



International
Labour
Organization

MAPPING STATE INTERVENTIONS FOR INTERNATIONAL LABOUR MIGRATION FROM INDIA

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Executive Summary

India's size and diversity require that certain government functions be devolved to sub-national bodies. In the governance of labour migration, there is increased interest from the centre and from several states to adopt policies, institutional mechanisms and programmes. To understand these initiatives and their drivers, a mapping exercise was carried out to document the various policy and the programmatic interventions set up by different states in India.

This paper also provides an overview of ECR data at the national level from 2011 to 2017 and state level data for three highest sending states in 2017. It presents summaries of 6 states, namely Karnataka, Orissa, Andhra Pradesh, Gujarat, Punjab and Uttar Pradesh based on desk reviews and telephonic interviews with key state officials working with NRI departments/ cells at the state level.

A rapid assessment is made on the basis of decentralisation policies adopted at the state level for international labour migration, and the institutional mechanisms to protect migrant worker's rights and prevent exploitation during the migration process. Using the ILO Multilateral Framework on Labour Migration 2006 as a benchmark, the paper concludes with a set of recommendations which highlight good practices that can be used by states in their efforts to facilitate safe, regular and orderly migration, and safeguard rights of emigrant workers.

The background paper reveals that some states need to focus more on ECR international labour migration than others and must therefore devise mechanisms and schemes suited to their specific context. While encouraging NRI investment in the state's development is an important step, protecting migrant workers' rights and ensuring their welfare must be placed at the centre of policy and programme design at the state. The Labour Ministry at the Centre and its line departments at the state level must also be involved in promoting welfare measure for emigrant workers. A nodal agency mechanism is proposed for better migration management and coordination between the centre and state level.

Keywords

Migrant workers, worker's rights, decentralisation, institutional mechanisms, state policy

Contents

<i>Executive Summary</i>	1
<i>Abbreviations</i>	3
<i>List of Charts and Tables</i>	3
<i>Introduction</i>	4
<i>Objectives</i>	5
<i>National and State level Data</i>	6
<i>Selected State Interventions</i>	9
Karnataka	
Orissa	
Andhra Pradesh	
Gujarat	
Punjab	
Uttar Pradesh	
<i>Assessing Interventions at the State Level</i>	15
<i>Recommendations</i>	17
<i>Conclusion</i>	20
<i>Bibliography</i>	21
<i>List of State NRI Departments/Cell websites reviewed</i>	22

Abbreviations

AE	United Arab Emirates
AF	Afghanistan
APNRI	Andhra Pradesh Non Resident Indian
APNRT	Andhra Pradesh Non Resident Telugu
APSSDC	AP State Skills Development Corporation
BH	Bahrain
ID	Indonesia
ECR	Emigration Check Required
GOI	Government of India
ILO	International Labour Organization
INDEXTB	Industrial Extension Bureau
JO	Jordan
KW	State of Kuwait
MEA	Ministry of External Affairs
MFLM	ILO Multilateral Framework for Labour Migration
MRC	Migrant Resource Centre
MY	Malaysia
OCI	Overseas Citizen of India
OM	Oman
OMCAP	Overseas Manpower Recruitment Agency Andhra Pradesh
NR	Non Resident
NO	Non-resident Oriya
NORKA	Non Resident Keralite Affairs
NROFC	Non Resident Oriya Facilitation Centre
PGE	Protector General of Emigrants
PIO	Person of Indian Origin
QA	Qatar
RAJ	Rajasthan
SA	Kingdom of Saudi Arabia
UP	Uttar Pradesh
UPFCOMRA	Uttar Pradesh Finance Corporation Overseas Manpower Recruitment Agency
WB	West Bengal

List of Charts and Tables	
Chart 1: ECR data of Top Ten Sending States 2011-17	6
Chart 2: State-wise ECR Granted for Top Ten Sending States 2011-17	7
Table 1: Top 15 Districts (all-India) Sending ECR Migrants in 2017	7
Table 2: Top 9 Districts of Bihar Sending ECR Migrants in 2017	8
Table 3: Top 8 Districts of Uttar Pradesh Sending ECR Migrants in 2017	8
Table 4: Top 5 Districts of West Bengal Sending ECR Migrants in 2017	9

Introduction¹

With the second largest population in the world, India comprises a vast landmass of 3,287,240 square kilometres, extending from the Great Himalayan mountains in the north to the Indian Ocean in the south. India has 29 states and 7 union territories spread across the Indian sub-continent. With vastness comes diversity; and India serves as a prime example of the diverse socio-economic, linguistic and cultural conditions that can prevail within a nation's boundaries. Spatial and temporal variations are important to understand the patterns and problems of labour emigration as well. India is the highest remittance receiving country in the world and remittances have played a very important role in the economy for labour sending states and will continue to do so. Patterns of migration change over time and responses must evolve to respond to such changes.

International labour migration has been documented historically across the Indian sub-continent. Historically as indentured labour, and as high-skilled workers, students, construction and domestic workers in more recent times, Indians have migrated abroad in search of opportunities and otherwise for several centuries. Over the past few decades, , the focus of policy and interventions has centered on migrant workers in the Gulf Cooperation Council region as they are the lowest skilled and most vulnerable to exploitation during the emigration process and while at work. This has led to the Indian government placing labour migration on the agenda at a diplomatic level accompanied by a growth in state-level interventions, especially from major sending states in India.

While inaugurating the Skill India Mission in July 2015, the Indian Prime Minister remarked “In the coming decades, the world will gain the maximum workforce from India” and “India could become the human resource capital of the world.”² As the central political leadership recognises the immense potential of Indian labour and skill, within and beyond national boundaries, this is reflected in the recent initiatives taken up by the government at the central and state level. The Ministry of External Affairs (MEA) launched the Videsh Sampark scheme in May 2017, with the purpose of connecting effectively with state governments through meetings with state-level officials to generate awareness about existing programmes and schemes for overseas Indians, passport and consular initiatives, and seeking cooperation and assistance of State Government in addressing common issues.³ While foreign policy falls under the purview of the central government in India, law and order falls within the ambit of state jurisdiction. This has led to increased coordination between the centre and states for grievance redressal, curbing recruitment malpractice perpetrated by unregistered agents and in the case of women domestic workers and nurses, providing placement services abroad. The External Affairs Minister holds regular meetings with state NRI ministers and senior officials to discuss the progress on NRI related matters at the state level. From 2017 onwards, Pravasi Bharatiya Divas (PBD) meetings are held in different

¹ The opinions expressed are the sole responsibility of the author and do not in any way constitute an endorsement by the International Labour Organisation. The author is grateful for helpful comments and suggestions by Seeta Sharma, Max Tunon and Pranidhi Sahney, ILO New Delhi.

