WORKERS RESISTANCE

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Central Trade Unions, Independent Sectoral Federations and Associations Support Samyukt Kisan Morcha's Call For

'Bharat Bandh'

27 September 2021

The Joint Platform of Central Trade Unions, independent sectoral federations and associations congratulate the farmers of India who are relentlessly fighting demanding repeal of the three farm laws, withdrawal of the Electricity (Amendment) Bill 2021 and for legally guaranteed MSP for more than nine months, under the leadership of the Samyukt Kisan Morcha (SKM).

We also congratulate the SKM for its mammoth rally in Muzaffarnagar on 5 September 2021, launching the 'Mission Uttar Pradesh' and 'Mission Uttarakhand'. The SKM has called for the defeat of the incumbent governments in these states, which are not only implementing the anti-farmer, anti-people and anti-worker neoliberal policies but also trying to create divisions among the people and polarise society on communal lines, to weaken united struggles. Ignoring the writing on the walls is bound to spell the doom of the Central Government.

The conduct of the Central Government in its second term not only shows its complete disconnect with the demands of the toiling people, it seems to be deliberately using this period of pandemic to hurry through its pro-corporate agenda as if there is no tomorrow. The Platform joins the SKM in condemning the Modi Government's move to announce the 'National Monetisation Pipeline', that is meant to hand over the people's wealth to its corporate cronies. It is bound to burden the common masses with run-away price-rise, which has already become unbearable. Its latest move to tax even the interest in EPF accounts of workers is shocking.

The Platform takes note that there is wide support to the farmers' agitation from the Trade Unions, along with other sections of the toiling people: agricultural labourers, students, youth and women. It has become a movement representing the broad democratic aspirations of the people of India.

The recent incidents in Karnal, Haryana are condemnable and show the true face of the ruling party there. The Platform supports the programme announced by

the SKM to gherao the Haryana Mini Secretariat with a demand to act against the concerned Government official and compensate those affected by the brutal lathi charge on 28 August.

The trade unions also express their gratitude for the SKM's support to the struggle of the working class against the anti-worker labour codes.

The Joint Platform of Central Trade Unions and Independent sectoral federations/associations fully support the SKM's call to observe 'Bharat Bandh' on 27 September 2021 and calls upon the entire working class (who are themselves fighting against the four labour codes, privatisation of PSUs in Banks, Insurance, Steel, Electricity, Coal, Petroleum, Defence, Railways, Ports, Air India, Airports, Telecom, Postal Dept, Space Science and Nuclear Science etc. and are demanding universalisation of PDS, increase in MGNREGA budget) to ensure its total success through solidarity actions. The 'Bharat Bandh' on 27 September will give an emphatic message to the ruling party in the Central Government that the peasants and the working class, the two major sections that are the backbone of our society stand united in opposing its anti-people and anti-national policies. The 'Bharat Bandh' will be a strong warning to the present ruling party in power that its machinations for communal polarisation to disrupt the unity of the people and weaken their struggles, to facilitate corporate loot and serve its masters and donors within and outside the country, will not be allowed by the patriotic people of this country.

The Joint Platform of Trade Unions asserts that this united struggle will continue till the three farm laws and the four labour codes are scrapped and the attempts of the government to sell the country through its privatisation drive and NMP are stopped.

[Issued by the Joint Platform of Central Trade Unions, INTUC, AITUC, HMS, CITU, AIUTUC, TUCC, SEWA, AICCTU, LPF, UTUC and Independent Sectoral Federations and Associations] ◻

Rayagada, Odisha

Kakinada, Andhra Pradesh

Haldwani, Uttarakhand

Kallakkurichi, Tamilnadu

Bardhaman, West Bengal

Birni, Jharkhand

The Unprecedented All-India Strike of Scheme Workers!

SASHI YADAV AND SAROJ CHAUBEY

AICCTU Affiliated Unions Played a Pivotal Role in Several States

On the call of Joint Platform of Scheme Workers, ASHA, Anganwadi, Mid-Day Meal workers and various other sections of scheme workers unitedly held a successful one-day all-India strike on 24th September 2021 on demands including immediate demands of safety at workplace, risk allowance and insurance cover for Covid duty and long pending demands of regularization and recognition as workers, minimum wages, social security, pension and also against privatization. The strike across the country - from north to south and east to west - was massive and extensive with spirited involvement and good mobilization of workers at the grassroot levels, block and village levels, in various forms of action programmes. The strike also received a good media coverage (print, electronic and social media), particularly at state levels. The one-day strike clearly reflected the growing anger and resentment among scheme workers and their fighting mood against the conditions of slavery and against the inhuman treatment being meted out to them by the governments, particularly Modi led union government during the whole period of Corona.

Com. Shashi Yadav, Convenor of All India Scheme Workers' Federation (affiliated to AICCTU), in her statement, termed the strike as historic and congratulated scheme workers for the success of the strike who braved various kinds of threat and intimidation and overcame all hurdles posed by the government administrations everywhere. She also congratulated the cadres of all unions for their tireless efforts in making the strike successful and extended greetings to the central trade unions, farmer organisations and various other organizations and common masses for lending support to the strike. She called upon scheme workers to remain prepared for bigger struggles in future.

