

A large crowd of people, mostly men, are gathered outdoors in a paved area. Many are wearing face masks. In the foreground, several people are standing in a line, looking down at papers or documents on a table. A man in a light blue shirt and a blue face mask is prominent in the lower left. Another man in a white shirt and a white face mask is next to him. In the background, the crowd extends far into the distance. Some people are standing, while others are sitting on the ground. The scene appears to be a temporary testing site for COVID-19.

Migrant workers, returning from their native places, stand in queues to get tested for COVID-19 after they arrived in the city of Thane, Maharashtra, India.

– the editors

Image Source: https://images.outlookindia.com/public/uploads/gallery/20201019/Covid_1_20201019_402_602.jpg Courtesy of PTI Photo/R Senthil Kumar

Note: We apologize for the low image quality.



Amitabh KUNDU
Research and Information
Systems for Developing
Countries (RIS), India

A constitutional perspective: Labour market and inclusive urbanization in post COVID-19 India

In the past two decades, the infrastructure finance gaps have been high on the agenda of developing countries, such as in India, in a context of rapid urban growth and messy urbanization accelerating such trends as shrinking cities or premature de-industrialization. The federal government has launched several initiatives in the immediate past years focusing on environmental and climate change parameters, as illustrated by the climate smart city initiative.

Yet, the demand side has rarely been taken into consideration by those programs, whereas the issue of inclusivity has not been a priority. In fact, in most cities or rural centres that have benefited from new infrastructure investments, density has not been going up and migration flows have not accelerated.

The COVID-19 crisis has triggered a paradigm shift. Since March/April 2020, there has been an increasing emphasis on investing into smaller and medium-size industries that can attract labour (labour-intensive industries) and generate employment (and therefore supporting poorer parts of the population). However, the crisis has also illustrated many shortcomings in transforming ambitions into reality. Furthermore, the priority given to recovery has allowed for many restrictions of workers' rights.

Measuring informality

As India experienced lockdowns and large amounts of migrants wanted to go back to their rural communities, they did not have any transport. In fact, the central government had no idea how many citizens had moved from one district to another. A report from the ministry of urban development issued in 2015 used migration data (moving from district to district) from 2001 (!) and not 2011 for which census data was available.

It was only with the crisis that the ministry of labour constituted a committee to look at the vulnerable sections of the population, i.e., their access to income, sustainable livelihood, also basic amenities.

Suspension of worker's rights

Different states and different state governments have been differently affected by this pandemic. States that are more affected want to push up the recovery process by liberaliz-

ing the labour laws and introducing more flexibility. Some acts have been paused for duration up to 1.000 days.

Restrictions in the labour market

Due to high unemployment rates, several state governments have put restrictions on the migration coming from other states, with public and private jobs reserved to the local population. This trend is to some degree a disturbing trend, since it destroys the national labour market and it is unconstitutional (no restrictions against interstate mobility).

New rights for basic services (for all?)

In September 2020, the federal government passed significant labour reforms and rights to basic facilities including all sections of the population, including the unorganized workers and the migrant population. However, many questions remain, like will there be restrictions for home-based workers etc. The long-term achievements of the labour movement should not be lost due the impact of the pandemic.