

## Ministry of Labour's Helplines are not Helplines but Post Offices at Best

**Date: 24th May 2021**

On 20th April 2021, The Ministry of Labour and Employment (MoLE), [announced that 20 control rooms set up during the lockdown last year that were used by “lakhs of workers”, are being relaunched to address grievances of workers through coordination with officials of the Labour Department in different States](#). In a [video posted by the Ministry of Labour](#), Secretary, Apurva Chandra stated “agar kisi bhi migrant worker ko *koi bhi* zaroorat ho...*kisi bhi* tarah ki avyashakta ho...*koi bhi* madad ho...humaare adhikari uplabdh rahenge”.

This list of “worker helplines” includes 20 states/zones with contact details of 100 Labour Commissioners with their email addresses. To understand the support being offered, SWAN volunteers called **80 officers** from across these 20 zones and enquired about the assistance being provided to migrant workers with regard to: non-payment of due wages, provision of rations or cooked food, financial assistance to meet basic needs, protection from eviction by landlords, and support for travel back to their home states.

In this note, we provide a summary of responses to the calls made by SWAN volunteers. Previously, we have also written to the Ministry of Labour with case specific details, including company names, from 7 states to the Chief Labour Commissioner and state labour commissioners on 17th May 2021. So far we have only received a response from one state.

We, at the [Stranded Workers Action Network \(SWAN\)](#) have been running an all India helpline since March, 2020 to support stranded migrants. Over the last year, we have interacted with nearly 45,000 workers and supported them with rations and crowdsourced cash relief of around Rs 65 lakhs. Based on the relief requests SWAN has received from 10,092 workers and their families between April and May 2021 during this deadly second wave of the COVID-19 pandemic<sup>1</sup>, the overall picture of livelihood distress amongst migrant workers is extremely grim:

- Out of the total number of workers who have contacted us (10,092), 6,176 are women and children.
- The average daily wages of those who reached out to us are Rs.425.
- About 58% of the workers had rations left for less than 2 days. (This is out of 4,947 stranded workers for whom we have this data.)
- About 76% of people have less than Rs. 300 left with them and 65% of people have less than Rs. 200 left with them. 55% percent of people have less than Rs. 100 left with them. (This is out of 5,047 stranded workers for whom we have this data.)
- About 33% have not been given their due wages, while 15% have been paid partially. 92% of workers have not received any money from their employer since work stopped.

This distress largely stems from extremely precarious conditions and terms of work with no social security. These workers have little information about their primary employers as they are forced to seek employment through a chain of contractors. In the majority of cases it is therefore nearly impossible to hold either the employer or the contractor accountable for unpaid wages and/or termination of employment without notice or any form of support.

- **Variation of responses across helplines:** Most officials listed in the notice answered the phone. However their responses varied tremendously across states and even within states. One commissioner in Karnataka

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<sup>1</sup> No of workers as of May 24, 2021. Most calls have been received from Delhi, Haryana, Maharashtra, Karnataka, Uttar Pradesh, Gujarat, Punjab, Rajasthan

even asked us where we got his number from. Another official in Karnataka categorically forbade us from contacting him again.

- **Not for any worker, only those who work on central government projects:** The Secretary of Labour's promise of "any kind of help to any migrant worker", stood in sharp contrast to the responses from the Labour Control Room officials. Most labour officials stated that they can only resolve cases of workers employed on central government projects such as railways and other PSU projects. For other cases, they would forward the cases to respective state officers. An official from Rajasthan stated, "*Send me details and I will ask the state labour official to take up the matter. I am at the Centre so cannot directly intervene.*" Another official stated that workers need to file a complaint in the state where the employer resides and not in their home state. The officials in most cases stated that the cases we were bringing to them were beyond their jurisdiction and they had no authority to intervene.
- **Worker-unfriendly system for submitting complaints:** Every single official asked for complaints to be submitted in writing which could be "forwarded" to concerned officials. While some officials were willing to take complaints over phone or WhatsApp, there were a few officials who insisted the complaints should be sent over email. One worker who did not have a smartphone, tried explaining this to the labour official from Haryana but to no avail. The helpline numbers are listed zone wise and no clarity on which districts fall under which zone. For example, when we contacted an official listed under "Kanpur" for a case in Noida, we were redirected to call officials listed under Western Uttar Pradesh. While devising a convenient system for officials to log complaints is needed, you would appreciate that, it cannot be done by inconveniencing stranded workers.
- **No Tracking Method:** Even the few officials who were supportive and were open to take all complaints stated there is no process in place to track the follow up action on these complaints. This is precisely why the public has no information on the grievances recorded by these helplines even in 2020 such as number of calls received by each state, categories of grievances, proportion of resolved grievances. The Labour Control Room officials suggested that workers follow up with the respective state labour commissioners. When workers get no proof that their grievance has even been heard it is impossible for anyone to follow up and know the status of the registered complaint.
- **No Assistance to Address Hunger:** Most officials did not offer any leads for ration support to address the hunger distress of migrant workers. Except in the case of Kerala and Tamil Nadu, officials we spoke to suggested it is the state government's jurisdiction and they are not aware of functioning state helplines. Most officials suggested that support should be sought from district collectorates and directed us to find those numbers from respective district websites. One of the officials stated, "I have been getting numerous hunger calls too. I have been writing letters to the state government but to no avail." Another officer asked us to send him the details anyway and he would look for support from NGOs.
- **No Assistance to Protect Migrant Workers from Eviction and Harassment by Landlords:** Most of the officials were unaware about the provisions for protection of workers from evictions due to non-payment of rent during the pandemic. On 29th March, 2020, the Ministry of Home Affairs had issued an interim order instructing the landlords not to collect any rent for a month. No such rent relief measures have been provided this year.

Based on the quick assessment of helplines, we observe that the helplines are not worker-friendly and are deficient in responding to the multiple types of crises faced by workers. In dire circumstances where they are out of work, have no money left to meet basic needs, all in the face of a raging pandemic this system will do little to build the trust of workers let alone resolve grievances. Without adequate facilitation, acknowledgement,

follow-up and creating a culture of rights, we don't believe that the Government is doing enough in responding to this grim situation. It underscores that lessons from last year have not been adequately learned and the systems being put in place are at best a patchy afterthought.

### **Suggestions for immediate action**

- Mandate of worker helplines needs to be expanded, clarified to officials themselves and widely publicised
- Control room numbers should be advertised more widely through worker unions, civil society organizations and local language media. This should be made available in every panchayat bhavan and municipality office.
- Every call must be registered so the complaint can be tracked till resolution. Workers should receive acknowledgement that their complaint has been registered either through a SMS or Whatsapp message.
- Clear protocol for follow up on cases must be issued. Every state must appoint a state nodal officer who ensures actions are followed up for these complaints and workers shouldn't be redirected to different officers for grievance redressal.
- Set up of a common functional helpline that workers can reach out to for all queries not only related to wages but also for assistance related to food and rations.
- Open up kiosks in each ward in each municipality to register complaints from workers.
- While receiving these distress calls, Control rooms should enquire and identify whether women and children are part of these groups and should respond to their needs on priority.
- Most of the states have not made any arrangements for food and rations assistance to migrant workers except for Karnataka, Kerala and Delhi. Such arrangements should be made immediately and those helpline numbers should be integrated with these control rooms.
- A simple form in Hindi and other regional languages should be sent to workers calling these control rooms to file wage- related complaints for better coordination among the officers within states and across states.
- Assure safety and protection of their anonymity, if required, to the aggrieved workers from their employers and contractors in the cases where complaints have been registered.

*On behalf of the SWAN Team*

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