In the national capital, "Delhi ASHA Kamgar Union" organized a protest march-cum- demonstration at Mandi House which saw an impressive and spirited participation of around hundreds of ASHA workers from a dozen different places. Protestors condemned the Delhi Police, which came under union government, for denying permission to take out a rally from Mandi House to Jantar Mantar and the Modi government for keeping the capital and the country in a state of an undeclared emergency. The protest was addressed by Comrade Rajiv Dimri, the General Secretary of

AICCTU among others and by many ASHA workers. After the protest, a 5-member delegation, led by the union leader Shweta Raj and AICCTU state president Santosh Roy, met the Union Labour and Employment Minister Bhupendra Yadav, submitted a memorandum and apprised him of the demands of the strike. Preceding the strike, a campaign, "Postcard to the PM" highlighting the demands of ASHA workers was also organised on 17th September, the birthday of Mr Narendra Modi.

In Bihar, the strike was observed extensively across the state by workers of ASHA, Mid-Day Meal (Vidyalay Rasoiyas) and Anganwadi. The workers of various state schemes also joined with enthusiasm. Tens of thousands of workers participated in demonstrations and sit-ins, braving restrictions imposed by the government under the pretext of forthcoming panchayat elections. The strike of ASHA and Mid-Day Meal workers was led by comrades Shashi Yadav, leader of Bihar Rajya ASHA Karyakarta Sangh and Saroj Chaubey, leader of Bihar Rajya Vidyalay Rasoiya Sangh. Around 2 dozen districts including Patna were most affected by the strike of ASHA workers. Similarly, big demonstrations of mid-day meal workers were held at district and block headquarters in more than a dozen districts. In Bihar also, a strike preparation campaign was conducted in the form of meetings and conventions.

In U.P, thousands demonstrated at several places under the banner of AICCTU and affiliated unions of ASHA, Mid-Day Meal and Anganwadi workers while the most impressive participation was witnessed in Rai Bareli, Allahabad, Lucknow and Kanpur. A Demand Charter also was submitted to the authorities in all centres.

In Uttarakhand, the entire state including major

cities like Nainital, Haldwani, Bajpur, Dehradun, etc., witnessed huge demonstrations by scheme workers, particularly ASHA workers led by AICCTU affiliated unions under the leadership of comrades Kamla Kunjwal, Rita Kashyap, Kailash Pandey and others. It is to be noted that only in the month of August this year, ASHA workers went on a strike, jointly with other unions including CITU, for about a month. Still, they never even hesitated a moment to join the all India strike too.

In Jharkhand, impressive demonstrations of mid-day meal workers were held in more than six districts including Dumka, Latehar, Mohanpur under the banner of Jharkhand Rajya Vidyalay Rasoiya Sangh led by com. Geeta Mandal.

In Orissa, big demonstrations were were jointly organised at Bhuvneshwar and Bhadrak districts. An impressive demonstration of mid-day meal workers was also held at Rayagada (Gunupur) by AICCTU led unions.

Scheme workers, led by AICCTU affiliated unions, observed strike and held demonstrations at various places across the country, including Raipur and Korba in Chattisgarh, Dibrugarh in Assam, Kolhapur in Maharashtra and North 24 Parganas in West Bengal. ◻

Scheme Workers Charter

1. Notify all the Scheme workers who are deputed in covid duty as frontline workers. Ensure immediate Free and Universal vaccination to all with priority to frontline workers. Ramp up vaccine production and bring the distribution under government regulation to ensure universal free vaccination within a definite time frame

2. Ensure availability of protective gear, equipments etc for all health and frontline workers and those engaged in pandemic-management work including scheme workers. Frequent, random and free Covid-19 test of all frontline workers. Priority hospitalization to frontline workers infected by Covid.

3. Allocate 6% of GDP for health sector. Strengthen the public health system and the health infrastructure to ensure adequate hospital beds, oxygen and other medical facilities to meet the Covid surge; Strengthen public health infrastructure including recruiting the necessary health personnel; Ensure non Covid patients get effective treatment in government hospitals

4. Rs. 50 lakhs insurance cover to all frontline workers covering all deaths on duty; also coverage for total expenses for treatment for Covid-19 for the entire family.

5. Additional Covid Risk Allowance of Rs.10,000 per month for all the contract and scheme workers engaged in Covid -19 duty. Payment of all the pending dues of wages and allowances etc., of all the Scheme workers immediately

6. Compensation of minimum Rupees Ten lakhs for all those who got infected while on duty

7. Withdraw the anti worker Labour Codes. Include scheme workers in the category of workers. Ensure that all scheme workers are included for registration in E shram portal, pending regularisation.

8. Make the Centrally Sponsored Schemes like ICDS, NHM and MDMS permanent with adequate budget allocation. Provide adequate additional ration with good quality for all the beneficiaries of ICDS and MDMS immediately; include migrants in these schemes

9. Implement the recommendations of 45th and 46th ILC for regularization of scheme workers as workers; Pay Minimum wages Rs.21000 per month and pension Rs.10000 per month; Provide ESI and PF to all scheme workers

10. The existing insurance schemes (a) Pradhan Mantri Jivan Jyoti Bima Yojana, (b) Pradhan Mantri Suraksha Bima Yojana and (c) Anganwadi Workers Bima Yojana must be implemented properly with universal coverage applicable to all scheme workers

11. Mid Day Meal Workers must be paid minimum wages for the period when the schools are closed including the summer holidays; No contractorisation or centralised kitchen

12. 10 kg foodgrains per person per month to all for the entire corona period. Control price rise; Rs.7500 per month for all non taxpaying families for six months ; Ensure Jobs and income for all

13. Withdraw the proposals for privatization of basic services including health (including hospitals), nutrition (including ICDS and MDMS) and education. Withdraw NDHM and NEP- 2020. Stop Privatisation of PSEs and Services.