² <https://timesofindia.indiatimes.com/india/India-can-become-human-resources-capital-of-the-world-PM-Modi/articleshow/48086806.cms>

³ Mentioned in the keynote address delivered by Gen. (Dr) V K Singh (Retd.), Minister of State for External Affairs at the First MEA-State Outreach Event organised by MEA and the state government of Telangana at Hyderabad (May 13, 2017)

states every two years and in the intervening year, PBD conferences are held in New Delhi on specific issues of interest to the diaspora.

Some states, in response to the central ministry initiatives over the past few years, have also taken steps to explore the potential of tapping into NRI investment and build schemes to benefit migrant workers from India. However, in southern states such as Kerala and Andhra Pradesh, attention was regarded to the welfare of migrant workers much earlier than in other states as it was politically expedient to cater to their demands due to the scale of migration and contribution of migrant workers to the state's economic growth. The use of terminology is also indicative of the importance of the migrant. The centre refers to workers as labour and the richer migrants as non-resident Indians, reflective of India's social stratification. However departments in Kerala and Andhra cater to migrants from their state as non-resident Keralites and Non-resident Telugus.

Objectives

In line with the evolving policy of encouraging state-level interventions by the centre, and the growing interest from the states to take a more active role, there is a need to understand the institutional mechanisms and frameworks for migration governance being developed and modified at the state level. This background paper, commissioned by the ILO, is an attempt to document these initiatives and understand the trend. This has obvious application within India, but it is also worth noting the potential for sharing at the regional level as the process of devolving these functions is underway in Nepal and Pakistan, and well established in Indonesia – all major Asian countries of origin.

This paper is based on a mapping exercise with a focus on the policy and the programmatic interventions taken up by the various states in India. It provides a general overview at the national level with further more in-depth research of 6 states.⁴ These states have been chosen on the basis of the range of interventions taken up such as policies, specific programmes and schemes designed for Non-Resident Indians (NRIs) and the information available primarily through online sources. The data collection and research design has been guided by the questions listed below:

1. What are the various state-level interventions?
2. Is there an emerging pattern in state engagements based on the use of socio-economic parameters or any other method of profiling migrants?
3. Are there innovative / replicable interventions?
4. What would be the recommended interventions for centre and the states?

An analysis of national and state level official data on Emigration Check Required (ECR) migrants was conducted to highlight the top sending states and districts in India.. Desk reviews of key policy documents, state NRI departments' website information and data available in the public domain through the e-migrate website have informed the analysis in this paper. In addition, telephonic semi-structured interviews have been conducted with relevant officials in NRI cells/ departments/ foundations in select states of Uttar Pradesh, Bihar, Gujarat, Punjab, Karnataka and Andhra Pradesh over the course of one month from mid-December 2017 until mid-January 2018. Attempts were made to contact officials in Punjab, Rajasthan and West Bengal but due to the lack

⁴ Interventions at the state level in Kerala have been documented in detail and hence this state has been kept out of the purview of this study.

of reliable information online and unavailability of officials (due to prior engagements and time limitations), these states were not included in the study.

This paper concludes with a set of recommendations which highlight good practices with a purpose of generating knowledge for sharing of good practices between states. The ILO Multilateral Framework on Migration 2006 has been used to foreground the recommendations presented in this paper.

National and State Level Data

There is a dearth of reliable and publically-available data on (labour) migration from India, even when compared with neighbouring countries. Official labour migration data is restricted to the decennial Census and National Sample Surveys conducted by the Indian government. The Census 2011 recorded 700,000 international migrants from India.⁵ According to UNDESA (2015) data, 63 percent of migration from India leave for West Asia.⁶ The analysis of last available national level survey data on out-migration (NSSO 64th round 2007-2008) revealed that there were many more international migrants from India, at an estimated 4.44 million emigrants from the country with Kerala topping the list at 1.58 million, followed by Tamil Nadu (0.49 million) and Andhra Pradesh (0.43 million). Rural states show higher percentage of remittance in comparison to the urban dominated states. About one-fifth of the emigrants are women and a majority (56%) of the emigrants had migrated during the last five years. About 80% of the migration has taken place due to employment purposes, followed by marriages (10%) and studies (3%) while reasons vary significantly at the state level.⁷

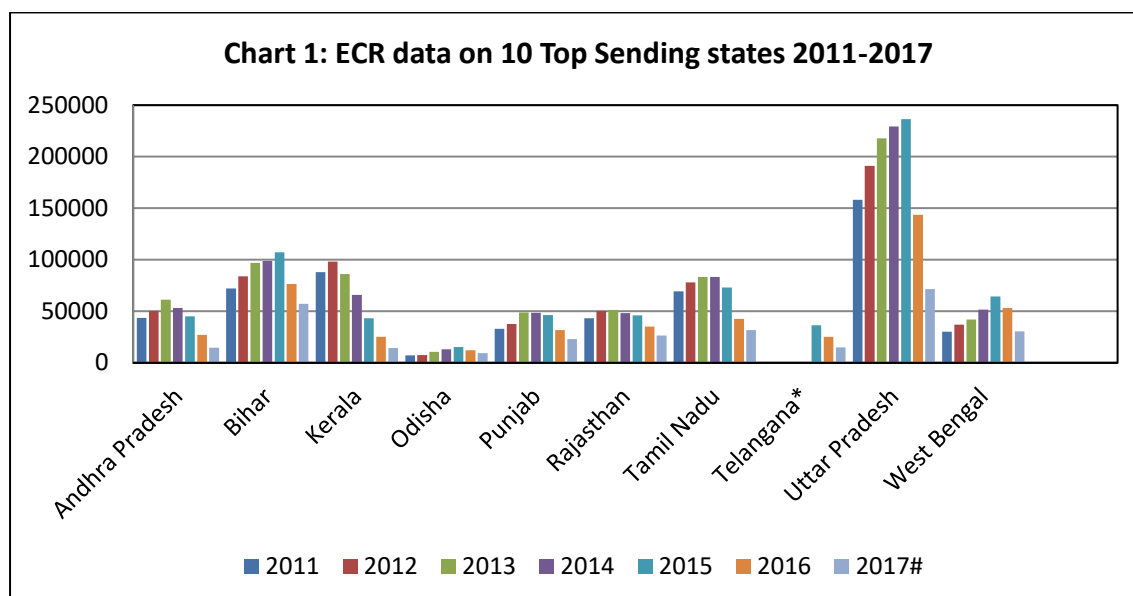
A closer look at the state level data reveals certain patterns and trends. ECR data on top 10 sending states (2011-2017) is given below.⁸ Chart 1 and 2 depict the leading sending states in India and their share in ECR migration between 2011 and 2017.

