fragmented.
  - There is a need for an urban employment support programme, which can be rolled out after strengthening the institutional capacities of ULBs.
  - In municipalities that see a lot of family-based migration, the states can also set up family shelters or in the alternative, facilitate the implementation of the Affordable Rental Housing Complexes (ARHC) component of Pradhan Mantri Awas Yojana (PMAY).
  - The Government of UP must set up sustainable collaborations with CSOs and employers to co-develop dynamic databases on migration and expand the existing convergence of databases. This can be done by the Employment Commission through DMs, who act as nodal officers in every district. Later, it can be expanded to include information on child and family migration.

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## Endnotes

1. Calculated from [Uttar Pradesh Budget Analysis](#) by PRS Legislative Research. This estimate includes education, sports and culture, health and family welfare, social welfare and nutrition, rural development, and water supply and sanitation.
2. Based on NFSA Dashboard and Census 2011 projections.
3. Parulkar, A. and M. Naik, [A Crisis of Hunger: a ground report on the repercussions of COVID-19 related lockdown on Delhi's vulnerable populations](#), Centre for Policy Research, 2020.
4. Data accessed from the [ONORC portal](#).
5. Ahuja, A. [Uttar Pradesh Government And World Food Programme Join Hands To Provide Nutritious Take Home Ration](#), NDTV, September 2020.
6. NITI Aayog, [Empowering Migrant Workers through Skill Development and Livelihood Generation](#), 2020.

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