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MGNREGA: Failure or Success for Migrants during Lockdown

KARTIK SHARMA¹

ABSTRACT

Today, India is leading towards a phase where we are witnessing diminution in the number of new covid cases every day. This has come after the deadly first two waves of the pandemic in the year 2020 and 2021. But these two waves have brought irreversible changes in the lives of the many people and especially the migrants. The world community is apprehending the fourth wave of covid and that too with a new variant. This compels us to relook at those situations which we faced in the starting of the covid and the plight which the migrants had to suffer due to the lockdown, as one can never say that when can India again witness partial or complete lockdown, as the cases are, once again, rising and we are at the verge of the fourth wave. We must keep in mind the effect of drastic step of lockdown on social security schemes and this can be done by critically analysing that how this scheme was affected in the past, as it is said that History is the best teacher for future lessons.

During Covid -19 pandemic, the country faced a nationwide lockdown in the year 2020. Everything came to a halt, and people were thrown into uncertainties regarding their job security. People working in the unorganized sector were most affected by this pandemic. This led to the battle for survival for themselves and their dependents.

This, unfortunately, gave rise to a country-wide migration of laborers and workers to their hometowns and villages.

Few of them resorted to agriculture for their survival, but some, who were probably landless and due to other factors, resorted to MGNREGA.

Now the question is that up to what extent has this Scheme proved itself?

Did it manage to employ migrants? Or

Did it fail as a scheme to support the group of the population dependent on it?

This article will try to answer these questions, w.r.t migrants of Haryana who worked in unorganised sector to determine whether such kinds of beneficial schemes actually work at the ground level at the time of need or do they fail altogether in those times. The paper will try to find out that whether the dependency on MGNREGA of migrants of Haryana increased during the lockdown.

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I. INTRODUCTION

Today, India is leading towards a phase where we are witnessing diminution in the number of new covid cases every day. This has come after the deadly first two waves of the pandemic in the year 2020 and 2021. But these two waves have brought irreversible changes in the lives of the many people and especially the migrants. The world community is apprehending the fourth wave of covid and that too with a new variant. This compels us to relook at those situations which we faced in the starting of the covid and the plight which the migrants had to suffer due to the lockdown, as one can never say that when can India again witness partial or complete lockdown, as the cases are, once again, rising and we are at the verge of the fourth wave. We must keep in mind the effect of drastic step of lockdown on social security schemes and this can be done by critically analysing that how this scheme was affected in the past, as it is said that History is the best teacher for future lessons.

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II. WHAT IS MGNREGA?

“The Mahatma Gandhi National Rural Employment Guarantee Act 2005” (Initially “NREGA”, renamed as the "Mahatma Gandhi National Rural Employment Guarantee Act," through the Amendment Act of 2009)², is an Indian labour law which ensures social security measure, that aims to guarantee the “right to work”,³ as enshrined under the part IV (Article 41) of The Constitution of India.

The key purpose of this Act is to⁴ improve living security in rural areas of India by ensuring a minimum 100 days of wage employment to every household⁵ whose adult member volunteer to do unskilled manual work in a particular financial year.

This Act was first proposed in 1991 by the then Prime Minister, P.V. N. Rao. In the year, 2006, it was enacted by the parliament and its implementation was commenced in 625 districts of India⁶. Founded on this pilot experience, NREGA was geared up to cover all India's districts from April 1, 2008. The Government hails the law as "the largest and most ambitious social

² <https://simdega.nic.in/en/scheme/mahatma-gandhi-national-rural-employment-guarantee-act-mgnrega/>

³ Mahatma Gandhi National Employment Guarantee Act (NREGA <https://www.simoticlass.com/2021/04/mahatma-gandhi-national-employment.html>)

⁴ https://www.indiacode.nic.in/handle/123456789/2014?view_type=search

⁵ Get The National Rural Employment Guarantee Act 2005 <https://www.microsoft.com/en-us/p/the-national-rural-employment-guarantee-act-2005/9nblggh5s1lm>

⁶ Mahatma Gandhi National Rural Employment Guarantee Act <https://devendergade.com/?p=49>

security and public works program in the world”.⁷ "The World Bank⁸, in its World Development Report 2014, termed MGNREGA as a stellar example of rural development."