⁵ See Census of India 2011 migration summary http://censusindia.gov.in/Ad_Campaign/drop_in_articles/08-Migration.pdf

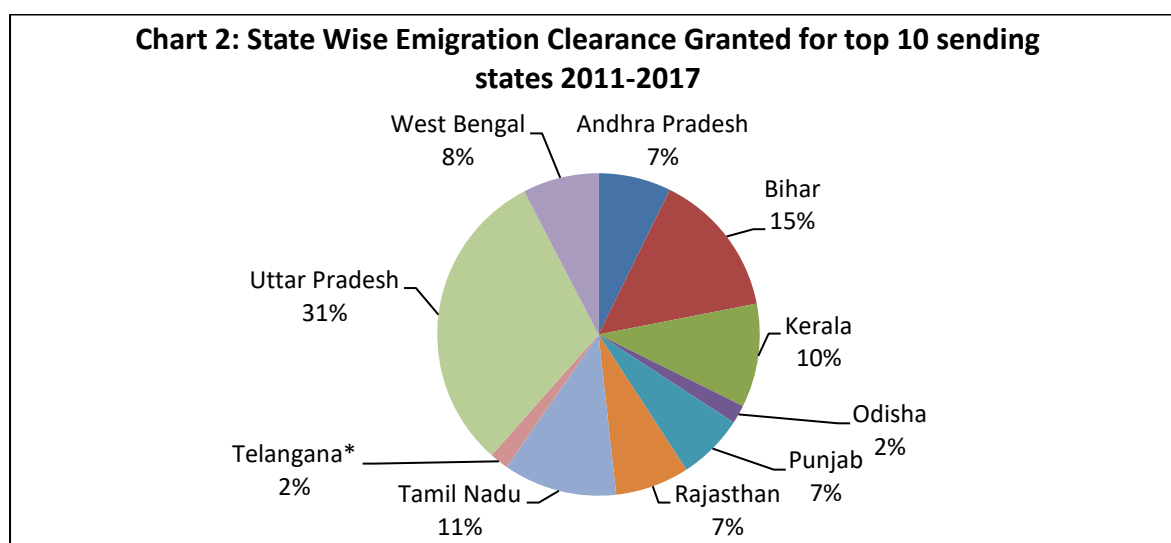
⁶ West Asia excludes Iran for the calculations in Srivastava, R. & A.K. Pandey (2017) pg 17

⁷ See Bhagat et al (2013) pg 96

⁸ It is important to note that Andhra Pradesh was bifurcated in 2014 and hence shows a decline while data for the state of Telangana is available from 2014 onwards.



While there has been an overall decline in ECR migration from the top sending states, Uttar Pradesh has been in the clear lead with 31% of all ECR workers followed by Bihar (15%) and Tamil Nadu (11%). Kerala which was the highest sending state of ECR emigrant workers till 2011, has been overtaken by Uttar Pradesh and Bihar. Kerala is currently in the fourth position accounting for only 10% of ECR migration for the past 7 years. Andhra Pradesh, Rajasthan and Punjab account for 7 percent each of ECR migration since 2011.



Source: MEA data 2011-17⁹

Prior to 2011, Kerala maintained the top position for several years. This shift could be due to fewer migrants from Kerala are migrating on ECR passports to ECR countries. Surveys such as the Kerala Migration Survey 2014 indicate that the migration of Non-ECR migrant workers has been on a rise in some states such as Kerala. However, it is not yet possible to compare ECR with Non-ECR data across states or present a gender disaggregated picture due to unavailability of data in the public domain. On the basis of available data, it is evident that UP, Bihar, Tamil Nadu, Andhra Pradesh, West Bengal, Punjab and Haryana need to focus on the ECR migrants and their welfare,

⁹ MEA Data available on the Emigrate website <https://emigrate.gov.in/ext/preViewPdfGenRptAction.action>

especially considering the remittances they bring in from the Gulf countries and assuage the state level unemployment scenario.

Table 1: Top 15 Districts (All India) sending ECR Migrants (2017)

Rank	District	State	UAE	KSA	Kuwait	Qatar	Oman	Bahrain	Malaysia	Jordan	ID	Lebanon	Total Number
1	Gopalganj	Bihar	8,787	1,522	927	857	1,817	337	86	24	0	0	14,357
2	Siwan	Bihar	7,622	1,898	1,164	843	1,996	366	69	49	0	0	14,007
3	Lucknow	UP	3,806	1,308	1,094	315	1,376	129	70	58	1	1	8,158
4	Kushinagar	UP	4,098	784	723	674	1,318	276	89	85	0	0	8,047
5	Nadia	WB	2,380	1,689	614	889	1,110	138	679	11	0	0	7,510
6	Deoria	UP	4,396	442	597	623	1,025	249	86	64	0	0	7,482
7	Murshidabad	WB	407	5,727	638	96	215	36	204	3	0	0	7,326
8	Patna	Bihar	3,394	1,591	468	445	1,186	103	52	40	1	0	7,280
9	Sikar	Rajasthan	3,447	933	453	358	1,012	199	25	10	0	0	6,437
10	Jalandhar	Punjab	4,004	136	511	344	391	199	58	67	0	14	5,724
11	Churu	Rajasthan	2,393	856	423	244	1,065	121	16	6	0	0	5,124
12	Gorakhpur	UP	2,826	388	389	371	705	192	106	46	0	0	5,023
13	YSR	AP	209	189	4,498	18	54	38	7	3	0	1	5,017
14	Kolkata	WB	1,518	1,859	928	211	409	21	52	6	0	0	5,004
15	Jhunjhunu	Rajasthan	2,561	665	231	266	987	174	19	1	0	0	4,904

Source: MEA data 2017

Table 1 above shows the top 15 sending districts in India in 2017. Gopalganj and Siwan in Bihar are the highest sending districts with more than 12000 workers migrating from each district to UAE, Oman and Saudi Arabia. Other sources also indicate that the highest source of remittances in these districts is from the Gulf.¹⁰ Several districts of Uttar Pradesh such as Lucknow, Kushinagar, Deoria and Gorakhpur also feature in the top sending districts. West Bengal and Rajasthan have three districts each in the top 15 list.