14. Withdraw the anti people farm Acts which are detrimental to the schemes.

15. Stop targeting the beneficiaries in the name of digitization. Stop harassment of the anganwadi workers in the name of 'Poshan Tracker', 'Poshan vatika' etc.

16. Enact legislation for right to universal healthcare as in case of right to food and right to education

17. Tax the super rich for Finance mobilization. Projects such as "Central Vista Project" be scrapped. ◻

Joint Platform of Scheme Workers Congratulates the Scheme Workers for the Successful all India Strike on 24 September 2021

Joint Platform of Scheme Workers Federations Congratulates the Scheme Workers throughout the country for the magnificent show of strength in a successful all India Strike today, 24 September 2021. Lakhs of 'Scheme Workers' mainly the Anganwadi, ASHA and Mid Day Meal workers struck work and held demonstrations, dharnas, rallies, etc., at district/block centres throughout the country. The strike was successful in almost all the states including Gujarat and Jammu and Kashmir in spite of repressions and efforts to sabotage the strike and mobilizations. Reports and photos of the strike show that the strike was successful from remote villages to metro cities and several massive mobilizations took place across the country.

The strike call was given by the Joint platform of Scheme Workers consisting of the organizations of scheme workers affiliated to the central trade unions – INTUC, AITUC, HMS, CITU, AIUTUC, AICCTU, TUCC, LPF and UTUC. The strike was an action with much more unity and with much larger participation of broader sections of scheme workers compared to earlier struggles in spite of adverse Covid situation in many parts of the country. The strike year witnessed much greater coordination between various sectors of scheme works as well as among various trade unions.

The demands of the strike included immediate demands of safety at work place, risk allowance and insurance cover while on Covid duty and also long pending demands of regularization and recognition as workers, minimum wages, social security, pension and against privatization as well. The unions submitted memorandum addressed to the Prime Minister of India through officials at all centres. The unions also raised issues of basic rights of the people for health and nutrition and also adequate budget allocations to ensure this. The strike witnessed widest support from various cross-sections of the people as well.

The Joint Platform of Central Trade Unions as well as the Samyukta Kisan Morcha (SKM) had extended solidarity and support to the strike. In many places the leaders and cadres of these organizations participated in the rallies and demonstrations. Various women's organizations also had extended support to the strike.

The scheme workers unions expressed their sincere gratitude to the CTUs (central trade unions), SKM, various women's organizations and to other sections of the people for their wholehearted solidarity and support.

The scheme workers unions also warned the Government of much more intensified struggles including huge mass mobilizations and multiple strikes in case the demands were not immediately met.

They also called upon the scheme workers and their unions to be prepared for heightened struggles against the anti-people, anti-worker government and its policies to dismantle the schemes and to exploit the workers.

[Excerpts from the Joint Statement of Scheme Workers Unions] ◻

The Battle Against Privatisation Should Become a Social and Political Agenda

DIPANKAR BHATTACHARYA

(Based on the talk delivered at the webinar hosted by the West Bengal unit of All India Bank Employees' Association - AIBEA on 15 September 2021)

The All India Bank Employees' Association was formed just a year before India's independence. The All India Trade Union Congress had already been formed in 1920. As India fought for independence from British rule, various segments of India's working class combined the struggles for their own rights with the nation's quest for freedom and the battle for nationalisation of India's strategic resources and future economic assets. With the arrival of national independence in 1947, the stage was set for a steady nationalisation of India's key economic sectors. Life insurance was nationalised in 1956 followed by banks in 1969 and coal mines in 1973. This was the direction set by India's freedom movement. Today this direction is being reversed at breakneck speed. The loud invocation of nationalism in politics serves only as a war cry for aggressive de-nationalisation or privatisation of all key sectors of the Indian economy.

Banks play a key role in capital formation. They attract savings of common people and turn them into loan capital. Bank nationalisation had given banks stability and security and the banking industry grew enormously following nationalisation with growing proliferation of branches of nationalised banks and the allied rural and cooperative banks. Nationalised banks could have played a bigger role in promoting balanced economic development if the loans were directed more to priority sectors to support agriculture and small and medium industries. This has however never really happened; private big business has grabbed the lion's share of bank loans. With the rise of crony capitalism, the loans grabbed by big companies have increasingly turned into bad loans, euphemistically termed non-performing assets or NPAs and successive governments have gone on writing off much of these loans. This has been the root cause of the banking crisis in recent years and the Modi government has now been using this crisis as an excuse to push for systematic de-nationalisation or privatisation of banks.

In other words, the crisis that resulted from the derailment and distortion of banking policy by crony capitalism is now being used to subvert the entire banking sector and subject it to more direct corporate control. Business houses that have been sitting atop mountains of accumulated unpaid loans, with some prominent members occasionally even fleeing the country with the complicity of the government, are now being handed the reins of the banking industry. From grabbing loans, they will now graduate to controlling the loan factories themselves. This is the real implication of the various measures the government is adopting in the name of resolution of the banking crisis. From merger and consolidation of banks and writing off or buying out of bad loans to expanding opportunities for private banks and outright privatisation of public sector banks – all these measures of banking reform are aimed at what we can broadly call the privatisation of the banking industry. The insurance sector too is being privatised alongside banking.