The “MGNREGA” was launched to improve the livelihood security in rural zones of the country. Under the Act, employment is provided within 5 km of an applicant's residence, and for such employment, minimum wages, as fixed by the law for the time being in force, are to be remunerated. If employment is not provided within 15 days of application, then the applicants are eligible for an unemployment allowance. Hence, “employment under MGNREGA is a legal entitlement”⁹.

Gram panchayats have the responsibility to implement the MGNREGA at the grass root levels of the country. The engagement of contractors is barred. Labour-intensive tasks like forming set-up for water harvesting, drought relief, and flood control are preferred as the major areas for service.

NREGA helps to provide economic security, protect the environment, reduce rural-urban migration, create rural assets, empower rural women, and foster social equity.

III. IMPLIMENTATION OF MGNREGA

The “MGNREGA was notified on September 7, 2005”. Initially, the act was launched in two phases. It was notified in two hundred districts in the initial phase, with effect from February 2, 2006, and then stretched, in the second phase, further in 130 districts in the financial year 2007-2008. The remaining districts have been notified under MGNREGA with effect from April 1, 2008. Thus, “the MGNREGA” covers the entire country from year 2008.

The MGNREGA is the largest employment program ever in human history. It is different from any other wage employment scheme in the sense of scale, architecture, and thrust.

“The MGNREGA affords a legal assurance for wage employment. The scheme is a demand-driven program where the demand for work by wage-seekers triggers the provision of work”.

In the Act, there are requirements for allowances and compensation in those instances where the applicant fails to find a work on request and also if there is delay in imbursement of wages for work undertaken.

The MGNREGA addresses the issue of targeting via its self-targeting mechanism of

⁷ MGNREGA A WAY TO CREATE EMPLOYMENT AND POVERTY ALLEVIATION. <https://www.jetir.org/papers/JETIRA006175.pdf>

⁸<https://documents1.worldbank.org/curated/en/228391468316433744/pdf/429950WP0Empow10Box327342B01PUBLIC1.pdf>

⁹ <https://megsres.nic.in/objective-nrega>

beneficiary assortment; i.e., a huge number of the poor and marginalized persons pursue employment under the statute.

Unlike the previous wage employment programs, which were basically allocation-based, the present Act is a demand-driven program. It provides more work when the demand for it increases. This enables the beneficiaries to get work under MGNREGA during different seasons in the year, depending upon the nature of work to be undertaken in a particular period of the year.

The Act also provides for transfer of resources from Centre to State, depending upon the request for employment in a State. This provides a supplementary encouragement & motivation for States to implement the Act fully and to meet the employment needs of the poor and the dependants.

There is also an associated discouragement to state, for failing to make available work on time, as then the States have to tolerate the price of the unemployment allowance. Campaigns and decisions concerning the type and choice of works to be undertaken, the order in which each work is to be done, site selection, etc., are all taken in open assemblies of the Gram Sabha (GS) which are also sanctioned by the Gram Panchayat (GP).

One of the important features of the MGNREGA is social-audit. This produces an unparalleled performance accountability, specifically towards immediate stakeholders.

A Yearly Report, which is made by the “Central Employment Guarantee Council (CEGC)” on the outcomes of MGNREGA is mandatory to be presented by the Central Government to Parliament, every year. Similarly, the yearly reports prepared by State Employment Guarantee Councils (SEGC) are to be laid before the State Legislatures by the State Governments.

This completely innovative characteristic of the program necessitates to ensure active implementation. It will confirm that the innovative fundamentals of the MGNREGA are grasped properly and efficiently at the grassroot level.

IV. DEPENDENCY ON MGNREGA IN HARYANA BEFORE COVID PANDEMIC

In September 2005, the Central Government enacted the National Rural Employment Guarantee Act (NREGA) 2005. To render applicable the “right to work” concept emanating from the NREGA Act, 2005 into a certainty, the Government enacted the “Rural Employment Guarantee Scheme (REGS)” in February 2006 originally in 200 poorest and retrograde districts (out of the total 593 districts in the country) in 27 States proposing to cover all the districts in

the following five years under the Scheme¹⁰.

In Haryana, the REGS was firstly made applicable in “Sirsa” and “Mahendargarh” districts in its first phase in February 2006, which was stretched to two more districts, viz., *Ambala* and *Mewat*, in the second phase during 2007-08. In addition to providing one hundred days of guaranteed employment to every rural household, the REGS objects to create productive assets, protect land and water, reduce rural-urban migration, and foster social equity, etc.