Table 2: Top 9 Districts from Bihar sending ECR Migrants in 2017

District	AE	SA	KW	QA	OM	BH	M Y	JO	AF	ID	LB	Total
Gopalganj	8787	1522	927	857	1817	337	86	24	0	0	0	14357
Siwan	7622	1898	1164	843	1996	366	69	49	0	0	0	14007
Patna	3394	1591	468	445	1186	103	52	40	0	1	0	7280
West Champaran	1447	928	390	399	555	102	18	31	0	0	0	3870
East Champaran	833	867	280	190	320	68	11	45	0	0	1	2615
Madhubani	509	997	230	312	201	27	19	12	0	0	0	2307
Saran	857	579	215	151	290	47	10	7	0	0	0	2156
Muzaffarpur	659	579	225	119	402	52	78	8	0	0	0	2122
Darbhanga	554	993	159	117	178	53	8	15	0	0	0	2077
Total												50791

Source: MEA data 2017

¹⁰ <https://timesofindia.indiatimes.com/city/patna/Maximum-remittances-from-Gulf-in-Bihars-Siwan-and-Gopalganj-districts/articleshow/51671720.cms>

Table 2 and 3 show the highest sending districts in Bihar and Uttar Pradesh. A closer look at the districts sending ECR migrants illustrate that most of them are geographically clustered together. The western region of Bihar has a greater concentration of labour sending districts. In the case of Uttar Pradesh, the easternmost part, adjoining Bihar's high migration zone, has a concentration of labour-sending districts. This recent data reflects the findings of earlier studies¹¹ where high migration zones and districts based on the NSSO 2007-08 data are in the same regions.

Table 3: Top 8 Districts from Uttar Pradesh sending ECR Migrants in 2017

District	AE	SA	KW	QA	OM	BH	MY	JO	ID	LB	Total
Lucknow	3806	1308	1094	315	1376	129	70	58	1	1	8158
Kushinagar	4098	784	723	674	1318	276	89	85	0	0	8047
Deoria	4396	442	597	623	1025	249	86	64	0	0	7482
Gorakhpur	2826	388	389	371	705	192	106	46	0	0	5023
Bijnor	333	2430	973	111	168	39	23	46	0	0	4123
Azamgarh	1287	550	514	167	644	78	94	34	0	0	3368
Maharajganj	1344	744	547	218	325	64	62	53	0	0	3357
Mau	937	604	205	121	318	68	29	68	0	0	2350
Total											41908

Source: MEA data 2017

In Table 4 below, we can see that the top sending districts of West Bengal are from the south-eastern side of the state. Nadia is the top sending district followed by Murshidabad and Kolkata. States such as Rajasthan, Punjab and Andhra Pradesh also send labour to ECR countries from specific zones within the state.¹² These patterns could exist due to a range of historical, economic and social factors.

Table 4: Top 5 Districts from West Bengal sending ECR Migrants in 2017

District	AE	SA	KW	QA	OM	BH	MY	JO	Total
Nadia	2380	1689	614	889	1110	138	679	11	7510
Murshidabad	407	5727	638	96	215	36	204	3	7326
Kolkata	1518	1859	928	211	409	21	52	6	5004
South 24 Parganas	2277	538	307	377	215	43	518	1	4276
North 24 Parganas	1239	641	529	590	389	104	303	3	3798

Source: MEA data 2017

Based on the evidence presented above, it is clear that some states need to focus more on ECR international labour migration than others and must therefore devise mechanisms and schemes suited to their specific context. Due to decades of having been the largest origin state NORKA-ROOTS in Kerala devised several schemes for migrants which include; safe passage through registered agents, accident and life insurance, investing remittances etc. While NORKA ROOTS now also caters to high-skilled migrants, the decades of experience has provided a useful roadmap for possible interventions and some of these schemes have been replicated in other labour sending states, especially in southern India.

¹¹ See Bhagat et al (2013) and K. Kumar & S. I. Rajan (2014)

¹² For example, the Doaba region of Punjab has witnessed large scale out-migration over the past few decades. While migration to UK, Canada and Europe has been documented, Gulf labour migration is a more recent phenomenon.

Selected State Interventions

A summary of state-wise interventions for NRIs that have been planned and implemented in 6 states selected for this paper is provided below.

Karnataka

The Government of Karnataka has adopted the NRI Policy for a period of 5 years beginning December 2016 to guide interventions taken to benefit NRIs and their role in the development of the state.¹³ Under this policy, the Karnataka Udyog Mitra has set up a single contact point for all investors looking to set up businesses in the State. As the nodal agency, Karnataka Udyog Mitra's stated objective role is to facilitate investments and execute initiatives to enable smooth transition from receiving an investment proposal to eventual project implementation.

In addition, the state government has also set up the NRI Forum to promote and assist NRIs in their investment activities in Karnataka. The NRI Forum is intended to serve as a facilitator and assist entrepreneurs in starting up industrial units, infrastructure, solar and tourism projects throughout Karnataka. The forum is supposed to serve as a single interface between the Government and the potential NRI investor. Further, the forum follows up at various levels of governance to expedite implementation and approval.

The NRI Forum assists NRIs in their property matters, including litigations. Additionally, the forum registers, responds to and monitors complaints and liaises with stakeholders. The Forum is constantly in touch with local district administration, especially on issues related to NRIs of the Gulf countries. This responsibility has been assigned to one officer each appointed at the District level in this regard.

The NRI Forum conducts training and skill-development programs through the Karnataka Vocational Training and Skill Development Corporation. Training and internship facilities are also on the anvil via the State's professional education institutions. The Forum intends to set up a knowledge skill bank, a web-based application, to facilitate networking and knowledge exchange with academic and research institutions in the state. Migration Facilitation Centres have been planned and are being set up in close association with the MEA at selected places to hold pre-departure training and orientation programs for overseas job seekers to protect them from unnecessary exploitation.¹⁴

The Karnataka government has initiated the Adoption Scheme wherein philanthropic NRIs are influenced to adopt or assist schools, health care facilities, villages in the State in collaboration with the Government in the State's social welfare programs. The Government of Karnataka has maintained a 15% quota for the children of NRIs/PIOs at all professional educational institutions in the State. Opportunities are available based on merit and vacancy.