This privatisation of the financial sector is part and parcel of the Modi government's larger privatisation offensive. From health, education and transport to infrastructural construction and maintenance, the government is rapidly abdicating its responsibility and handing over the economy to private players. Since neoliberal policies have run into a major crisis and privatisation stands increasingly exposed and discredited as a bad idea, successive governments have been adopting roundabout ways like public-private partnership or PPP mode, disinvestment, outsourcing and, as the Modi government's latest policy goes, asset monetisation. In all these measures of tacit privatisation, the government misleads the public by maintaining a fiction of continuing state ownership while handing over effective control and enduring revenues to private hands.

If we take a close look at the recently launched National Monetisation Pipeline, the scheme contemplates leasing out of public or national assets for private profit for a minimum average period of forty years, the time frame for two generations of Indians to reach voting age. The assets listed for leasing out cover thirteen core areas like road and rail transport, ports and airports as well as networks of power transmission, telecommunication and internet connectivity. Private corporations getting exclusive rights to exploit such wide-ranging key resources is nothing short of a massive asset stripping programme. The fund that is projected to accrue to the government exchequer over the next four years through this so-called asset monetisation is only a tenth of what India's top two corporate houses would accumulate during the same period even at their current rate of accumulation, without taking into account the additional income that would accrue to

them from the newly grabbed resources. While the government exchequer will suffer, electoral bonds that anonymously collect corporate cash for the BJP will swell as the Modi government gifts away precious public assets to its closest corporate friends.

Privatisation will adversely affect the job market and erode the rights of workers. Secure jobs with rights to unionisation and collective bargaining will increasingly disappear as resources change hands. Shrinking of government jobs will also mean a growing reversal of even the limited social mobility and justice secured by people belonging to oppressed castes through reservation. Beyond this crucial shift, there will also be a bigger blow to the informal sector. Millions of small traders, street vendors, and daily wage earners will experience a major erosion of livelihood as they get evicted from the vicinity of the newly corporate held assets. Privatisation will thus aggravate the misery of the masses while swelling corporate wealth. The battle against privatisation will have to address this larger socio-economic dimension. It is certainly possible and absolutely necessary if we want to resist and reverse the privatisation offensive of the Modi government.

Privatisation is all about expansion and consolidation of corporate power. The struggle against privatisation is therefore a battle against corporate power and in this battle, bank employees and the wider sections of the working class have a firm ally in the ongoing farmers' movement. For nearly a year now, India's farmers have been waging historic resistance against the Adani-Ambani Company Raj with exemplary unity and determination. It has exposed the anti-farmer pro-corporate character of the Modi regime with absolute clarity. Narendra Modi keeps saying that his government has no business to be in business. The country now realises the business being transacted by the Modi government. It is busy selling national assets to buy enduring corporate support, all the while mouthing the slogan of Atmanirbhar Bharat or self-reliant India. More and more people are now seeing through this game and rising in protest against this scandalous sale of assets built over decades with public money. The bank employees fighting against privatisation will have to join hands with this larger public campaign to stop this sale of national assets, this auctioning of India to foreign and Indian corporate plunderers.

The farmers' movement has another important lesson for all of us. It began with the demand for repeal of the Modi government's farm laws. But when the government refused to listen to the farmers and sought to suppress the farmers' movement by unleashing anti-farmer propaganda and repression, the farmers were quick to realise that to repeal the laws the regime had to be voted out of power. Today the farmers' movement has emerged as a powerful opposition to the Modi regime which is daily challenging the government on the street. The bank employees' movement has been in the forefront of working class resistance for the last three decades and if nationalised banks still dominate the banking sector, the credit for saving the banks certainly goes to the united and determined struggle of bank employees. But now that the government has launched an all-out offensive, the resistance too has to be all-out. Like the farmers' movement, the working class movement too will have to grow into a powerful political opposition to the regime.

The struggle to resist privatisation is not a defensive struggle to save the existing state of affairs. It is to bring about a shift in the policies and priorities of the banking sector away from serving the corporates to serving the people. It is to change the lending pattern where indebted farmers are driven to suicides and microfinance schemes turn into an extortionist racket targeting women seeking livelihoods, while crony capitalists run away with subsidised loans and mega defaulters are rewarded with periodic bailout packages. The struggle against bank privatisation is an integral part of the wider struggle against corporate power and the fascist state being propped up by this unbridled corporate power. We wish the AIBEA and the united struggle of bank employees victory in this struggle and pledge our fullest support to this end. ◻

Engineered to Last! The Best Never Rest?

Ford to Down its Shutters in India!

Will Tamil Nadu Government Deny Permission for Closure?

KG DESIKAN

Workers of Ford Motor Co. attend a protest outside Ford's car assembly and engine-making facility in Sanand, Gujarat, India, September 21, 2021. Photo: Amit Dave

Chennai city is known as the hub of automobile industry with various multinational car manufacturing companies, like Hyundai, BMW, Reynault, Fiat and Ford, having their plants under its hood. These units have a small segment of permanent workers and primarily employ large sections of workers as trainees, company apprentices, act apprentices and contract labour in the core manufacturing process defying labour laws. In a bid to attract investments, many state governments competed to offer land, water, electricity and tax concessions. There is a big chunk of workers - multiple times of the plant workers - who work in the ancillary units supplying components. They hardly enjoy any social security. As agriculture increasingly became non-remunerative, the rural youths who migrated to cities in search of livelihood landed up in these jobs and were forced to survive in the precarious working conditions. In a major automobile belt like Maraimalai Nagar - Oragadam - Irungattukottai area of Greater Chennai, it is common to find about ten workers staying in a single room. Workers live in subhuman conditions in these localities around this belt.