“Haryana is not a big state. It has a spread over 44,212 sq. km embracing 119 blocks and 20 districts. There are 6,955 villages. As per Census 2001, the total population of the state was 211.45 lakhs, including 113.64 lakhs of the rural population. About 67.9 percent population is literate/educated”.

The number of disabled persons in REGS district “Sirsa” is 34,312, which is just about double the figure of 18,912 disabled persons in REGS district “Mahendragarh”. REGS is considered as a spark of hope for differently abled persons because many of them does not get a chance to work under other schemes, elsewhere in the State or Country.

Over time, the State keeps on heading on the development path in many areas and sectors, but somehow it failed to alleviate poverty and unemployment. Due to this, a considerable part of the population (particularly SCs and STs) became dependent on beneficial schemes like MGNREGA for their survival. This can be seen from the data that in Haryana, the Share of SCs and STs in Total Population dependent on MGNREGA from the Financial year 2006–07 to the financial year 2016–17 increased from 19.3% to 37.6%.¹¹

The same is the case for women. The percentage of women in Haryana dependent on MGNREGA also observes a rise. This can be said from the data that in Haryana percentage of Women enrolled in MGNREGA from the financial year 2006–07 to the financial year 2016–17 also increased from 31% to 36%¹².

Before the covid pandemic, the State of Haryana used to allot much money in its budget for expenditure on agriculture and agriculture allied works, which are the primary works for the unemployed registered under MGNREGA.

This is evident in the following table¹³-

¹⁰ http://nirdpr.org.in/NIRD_Docs/mgnregs/Haryanamg.pdf

¹¹ https://nrega.nic.in/Circular_Archive/archive/MGNREGA_SAMEEKSHA.pdf

¹²“http://mnregaweb4.nic.in/netnrega/all_lvl_details_dashboard_new.aspx?Fin_Year=20212022&Digest=B5DSyTB%2feSUSkZd2BpGzbA”

¹³“http://mnregaweb4.nic.in/netnrega/all_lvl_details_dashboard_new.aspx?Fin_Year=20212022&Digest=B5DSyTB%2feSUSkZd2BpGzbA”

Financial year	% Of Expenditure on Agriculture & Agriculture Allied Works
2016-17	52.43
2017-18	50.58
2018-19	38.63

Also, the number of households which had worked in MGNREGA in Haryana and the number of individuals working under it follows a quite similar trend as above, and it can be seen in the following table¹⁴-

Financial year	Overall Households Worked [In Lakhs]	Overall Individuals Worked [In Lakhs]
2016-17	2.73	3.96
2017-18	2.31	3.27
2018-19	2.58	3.64

V. COVID PANDEMIC AND THE LOCKDOWN

Then comes the very unfortunate Covid Pandemic in 2020, which results in the unprecedented nationwide lockdown. The lockdown was declared on March 24, 2020. No one could have thought that they would be confined to their homes for a long time to come. Nevertheless, the pandemic was distressing to those who didn't even have a place to hide their heads. People residing in the chawls & slums of the metropolitan cities found themselves without a job over the night. They had come to these metropolises from their villages in the expectation of a better life-style and livelihood. All that instantaneously went into trench.

Due to such a crisis, the laborers and the workers began departing the metro cities like Mumbai, Hyderabad, Delhi, and Bengaluru, repeatedly on bare-foot, covering hundreds of kilometres, disappointed and unhappy. Heart breaking Images of migrants and their children, walking home were speckled over the mass media. Unfortunately, several people died on the long and unending trek to their home¹⁵.

¹⁴“http://mnregaweb4.nic.in/netnrega/all_lvl_details_dashboard_new.aspx?Fin_Year=20212022&Digest=B5DSyTB%2feSUSkZd2BpGzbA”

¹⁵ “Looking back at the lockdown and India’s Covid-19 journey <https://www.hindustantimes.com/>

The Administration has been disparaged for debarring people of their jobs by declaring an extreme lockdown. However, this overlooks the fact that since healthcare facilities were not satisfactory at that time, the Government was forced to save people during the pandemic and had to take hard actions.