¹³ For details, see the Karnataka NRI Policy 2016

¹⁴ Drawn from an interview with a state official working with the NRI Forum in Karnataka on January 12, 2018.

Orissa

The Government of Orissa has taken steps to attract investments by creating the concept of 'Team Orissa', which is based on the broad institutional framework of the state government to engage in industrial facilitation and investment promotion in key areas of economic growth. Team Orissa is intended to provide the following:

- Guidance and assistance to entrepreneurs to set up industries in the state and to provide a one-point contact solution to investors through the single-window (SW) clearance mechanism
- Plan investment promotional activities at the state, national and international level
- Design growth strategies for industrial sectors that are key drivers of the state economy and provide necessary assistance and feedback in policy formulation

The Non Resident Oriya Facilitation Centre (NROFC) is an organization that works in liaison with the Non Resident Oriya (NO) Cell of Government of Orissa and help non-resident NOs in the following ways:

Collection of information and knowledge exchange: It collects information on NOs and the creation of a database, mailing lists, and a discussion forum. It also facilitates information exchange with NOs, the Government and people of the locality and represents members' interests. It enables facilitation of NO projects by providing relevant information and helping with the government interface.

Organizing meetings of NR Oriyas: Aimed at organizing voluntary gathering of all Oriyas residing outside Orissa interested in the development of the state. It also organizes designated events such as Pravasi Oriya Divas and the Annual Orissa Development Symposium.

Andhra Pradesh

The APNRI department was set up after the bifurcation of the state (into Andhra Pradesh and Telangana) in June 2014 although it did exist in the form of an NRI Cell since 2006. The AP NRI department is led by a Minister of the AP state government. The APNRI website provides information regarding registration and application system, authentication and attestation of educational certificates and personal documents, awareness programmes relating to marriages, pre-departure training through Overseas Manpower Company Andhra Pradesh Limited (OMCAP), tracing of the missing NRI's, legal assistance to the required, exgratia/ compensation to the deceased ones, medical assistance abroad, transportation of mortal remains and other related services.

The Andhra Pradesh Non-Resident Telugu (APNRT) society is a government owned non-profit society established in May 2016 by Government of Andhra Pradesh. Non-residents Telugus can become members and avail services under three divisions:

- Services Division: Created to fulfil NRT's needs back home. Intended as a one-stop shop to provide assistance for NRT members

- Investments Division: Created as a platform for investors to expedite conversion of investment plans for setting up of industry
- Smart Villages Division: To ensure that the work initiated by NRT Donors in their own villages get expedited by bringing in transparency / facilitation with government functionaries

In September 2017, the Chief Minister approved the AP NRT migration policy and has allotted 40 crore rupees for implementation of the policy, while sanctioning 20 crore rupees with immediate effect. As part of the policy, *Pravasandhra* Helpline, *Pravasandhra* Welfare Fund and *Pravasandhra Bharosa* (an insurance scheme) has been set up for all members of APNRT.¹⁵ The AP NRT policy will be steered by a high-level committee on Labour Migration and APNRT has been made responsible to operationalise the migrant strategy, support implementation and monitor progress. AP NRT and the AP State Skills Development Corporation (APSSDC) have signed a MoU for training returnee and potential skilled workers in collaboration with training partners from destination countries.

Furthermore, OMCAP, established in 2006, is a state-run recruiting agency with ISO 9001-2008 certification. It was launched by the Government of Andhra Pradesh and operates under the approval by PGE, MEA. The main objective of the company is to help the overseas job aspirants avoid exploitation by unauthorized and unscrupulous placement agencies. During an interview with an OMCAP senior official on the role of OMCAP,¹⁶ he mentioned that they have played an important role especially in awareness creation regarding fees and charges involved in labour migration and thereby restricting the exploitation of aspiring workers by unscrupulous recruitment agents.

Gujarat

Gujarat has deep links with the Indian diaspora, especially via high-skilled workers migrating from the state and the existence of an international Gujarati business community.¹⁷ Due to the strong diasporic links of NRIs from Gujarat with their state, the main focus by the state government has been on encouraging investment in the state. For facilitating such investment, the Industrial Extension Bureau (iNDEXTb), Gujarat's investment promotion agency, provides a single point of contact for all investment-related activities in the State. The iNDEXTb's broad areas of functioning include investment promotion both in industrial and infrastructure projects; promoting NRI and foreign investment; and coordinating with various departments of the Centre and the States.

The NRI division is led by a secretary level officer reporting to a state level minister. The Government of Gujarat established a Non Resident Gujaratis Foundation (NRGF) under the NRI division in 1998. The foundation offers the following types of assistance:

Assistance in legal disputes: Non Resident Gujarati (NRG) District Committees have been set up to resolve any issues that NRI Gujaratis may face, including those related to property in their native

¹⁵ <http://www.thehansindia.com/posts/index/Andhra-Pradesh/2017-09-16/Andhra-CM-approves-migration-policy-allots-Rs-40-crores-for-its-implementation/327026>

¹⁶ Telephonic interview held on January 15, 2018

¹⁷ See Dhak and Shah (2011) for evidence on the socio economic background of emigrants from Gujarat.

homes in the state. NRG centres have been established to assist NRGs in resolving their problems at the local level.

Gujarati language cultural support: NRGF has initiated a project to develop educational CD ROMs in Gujarati, distribute books and other material for self-instruction of Gujarati and create awareness around Gujarat and about its past and present.

The Gujarat Card: Through the Gujarat Card, NRGs will be offered several rebates and discounts on products and services.

Honorary representatives: The Government of Gujarat has appointed individuals or organizations of eminence from the NRG community as its honorary representatives to contribute suggestions and ideas on the State's development policy.