The recent announcement of Ford Company's decision to close down its operations in India is going to affect tens of thousands of workers. An estimated 30,000 workers, including 2600 direct employees and 3000 indirect employees of Chennai and Gujarat's Sanand plants of Ford will be badly affected. Workers employed in ancillaries, showrooms, service stations and logistics sector will be hit drastically.

In fact, prior to the announcement, the Chennai plant was shut down for a week on the pretext of shortage of raw materials. After this, when workers resumed the work, the announcement of closure followed passing severe shock to them. The average age of the workers is between 30 and 40 years. They have already put in 10 to 18 years of service and availed home loans and other loans to meet their requirements. The children of most of the workers are studying in primary or middle schools. In such a context, Ford's decision to close down its operations poses a big question mark on their life.

The Ford management claim is that it is running into a loss of $2 billion as operational cost but, on the contrary, workers are working too hard and the

workload is too high beyond the level of human possibilities. They are not even allowed to go to urinals during working hours. If the management claims that the cost of production has increased, how cannot it be reversed while the company keep introducing its new methods of production, modernisation, etc. While the company's manufacturing units in other countries of high wage islands can make profits why not in a country like India where wage levels are much lower than the international standards? Moreover, Ford is also known for its profitability through increase in productivity. Workers and the union are willing to cooperate and are even ready to forego certain benefits but the management is adamant in its decision. However, the management says that there is an actual decline in sales and very low return on investments. On the contrary, several other auto majors are making huge profits including Hyundai in Chennai. In such a case, why only Ford make losses? When the Ford's international operations can make profits why only Indian operations should make losses? The Ford company should come up with a white paper on this issue and the Tamil Nadu government should demand for it. These MNCs reap profits exploiting the natural resources, manpower and utilising tax holidays but do not take any social responsibility on their sleeves. While the investors are demanding counter guarantee for their investments, even the bare minimum protection given in the labour laws for workers are being stripped off. The governments, but for competing with each other to offer multiple concessions to MNCs, do not demand a counter guarantee clause for the protection of employment and employees at the time of MOU itself. Getting a guarantee for employment and employees should be one of the important clauses of any agreement to launch operations of MNCs in India and Tamil Nadu. Rather, we are listening to reports that the Ford is shifting its focus on electric vehicles and is diverting funds towards the venture by closing down Indian operations. It is not the losses but the search for super profits through diversification and diversion, etc., are the reasons for closure and this should not be allowed. Fleeing capital without any social responsibility and at the whims and fancies of the MNCs in search of super profits shall be restricted and the employment of the workforce shall be protected.

The dealers have invested 5-6 crores of rupees in showrooms. They experienced heavy losses due to pandemic and were waiting for the festive season to pick up sales by which time Ford has announced its exit. In the meantime, the Ford management has announced to continue with the service obligations of sold cars and allow showroom dealers to sell its spare parts.

AICCTU and all the leftist trade unions have opposed the Ford company's move for closure and appealed to

Tamil Nadu state government to veto the permission when Ford forwards its application for closure, as per Industrial Disputes Act.

In Gujarat, when Ford announced the closure of Sanand unit, MLA Jignesh Mevani stood in solidarity with workers in opposing the move. In Tamil Nadu, when the Ford employees submitted a petition to the Minister of Industries, Mr Thangam Thennarasu, to protect their livelihoods, he had a meeting with the Chief Minister Mr Stalin. The Chief Minister also had a meeting with the Ford officials but the details are not yet divulged to the public. As the discontent among work force is simmering, a police posse is stationed at the plant gate now.

In 2014, in a similar instance, MNC Nokia, which had benefitted for years from the land and all resources offered at throw away prices, operated with 8000 direct workers, closed its operations in Chennai. Permanent workers were given a meagre compensation and all others were left in lurch. It was found later that it indulged in huge tax evasion. Now, the Ford is taking its turn but the working class and the progressive intelligentsia should not allow for the repeat of the injustice and protect the livelihoods of both direct and indirect workers, ancillary manufacturers, dealers and all other stakeholders.

The working class movement has to pick up threads from the on-going farmers' protest that is relentlessly challenging the Modi government over farm laws. Time is ripe for a solid united movement of workers and peasants which can give a body blow to the anti-people corporate-friendly Modi government. ◻

Unpaid Labour of the Gig Economy: Free Advertising on the Backs of Workers

SHILPA PRASAD

Delivery worker realizes his customer is the Bollywood star Hritik Roshan. Zomato Ad/ Youtube

Zomato's recent advertisement took the country by storm. It begins with a Zomato delivery worker in awe of having realized that he was delivering food to the Bollywood star Hritik Roshan, who says "Jadoo (magic), you reach on time no matter the weather, are you anything less than jadoo (magic)?". The star proceeds to request the worker to wait for a selfie. While waiting, hopeful music engulfs the screen as the worker's phone rings with his next delivery order. The worker promptly sacrifices the opportunity for a selfie with his hero and walks back into the rain for his next delivery. In the background, a voice of pride says, "Now if he stops here for a selfie, the next order would have gotten late. Whether it is Hritik Roshan or you, for us every customer is the star."