The migrant workers in India, during the lockdown, have confronted countless destitutions. The factories and offices were closed due to the lockdown and because of this, thousands of migrant workers had to encounter the problems like food shortages, loss of income, and ambiguity about their future.

VI. MIGRANT WORKERS, WHO ARE THEY?

Migrant workers encompass primarily of daily-wage laborers who work in the construction & manufacturing industries. They are deprived of nutrition, housing, satisfactory healthcare and sanitation¹⁶. They are mostly from rural areas of the country but they are compulsive to live in cities for work. Many had literally no reserves and lived in factory dorms, which were closed due to the lockdown¹⁷. Sadly, there was no central registry of migrant workers, notwithstanding “the Inter-State Migrant Workmen Act, 1979”.¹⁸

When they returned to their homes and villages, they were treated even worse than animals, as they were sprayed down with disinfectants or soap solution in few cases. “They were seen as a potential carrier of the corona-virus from the urban areas where they had been employed”. They faced not only humiliation and discrimination but also, attack and annoyance from the people of their hometowns¹⁹. Since many of them belonged to the Scheduled Castes and Scheduled Tribes, they had to face caste slurs too²⁰. Thousands got into property disputes²¹.

Migrants traveling by Shramik Special trains (A special kind of train which were launched by the central Government to carry migrants to their villages) reported that food and water provisions were either not provided or simply dumped at the entrances of the trains, leaving

opinion/looking-back-at-the-lockdown-and-india-s-covid-19-journey-101616330384671.html”

¹⁶ “Nair, Shabarinath; Verma, Divya (19 May 2020)”. “A Policy Framework for India's Covid-19 Migration”. *“Bloomberg Quint*. Retrieved 25 May 2020”.

¹⁷ “Frayer, Lauren; Pathak, Sushmita (31 March 2020). “Coronavirus Lockdown Sends Migrant Workers on a Long and Risky Trip Home”. NPR. Retrieved 17 May 2020”.

¹⁸ Frayer, Lauren; Pathak, Sushmita (31 March 2020). “Coronavirus Lockdown Sends Migrant Workers on a Long And Risky Trip Home”. NPR. Retrieved 17 May 2020.

¹⁹ Rashid, Atikh (20 May 2020). “Migrant workers return home against all odds — only to be seen as carriers of the virus”. *The Indian Express*. Retrieved 29 May 2020.

²⁰ Kumar, Chandan; Mohanty, Debabrata (10 May 2020). “Migrant workers battle stigma, bias back home”. *Hindustan Times*. Retrieved 29 May 2020.

²¹ Sharma, Saurabh; Jain, Rupam (4 June 2020). “India's mass exodus from cities triggers village property disputes”. Reuters. Retrieved 4 June 2020.

workers fighting with each other to get their share.²².

Many migrant workers feared returning to their old jobs in the cities after facing unemployment during the lockdown²³.

VII. INCREASED DEPENDENCY ON MGNREGA DURING LOCKDOWN

The number of families and individuals in Haryana seeking employment under MGNREGA during the lockdown has increased considerably. The numbers have increased as almost double than the corresponding previous years.

By noting this increased dependency, the Chief Minister, Mr. Manohar Lal Khattar²⁴, held meetings with the officers of different departments, including PWD (public works department), agriculture, and public health asking them to generate more opportunities for employment under the Scheme of MGNREGA.

Also, even the village sarpanches have been asked to give preference to the laborers of MGNREGA in the execution of development works.

The increased dependency on MGNREGA of the households and individuals in the pandemic financial years can be understood from the following table²⁵-

Financial year	Overall Households Worked [In Lakhs]	Overall Individuals Worked [In Lakhs]
2016-17	2.73	3.96
2017-18	2.31	3.27
2018-19	2.58	3.64
2019-20	4.57	6.51
2020-21	3.01	4.1

²² "Shramik Special trains resume, five services operated". *The Hindu*. 6 May 2020. ISSN 0971-751X. Retrieved 9 May 2020.

²³ "Nagaraj, Anuradha; Srivastava, Roli (28 May 2020). "No way back: Indian workers shun city jobs after lockdown ordeal". *Thomson Reuters Foundation News*. Retrieved 31 May 2020".