Philanthropy/Donations: The state government of Gujarat has floated several schemes for the development of the State. Donations from the public are accepted for these schemes. *Vatan Seva*, a book on different schemes for service to the country is published and distributed among NRGs/NRIs.¹⁸

Punjab

The NRI Sabha was founded as an NGO by the Punjab government in 1996. It was set up to serve as a permanent platform to provide welfare services to NRIs from the Punjab. It works to promote NRIs' interests such as protecting of property rights, facilitating visits to Punjab, streamlining investments etc. Comprising of the women's wing, the youth wing and grievance removal wing, it has membership across many districts in Punjab and has been instrumental in lobbying for amendments in law which helped NRIs from Punjab.¹⁹

Safety of land and properties belonging to NRIs has been a major concern for NRI Punjabis and in response a special NRI cell in the office of the Director General of Police has been set up to monitor complaints related to NRIs. The scope later expanded to include NRI marriage fraud as well. A separate department for NRI Affairs was set up in 2007 under the overall guidance of the Commissioner, NRI Affairs in Chandigarh. The main responsibilities included ensuring greater participation of NRIs in the social, economic and cultural development of Punjab through various schemes and projects and dealing with grievances via effective coordination with other departments and state agencies.

The NRI Affairs website highlights the religious pilgrimage sites and other tourist destinations while the drop down menus provide logistical travel information such as maps and flight schedules. Additionally, information on schemes such as 'Mera Pind' or the 'Mukh Mantri Gram Garima Yojana' which invites Non-resident Punjabis to invest in the infrastructural, educational, health and economic development of their native villages is also available on the website. In addition, NRI Facilitation Bureau was set up at Punjab Bhawan in Delhi to provide information on business and educational opportunities to NRIs from Punjab.

¹⁸ See <https://nri.gujarat.gov.in/vatan-seva-cont.html> for details on the Vatan Seva scheme. A booklet in English is available online at <https://www.nri.gujarat.gov.in/Images/nribook-eng.pdf>

¹⁹ See Rajan & Nanda (2015)

In 2011, an Act was passed in the Punjab Legislative Assembly to set up the State Commission for NRIs to safeguard the interests of NRIs from the state. Equipped with powers of a civil court, the Commission is intended to fast-track cases affecting NRIs. The Prevention of Human Smuggling Bill 2010 was notified as an Act in 2013 as the Punjab Prevention of Human Smuggling Rules 2013; is a need based legislation to control various types of immigration fraud in Punjab.

Uttar Pradesh

An NRI Department was setup in July 2014 to resolve the problems of Non-Resident Indians (NRIs) under Uttar Pradesh government through an office Memo . An independent NRI Section has been set up to carry out the activities of the newly constituted NRI Department.

The main tasks of the department include keeping records and information of NRIs, PIOs and OCIs from Uttar Pradesh and attracting investment in the state from NRIs facilitated through a single window system. The department is supposed to formulate policy for the state government regarding the state's NRIs. It determines beneficial welfare schemes for emigrant workers from the state and coordinate with the various departments of the central government on emigration and implementation of related policies.

Other responsibilities include coordination with the organizations related to NRIs, organize investor meeting every year for NRIs, provide pre departure training on safe migration and skills training to emigrant workers from the state. A new MRC has been set up in Lucknow recently, in January 2018. The department will establish 24*7 Help Centers for NRIs. It also aims to develop and maintain a website for NRIs with the facility to register themselves and be eligible for and NRI card. Setting up of a NRI Rural Infrastructure Fund is also planned.

In the case of Uttar Pradesh as well, the focus is on attracting NRI investment hence it caters specifically to a certain section of Non-resident Indians, those who are high skilled, English educated (and hence can access the website) and have the capacity to invest back in India, while they may live elsewhere. The only initiative taken for migrant workers is the setting up of the UP Industrial Corporation Overseas Manpower Recruitment Agency (UPCOMRA), a state-run recruitment agency that has been registered in 2016 with the MEA by the state's Industrial Finance Corporation, to channelize job opportunities. With offices in Ghaziabad and Meerut and another one expected to open soon in Gorakhpur, UPCOMRA has recruited 93 nurses and recruitment for about 126 more nurses and 50 'cleaning staff' is under progress.²⁰

Assessing Interventions at the State Level

➤ *Attracting investment versus facilitating safe labour migration*

There seems to be two-pronged approach to NRIs at the state level. The primary focus of all states is on attracting NRI investment in the state. Ranging from public-private partnerships,

²⁰ See Hindustan Times Lucknow report, September 8, 2017 <https://www.hindustantimes.com/lucknow/yogi-government-to-set-up-labour-recruitment-office-in-gorakhpur/story-xSijJrgk7s1busPEk2olRO.html> accessed on January 23, 2018

infrastructural projects to village development schemes, the basic purpose derived from the NRI department/ cell websites, press statements and public announcements is towards inviting NRIs to come visit the state, participate in Pravasi Bharatiya events and invest in the private and public ventures made available. States such as Gujarat, which are not source states for ECR labour migration, have taken steps to only focus on facilitating NRIs towards business and infrastructural projects in the state.

The second approach is to register state level manpower agencies to facilitate labour employment at the state level, based on MOUs signed by the MEA with different countries including ECR countries. These manpower agencies have been registered by the state departments of employment or industries or public corporations (for example, UPCOMRA or UP Industrial Corporation Overseas Manpower Recruitment Agency).²¹

Some states such as Andhra Pradesh are following a combination of these approaches, while others are only focussing on attracting investment from NRIs, for example, Bihar. Some states such as Kerala, recognised the importance of employment avenues for workers available abroad and their contribution of remittances to the state's economy in the early 1990s while other states such as Andhra Pradesh and Tamil Nadu began to look into NRI matters in the following decade. States like Uttar Pradesh and Bihar have taken steps to attract NRI investment in the past few years. The approach adopted varies depending on when NRI related issues were recognised at the state level. In the case of some labour sending states such as West Bengal and Rajasthan there has been a dearth of policy efforts and welfare measures for international migrant workers. With MEA's encouragement, some measures are planned but at present very little information is available in the public domain regarding any assistance being provided to ECR migrants for their welfare abroad or for safeguarding their interests during the migration process. Based on the approach adopted at the state-level, institutional structures vary and have been discussed in the following section.

➤ *Institutional Set-up*

In most states, the NRI Affairs department was created initially as a division under the state general administration department. In some cases, it subsequently became a department with a minister in charge, such as Andhra Pradesh and Kerala. In the case of states such as Andhra Pradesh, Tamil Nadu and Kerala, the initial steps had been taken to set up institutional structures under the state Labour department. With the establishing Migrant Resource Centres and initiatives for skill training and awareness generation; these states initiated schemes for the welfare of emigrant workers of different skill levels and works to protect the rights and interests of low-skilled workers particularly those migrating to the Gulf, as they are more vulnerable to unscrupulous practices by recruiters and overseas employers. This was in response to a political demand to look into the welfare of migrant workers which found resonance in state level NRI policies and programmes.