Growth of the gig economy

Herein lies the true nature of the gig economy, in which the customer is king, no matter the cost. In a digital economy that is geared towards fast service and rewards minimization of time, companies compete to ensure that the customers are satisfied as quickly as possible. Food delivery platforms such as Zomato and Swiggy pride themselves in under-30-minute deliveries, in what is referred to as food "on demand". The cruelty lies in the silence of the background. While customers sit back and wait for their order to be delivered, workers are rushing on their bikes to fulfil this unreasonable promise. As portrayed in the ad, workers are expected (without reward) to sacrifice themselves to ensure that the customer is the king, come rain or sunshine.

The gig economy has consumed India with the advent of tech-platforms driving consumption, such as Ola, Uber, Swiggy, Dunzo, Zomato, and Urban Company. Technology-enabled gig-work platforms are estimated to serve upto 24 million jobs in India in the next 3-4 years, soaring to 90 million in 8-10 years employing workers fulltime and part-time.

The problems with an economy being driven by such employment is uncertain work conditions and lack of protections. For example, Swiggy workers spend long hours, often extending to beyond 5 hours, waiting for an app to assign them orders, and only get paid for the orders they complete, not the waiting time.

Gig-workers denied rights under law

During the pandemic, several workers hit by the employment depression joined the employment of platforms like Swiggy and Zomato with the hope of eking out a living. App-based gig-workers face a plethora of issues. They are paid a base pay as a minimum delivery fee per order of Rs. 15 for 3 kms

Delivery worker walks into the rain and accepts his next order. Zomato Ad/ Youtube

one-way, without payment for the return, which effectively results in workers earning as little as Rs. 15,000/- per month, despite providing skilled work, and having to work without any leave.

In February 2020, Swiggy's valuation hit 3.3 billion dollars, the profits of which they invested in perfecting the algorithms running their apps. As these applications invest heavily in reducing human interaction and employment to algorithms, workers have a fixed set of minutes within which to deliver an order based on a route calculated by the algorithm. They are tracked by GPS, are to upload selfies showing their dressing, have to be in perfect health and must be extremely polite to sensitive customers as workers are at the mercy of their ratings. When a worker's delivery is delayed, a "ticket" is raised regarding the late delivery, and after a few of such "tickets", the worker's ID is blocked. Workers are also prevented by the algorithm from logging out often, and their pay is cut if they choose "Black Zone/ Safety Zone" as an option for rejecting an order. With customer, the king as their motto, this is the "service" upon which Swiggy and Zomato market themselves, and is the basis on which they make their profits.

The running costs of fuel and maintenance costs of the vehicle are all borne by the workers. Often, workers spent the major portion of their earnings in paying off EMIs for purchasing their vehicles. Workers have to find their own parking, and are often prohibited from parking in apartment buildings.

As Swiggy and Zomato continue to market themselves on the service and dedication of their workers, their sacrifice and immensely pressurized work conditions are glorified. During the COVID-19 pandemic, delivery workers worked at great personal risk without vaccinations or protections to ensure that the white-collared upper middle classes of the country were able to work from home but were subjected to casteism/classism by RWAs, discrimination, and abuse by the police.

For all their work, despite clearly falling within the definition of 'workmen' under the Industrial Disputes Act, 1947, they are deprived of benefits under the same and also denied social security including ESI, EPF, and gratuity. The companies use the subterfuge of terming workers as "delivery executives" and calling themselves "aggregators", and use of terms as "partnership agreements" with the singular goal of denying them the rights available to workers, despite there being a clear employer-employee relationship. This is a stark affront to their right to equality, right to life and the right against forced labour recognized in Articles 14, 21, and 23 of the Constitution.

Free advertising

In its Red Herring Prospectus, Zomato wrote, "Our delivery partners, carrying and dressed in distinctive Zomato branded attire, enable us to offer a consistent experience to our customers, increase brand awareness and build positive brand affinity from which we believe that we could benefit with lower customer acquisition costs". However, this gross misrepresentation fails to mention that workers pay for the uniforms and bags carrying the company's branding.

Companies spend millions in curating and marketing their unique brands, creating awareness, employing measures to appear socially responsible, and working hard to leave an impression on the minds of consumers. In the financial year 2019 alone, Swiggy spent a whopping Rs. 778 crore on advertising and marketing. What these numbers do not reveal is that a significant portion of the marketing for these companies is performed by their own workers for free.

Not only do Zomato and Swiggy compel their workers to be in uniform at all times, they are also required to pay Rs. 1,500-1,800 for the food delivery bag with the brand logo, two t-shirts with the brand logo, and an extra Rs. 350 for the raincoat. Workers are forced to utilize the company boxes on their vehicles to carry their orders/food, and are also compelled to wear the uniform during the course of their employment. In essence, workers serve as a free platform on which companies such as Zomato, Swiggy, and Dunzo market their brands. As workers average more than 150 kms per day, they carry the branding of the companies across the city and provide free advertising for the company.

This is exploitation of workers in its most fundamental form. When a company advertises on billboards

Swiggy and Zomato workers wearing and carrying branded uniforms/boxes

on roads, on televisions, social media such as Facebook/Instagram and newspapers, they spend lakhs for the space to carry their advertisement. A marketing campaign on Facebook alone which carries sponsored ads on the timelines of users cost the companies crores per year. No matter the platform, companies pay huge amounts for spreading awareness of their brand across to potential/existing consumers.