²⁴ "Bright side of lockdown: Haryana sees 3-fold jump in NREGA <https://indianexpress.com/article/cities/chandigarh/bright-side-of-lockdown-haryana-sees-3-fold-jump-in-nrega-employment-6491638/>"

²⁵"http://mnregaweb4.nic.in/netnrega/all_lv1_details_dashboard_new.aspx?Fin_Year=20212022&Digest=B5DSyTB%2feSUSkZd2BpGzBA"

The pandemic also impacted the annual budget of the Government of Haryana. Due to this pandemic, the expenditure of the Government on beneficial schemes also increased to address the plight of those who were helpless due to the lockdown. The expenditure on MGNREGA, particularly on agriculture & its allied works, was also increased during the pandemic and the lockdown, and this can be seen from **the following table²⁶**.

Financial year	% Of Expenditure on Agriculture & Agriculture Allied Works
2016-17	52.43
2017-18	50.58
2018-19	38.63
2019-20	54.68
2020-21	58.39

So, from above, it can be said that during this lockdown, a large number and segment of the population in Haryana became dependent on MGNREGA. They found employment in the tough times to ensure their survival. This particular beneficial legislation had served its purpose, as seen from the data at least, on the time when it was needed the most.

VIII. DISAPPOINTMENT FOR SOME

However, it was not easy for everyone to find employment in the MGNREGA during the lockdown. Although there has been record recruitment under the MGNREGA, up to 22 percent of applicants had not secured jobs in it in any sector, whether it be agriculture or other. The State of Haryana was not an exception from this trend also²⁷.

The 22 percent of applicants who had not received a job approximately equals to 17 million persons. The segment of claimants who have sought employment in NREGA but failed to get it is maximum for the state of Uttar Pradesh at 30 percent and thereafter is the state of Bihar at 24 percent²⁸.

The possible reasons for not getting the job in MGNREGA could be as follows-

²⁶“http://mnregaweb4.nic.in/netnrega/all_lv1_details_dashboard_new.aspx?Fin_Year=20212022&Digest=B5DSyTB%2feSUSkZd2BpGzba”

²⁷ “https://drive.google.com/file/d/1_k1S7AuTexoMGDIYAEL9d2fWPzxhcyns/view”

²⁸ “<https://theprint.in/india/governance/lockdown-sees-record-spike-in-nrega-jobs-but-1-7-crore-applicants-fail-to-get-one/460818/>”

- 1) Bureaucracy and paperwork are often barriers to getting the job card, which is required to be enrolled in the Scheme.
- 2) Misinformation can be a reason. For example, due to lockdown, there were rumours that one cannot apply for a job card, as everything is closed.
- 3) Favouritism by panchayat heads.
- 4) Many people are unaware of how to formally raise demand for work by filling out the forms at the panchayat office.
- 5) Corruption within the MGNREGA system reduces the chances of deserving people being able to benefit from it.
- 6) The scheme is unable to provide employment for the complete year. For example, during the season of monsoon, every work related to construction or pond digging is to be suspended as it may lead to accidents which could be fatal.

So, these are some major possible reasons why the migrants were not able to find employment under the Scheme.

To address these problems and to ensure that no similar problems shall arise in future, **following recommendations/suggestions are proposed-**

- 1) The process for issuing job cards should be made simpler, i.e., paper work should be reduced and there shall be more adherence to digital modes to counter bureaucracy and mismanagement of physical records.
- 2) Authorities should always ensure, by proper filtration mechanism, that there shall not be the promotion /publication of fake news etc. which are the main reasons of misinformation.
- 3) The authorities should periodically, at regular intervals, try to inform the beneficiaries about the latest changes and amendments in the scheme as well as the process of applying to it. This will counter the ignorance among beneficiaries about the process to seek employment under the scheme.

IX. CONCLUSION

MGNREGA is one of the best beneficial schemes in India. It tackles the major problems of the country, i.e., poverty and unemployment. When the world came to rest due to the Covid-19 Pandemic and India encountered its first nationwide lockdown, the lives of many became disastrous. These include daily wage earners, laborers, and street hawkers. They were forced to migrate to their hometowns and villages for their survival due to the lockdown. There, they found employment under the MGNREGA, but this was not everyone's story. The Scheme has

not fully succeeded in the time of need. However, also, it has proved that there is more demand for such schemes in India and implementation of such beneficial legislation at the ground level properly.