In other states such as Uttar Pradesh and Assam, while state-level ministers have been put in charge, NRI cells or departments have been set up under the purview of Industries department or the Finance Corporation.

The latter states, works in tune with the investment approach, as can be also observed in the case of Bihar and Gujarat. The primary driving factor is to encourage and attract investment from

²¹ Telephonic interview with UPFC official held on December 29, 2017

NRIs, targeting only those who have the capacity to invest in the state. However, innovative schemes have also been explored. For example, thousands of NRIs have successfully invested in large infrastructural development projects such as the Kochi airport in Kerala²² While this strategy may work well for NRGs of Gujarat or NRK of Kerala, in the case of Bihar on the other hand, the migrant is of a different type and though the migrant does send remittances – these are mostly used for household consumption.

The setting up of Commissions, registered Societies and NGOs by state governments is another initiative taken up by some of the states. Based on membership, these state-owned institutions provide a forum to address NRI issues and act as a lobby group for benefits, e.g. in Punjab.

➤ *Grievance Redressal*

The grievance redressal system for overseas workers is centralised through the eMigrate and Madad which is managed by the MEA. The Ministry seeks the support of the States to resolve cases, primarily to take action against recruiting agents. An interesting fact that emerged is that many of the complaints and grievances reported during interviews with state officials were regarding land disputes, intimidation and harassment of family, cases of cheating, false police complaints etc. which have led to different steps being taken at the state level. Grievance redressal forms a bulk of the interventions at the state-level. Other steps to resolve NRI related disputes include relevant notifications being passed, for example, in 2015, the Government of Uttar Pradesh took a landmark decision to "Not Register any FIR against any UPNRI without having brought in to the notice of the Zonal Inspector General of Police."²³ States such as Punjab have dedicated NRI Police cells to deal with issues of fraud regarding marriage to NRIs. Other steps include, setting up helplines and coordination between NRI departments/ cells.

➤ *State based Identity Cards*

Most states have a registration and membership system which is available to NRIs who belong to the state. While this could serve as an important database to provide evidence for programme design, possibilities of duplication exist, especially since ECR migrants also have to register on the E-migrate website.

➤ *Outreach*

Websites of most NRI departments provide information for tourists and target diaspora of state origin, who are perhaps visiting the state for the first time. Such information is also available on state tourism websites. On NRI department websites, information on emergency contact numbers and schemes for emigrant workers should be more prominently displayed. In addition, it is important to create awareness about relevant information like contact details of MRCs and POEs in the local languages through radio, television, SMS and other electronic media has proven successful in the case of Andhra Pradesh and could be replicated in other states as well.

²² See <http://www.arabnews.com/news/550736>

²³ See <http://www.upnri.com/writereaddata/images/pdf/go-policy.pdf>

Recommendations

There is need for an emphasis on policies and schemes to protect the interests of low-skilled workers and enable their safe migration and return. While attracting NRI investment is beneficial for the development of the state; welfare of emigrant workers must also be the focus of governmental policy and programme design. The ILO Multilateral Framework on Labour Migration (MFLM) 2006 was developed in response to widespread demands for practical guidance and action with a view to maximizing the benefits of labour migration for all parties. It addresses the major issues faced by migration policy makers at national, regional and international levels and is a comprehensive collection of principles, guidelines and best practices on labour migration policy, derived from relevant international instruments and a global review of labour migration policies and practices of ILO constituents.

Notably, the ILO Multilateral Framework addresses the important themes of decent work for all, governance of migration, protection of migrant workers, promoting migration and development linkages, and expanding international cooperation. It also advocates for gender-sensitive migration policies that address the special problems faced by women migrant workers. The MFLM serves as a good reference point to evaluate the various state-level interventions adopted in India and as a basis for recommendations.

Labour Migration data: The MFLM Guideline 3.1 calls for improving government capacity and structures for collecting and analysing labour migration data, including sex-disaggregated and other data, and applying it to labour migration policy. Qualitative and quantitative assessment of district level patterns of international labour migration is necessary. Socio-economic status, gender, caste, minority status breakdown of ECR and non-ECR data will point towards which specific communities are migrating to the Gulf countries for work. A district level analysis could lead to identification of high migration zones and specific interventions can be designed as a result. At a policy level as well, availability of relevant data will make it is easier to identify vulnerable groups and labour sending regions within states that need focus. Further research would yield useful insights which could translate into more effective policies and targeted schemes for vulnerable migrant workers.

Decentralisation: The MFLM Guideline 4.4 urges states to implement policies that ensure that specific vulnerabilities faced by certain groups of migrant workers, including workers in an irregular situation, are addressed. The effort to encourage decentralisation based on more targeted approaches to responding to specific needs has led initiatives such as Videsh Sampark by the central ministry and state policies have been adopted at the state level by Andhra Pradesh and Karnataka. Other labour sending states must also consider enacting policies that can benefit their migrant workers. Moreover, long term labour market assessment at the state-level could provide evidence for specific policy directions which may vary from state to state, depending on the working populations, unemployment rates, educational levels and future skilling targets.

Gendering policy and interventions: ILO MFLM guideline 4.5 calls for ensuring that labour migration policies are gender-sensitive, increase women's opportunities, and address the problems and abuse faced by women in the migration process. Women migrants are vulnerable in specific ways and their interests must be safeguarded by the state. While interventions have been made to address issues of deserted women and marriage related complaints such as by Punjab, the welfare

of women migrant workers, especially domestic workers and others who are in the ECR category must be kept in mind while designing policies and programmes at the state level. For such efforts, sex disaggregated data at the state level is essential.

There is a need for evidence based discourse related to restrictive policies on women's migration, including the requirement to migrate through state-run agencies. Furthermore, research could highlight the manner in which such decisions, taken at the central level, effect women migrant workers from different states and if these decisions need to be devolved to the state level.

Coordination: MFLM guideline 4.6. asks for providing labour ministries with a key role in policy formulation, elaboration, management and administration of labour migration to ensure that labour and employment policy considerations are taken into account. Better coordination between state departments is essential for better migration management. Coordination between the national and state level for data sharing, including a common database for state identity card registration is a first step towards coordination between national and state level institutions. The labour department can for example play a more proactive role both at the central and state level with involvement in job counselling services, pre-departure training and reintegration of migrant workers.