Not when it comes to their own workers. Workers are utilized as the free space on which the branding of these companies is carried across the country. Despite a direct link between the increased revenue from such advertisement (which is why the companies insist on uniforms being worn and branding on workers), workers are not given a fair share in the revenue made off their backs. When a person promotes a product or company, companies are contractually required to pay such persons for the promotion, including the lakhs that must have been paid to Hritik Roshan for the abovementioned ad. However, workers are not only denied a share in the profits made from their advertisements, but are also made to pay to carry the same.

Such free and forced advertisements not only violates the right against forced labour enshrined in Article 23, but is in gross violation of the right to life and dignity protected under Article 21 of the Constitution. Workers, being the owners of the t-shirts bought with their own money, are entitled to the revenues earned from the advertising space occupied on their t-shirts. Moreover, workers are entitled to a share in the revenues of the companies for whom they are providing free marketing space on their backs and vehicles.

What this portrays is a capitalistic contempt on the part of these companies towards their workers. Workers are being meagerly paid by these companies for their direct contribution of deliveries to the revenue of the companies, they are not paid for their marketing contributions.

As customers and companies track workers on screens, glorify their sufferings, and make profits off them, we must demand that workers be given a share in the profits generated by them. We should also demand that workers be paid a regular adequate monthly payment to the tune of a minimum of Rs 26,000 to lead a decent life irrespective of and in addition to orders, kilo meters, bonus and incentives. The pandemic has shown that the country comes to a screeching break and starvation if not for the blood, sweat and tears of workers keeping these companies running. We must agitate and organize to demand that workers be treated as equals with dignity. We must take back the profits made off our backs! ◻

The Hidden Truths of 'Record' Growth in GDP

AMIT DASGUPTA

The National Statistical Office (NSO), working under the Ministry of Statistics and Programme Implementation (MOSPI), announced the 2021-22 first quarter (Q1 - April-June quarter) results of Indian Economy. In the entire history of the release of quarterly results of the Indian Economy, this is the first time that Q1 recorded the highest growth in Year-on-Year (YOY) gross domestic product (GDP) at 20.1%. The GDP is the gross value of goods and services produced within the geographical boundary of the country. This new record means that the GDP produced during this three month period was 20.1% higher than that produced during the same period a year ago (April 1, 2020-June 30, 2020). Such a huge jump in GDP had never happened in India.

Obviously, the ruling dispensation went gung ho about this achievement of 'Modiji'. This 'unprecedented' growth led to unprecedented celebration in social media, trumpeted by the IT cell of the ruling party. The BJP IT cell and its media never revealed the fact that Q1 of 2020-21 recorded the lowest GDP growth rate – a whopping negative 24.4 percent (-24.4%), in the lifetime of post-independence Indian economy. This was unprecedented too.

It is true that the path the Indian society, economy and polity have been traversing during the Modi regime is all round 'unprecedented'. Otherwise, how could a government and its sychophants swagger the hardship of poor people as a success story of the government? The gung ho over the record growth of Indian economy is one more in the gamut of fake propaganda of Modi-led BJP. The 'huge' growth was a result of the low base for calculating growth rate. Moreover, it can be observed that Indian Economy has not even achieved the GDP of Q1 2019-20 as is discussed later. Therefore, Q1 GDP of India in the current financial year fell short of Q1 GDP of two years ago.

Before going into the discussions on the much-hyped fake propaganda, let us look at the arithmetical concept of rate of growth / degrowth in GDP. As such, not only for GDP, for any measure of such kind, there are two figures involved - base (or initial) and final figures. In case of Q1 rate of growth or degrowth of GDP the base figure is GDP (X) and final figure is GDP (Y) of Q1 of the previous fiscal year. The rate of growth in percentage is {(Y-X)/X} x 100. Y-X is the absolute increase/(decrease) in GDP. If X is low, a low absolute increase will result in high growth rate. For example, if X=5 and Y=7, the rate of growth would be 40% (absolute growth is 2). In case if X=1 and Y=2, the rate of growth would be 100% (absolute growth is 1). This is referred as higher growth due to lower base or lower base effect. This has happened in case of India's Q1 GDP figure for the fiscal year 2021-22.

Let us assume that in Q1 2019-20 was 100. As it had a degrowth of 24.4% in Q1 2020-21, the GDP of Q1 2020-21 was 100-24.4 = 75.6. So, the base

Q1 GDP of Different Years and Growth Rates of Q1 of GDP of 2021-22 Over Other Periods

	Q1 (2021-22)	Q1 (2020-21)	Q1 (2019-20)	Q1 (2018-19)	Q1 (2017-18)
GDP at Constant Prices (Base year 2011-12)	Rs 32.38 lakh crore	Rs 26.95 lakh crore	Rs 35.67 lakh crore	Rs 34.14 lakh crore	Rs 31.63 lakh crore
Growth Rate of Q1 of 2021-22 Over	-	20.1%	-9.2%	-5.5%	2.4%

was reduced drastically for measuring rate of growth of Q1 GDP of 2021-22, from 100 to 75.6. A 20.1% growth in that quarter took it to 90.8. Though there was a growth of 20.1% in comparison to Q1 of 2020-21, if it is compared with Q1 GDP of 2019-20, there is a whopping degrowth of 9.2%. This drop in the base figure by 24.4% (as such more than that if we consider that there should have been some growth of, say, 4% even, the estimated fall in the base would have been (104-75.6)/104 × 100= 27.3%) resulted in a growth of 20.1%. This, if calculated with respect to a normal base figure of 104 (assuming a modest 4% growth) would have resulted in degrowth of (90.8-104)/104 × 100 = 12.7%. Instead, hiding the fact that the economy did not grow at all over the time but shrank by more than 10%, the hype created by the ruling dispensation is nothing but fraud.