Setting up of institutional mechanisms: The MFLM guideline 4.7 calls for establishing mechanisms to ensure coordination and consultation among all ministries, authorities and bodies involved with labour migration. Various states have set up governing councils or steering committees to guide the activities of the NRI department/ cells. For example, the Karnataka NRI Forum has a governing council led by the state's Chief Minister and comprising of secretary-level member from many departments. While most states have NRI cells which focus on attracting investment, some states are yet to even set up NRI departments/ cells.

Guideline 4.8 asserts that specific structures and mechanisms within these ministries having the necessary competencies and capacities to formulate and implement labour migration policies, including a special unit for issues involving migrant workers must be ensured. A nodal agency under the NRI/Labour department guided by a committee comprising relevant state departments such as home, women and child affairs, skill development, health etc. would be beneficial. It could act as a single window for labour migrants and can coordinate with relevant departments and the MEA. workers' rights.

Financial support: Guideline 4.9 of the ILO Framework calls for ensuring that the relevant ministries have adequate financial and other resources to carry out labour migration policies. NORKA-ROOTS in Kerala has a substantial annual budget allocated for taking up welfare activities for migrant workers. Budgetary allocations of 400 million INR has been made public for the implementation of the AP NRT policy. Not enough information exists in the public domain regarding utilisation and on the specific activities on which the money is spent. There is an absence of a clear financial commitment and accountability to the welfare of emigrant workers in most states and this is an essential step to ensure commitments are followed through.

Redressal mechanisms: As per guideline 8.3 of the MFLM, governments should provide effective enforcement mechanisms for the protection of migrant workers' human rights and provide training on human rights to all government officials involved in migration. Some states have instituted police cells to help with grievance redressal of NRI complaints. Grievance redressal mechanisms must be accessible to all types of NRIs from the state. MFLM guideline 11.3 calls for

implementing effective and accessible remedies for workers whose rights have been violated, regardless of their migration status, including remedies for breach of employment contracts, such as financial compensation. MOUs with destination countries are a positive step to enable swift remedies for worker rights' violation. The government at the national and state level must take proactive steps to ensure remedial steps are taken in a just and time-bound manner.

Guideline 11.4 calls for imposing sanctions and penalties against individuals and entities responsible for abusive practices against migrant workers. At the MEA level, steps have been taken to ban unscrupulous recruitment agents and new regulations to expand the net and prevent exploitation of migrant workers in the emigration process. At the state-level too, the government must be vigilant of sub agents and the nexus between overseas recruitment agents and their local counterparts. Punjab has a legislation covering recruitment agents under the Prevention of Human Smuggling Act, 2012 but attention must be given to ensure that such state level legislations are not be in contradiction with central level policies and legal provision

Information dissemination and Pre-departure training: MFLM guideline 12.1 urges governments to facilitate migrant workers' departure, journey, and reception by providing, in a language they understand, information, training and assistance prior to their departure and on arrival concerning the migration process, their rights and the general conditions of life and work in the destination country. Guideline 12.2 says that wherever possible; facilitate migrant workers' return by providing information, training, and assistance prior to their departure and on arrival in their home country concerning the return process, the journey and reintegration.

Pre-departure training of trainers is being conducted for migrant workers in states such as Andhra Pradesh and Telangana and more such trainings are planned in Uttar Pradesh and Rajasthan.²⁴ PDOT training for domestic workers in Telugu has also been conducted.²⁵ Low-skilled workers, who are less educated and dependent on the regional language for comprehension, must have information available in the local language via print and radio apart from electronic media and websites. Apps in regional languages can be developed to enable better access.

Other Initiatives: Guideline 12.3 calls for simplifying administrative procedures involved in the migration process and reducing processing costs to migrant workers and employers. As per the Emigration Act 1983, recruitment agents are allowed to charge upto INR 30,000 as service charges. State-level agencies must also enforce the law and ensure that workers are not overcharged in the migration process. Guideline 12.10 of the ILO framework asks for considering the establishment of a welfare fund to assist migrant workers and their families, for example, in the case of illness, injury, repatriation, abuse or death. In Kerala, Andhra Pradesh and Tamil Nadu, such a welfare fund exists in addition to the welfare fund created at the national level. Other states must also create such a welfare fund to assist workers, especially in the case of emergency.

²⁴ Training of Trainers for PDOT is being organised by MEA and IOM in many states in collaboration with the National Skills Development Council since last year. The PDOT manual is available online at <https://www.nsdindia.org/sites/default/files/files/PDOT-TOT.pdf>

²⁵ PDOT for domestic workers have been organised by MEA and UNWOMEN in 2017 in AP and Telangana <http://asiapacific.unwomen.org/en/countries/india/migration/women-domestic-workers>

Conclusion

While the central government may take the lead with developing policy and legal provisions to safeguard migrant workers in destination countries, the design and implementation of programmes for migrant workers must be prioritised for intervention at the state level. The present centre-state structure, wherever it exists, shows ample possibilities of duplication which must be avoided to reduce costs and eliminate hurdles in the efficient administering of schemes and policies for the target beneficiaries, i.e. labour migrants from India.

Decentralisation of state-level interventions for emigrant workers is essential to ensure that their rights are protected and their welfare must be at the centre of policy and programme design. A combination of the aforementioned two approaches, modified according to the requirements of the specific state is the need of the hour. Interventions may need to vary within the state as well, depending on the skill set and needs of workers from the region.

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List of State NRI Departments/Cell websites reviewed

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Gujarat	Gujarat State Non Resident Gujaratis' Forum https://nri.gujarat.gov.in/
Haryana	Haryana Police NRI Cell http://haryanapoliceonline.gov.in/NRICell.aspx
Karnataka	NRI Forum Karnataka http://www.nriforumkarnataka.org/ Karnataka Udyog Mitra http://kum.karnataka.gov.in/ Karnataka NRI Policy https://www.vtpckarnataka.gov.in/pdf/policies/NRI-Policy-of-Karnataka.pdf
Orissa	NRO Cell http://rcodisha.gov.in/nro-cell Non Resident Oriya Facilitation Centre http://nrofc.org/
Punjab	NRI Affairs department, Government of Punjab http://nripunjab.gov.in/ NRI Sabha, Punjab http://nrisabhapunjab.in/
Uttar Pradesh	NRI Department of Uttar Pradesh http://upnri.com/ UPFC Overseas Manpower Recruitment Agency http://www.upfcomra.com/