It is to be noted that two years ago the real GDP of Q1 was 9.2% more than the real GDP of Q1 of the current fiscal, but due to lower base effect this huge decline is projected as a huge gain of 20.1%. Before pandemic lockdown, in 2019-20, the economy was struggling to float, which was drowned 24.4 metres by the absolutely undemocratic and ineffective anti-poor, anti-farmer, anti- labour lockdown of the Modi government. It is from here that the huge majority of the struggling masses are trying to pull the economy out and has brought it up quite a bit while still down by 9.2 metres, However, the Modi brigade tried to fool the people by spreading the lie of unprecedented growth.

For comparing GDP of different periods, a base year is considered, whose price level is considered as the base price (=100) and each period's money value of GDP (nominal GDP) is converted to that base by dividing the nominal GDP figure by that period's price index and multiplied it by 100 (base year's index). This method is called deflating the nominal GDP (GDP at current prices) to arrive at real GDP (GDP at constant prices (the base year)). For example, if the base year is 2011-12, then the price index of 2011-12 is 100. If the price index of 2020-21 became 100+a, and nominal GDP of 2020-21 became H, then real GDP (GDP at constant prices (base year 2011-12) would be (Hx100)/(100+a). Let us consider those real GDP figures. For 2018-19 fiscal Q1 GDP at constant prices (base year 2011-12) was Rs 34.14 lakh crore. In 2019-20 fiscal Q1 GDP at constant prices (base year 2011-12) was Rs 35.67 lakh crore. In 2020-21 fiscal Q1 GDP at constant prices (base year 2011-12) was Rs 26.95 lakh crore and the recently released figures estimated it for Q1 of 2021-22 at Rs 32.38 lakh crore. Therefore, the real GDP of Q1 of 2021-22 is less than that of 2019-20 by Rs 3.29 lakh crore or 9.2%. Not only that it is less than that of 2018-19, three years ago, by Rs 1.86 lakh crore or 5.5%. So, Q1 GDP of India had a degrowth of 5.5% in the last three years.

In India, the growth rate of GDP is computed on YOY basis, i.e., Q1 of year is compared with Q1 of the previous year and Q2 with Q2 of the previous year correspondingly and so on. The OECD statistics compare the present quarter figure with the figure of the preceding quarter. Thus, Q1 of 2021-22 over Q4 of 2020-21, Q4 of 2020-21 over Q3 of 2020-21, Q3 of 2020-21 over Q2 of 2020-21, Q2 of 2020-21 over Q1 of 2020-21, Q1 of 2020-21 over Q4 of 2019-20 and so on.

Looking at these figures as they are paints a gloomy picture of the economy. There was a negative growth in Q1 of 2021-22 at 10.5% (-10.5%), which was higher than that of 2020-21 at 24.5% but much lower than those of 2019-20, 2018-19 and 2017-18 at 1.4%, 1.3% and 2.0% respectively. As such, in OECD method of computation of economic growth, Q1 GDP growth was unprecedentedly negative at 10.5%, if we take out the outer layer Q1 of 2020-21 that was devastated by an unprecedented irrational lockdown imposed upon the poor by the Modi government. Leaving the Q1 of 2020-21 apart, in none of the 49 quarters starting from Q1 of 2009-10 until Q1 of 2021-22, GDP growth was negative. Thus, Q1 of 2021-22 with a growth rate of -10.5% over Q4 of 2020-21 should have been a nightmare for the ruling dispensation, but instead it is being projected as a huge success. This is the masterstroke of Modi converting 'crisis into opportunities'. ◻

Rate of Growth of First Quarter GDP of India of Different Fiscal Years (Calculated as Growth Over the Fourth Quarter of the Preceding Fiscal Year). (Figures in Percentage)

Year	21-22	20-21	19-20	18-19	17-18	16-17	15-16	14-15	13-14	12-13	11-12	10-11	09-10
Rate of Growth	-10.2	-24.5	1.4	1.3	2.0	1.8	2.1	1.2	1.4	1.2	1.2	2.4	5.8

***Source: OECD. Stat:** Quarterly National Accounts: G20 - Quarterly Growth Rates of GDP in Volume*

West Bengal
Uncertainty in the Future of Jute Workers

ATANU CHAKRAVARTY

A grave crisis is looming large in the jute industry of Bengal on which thousands of workers families and a vast section of jute growers depend on to earn their bread and livelihood. The century-old traditional labor-intensive industry employs more than 2.5 lakh workers. Of late, the textile ministry of central government informed the state that procurement from the industry will be slashed due to the dearth of gunny bags and 45 percent of synthetic bags will be allowed for packaging wheat in the forthcoming rabi season. This has sent ripples across the industry as well as within the labour and finance department of the state government.

During the tenure of late Prime Minister Rajiv Gandhi, parliament passed The Jute Packaging Materials (Compulsory Use in Packaging Commodities) Act,1987, by which the government is required to consider and provide for the compulsory use of jute packaging material in the supply and distribution of food materials as these bags are eco-friendly and bio-degradable. This Act came into force to prevent the usage of synthetic bags for packing food grains. Now, to appease the powerful lobby of synthetic bag producers, the central government has diluted the above Act. This would have a telling effect on the jute industry.

The jute industry is predominantly dependent on the government sectors that purchase jute bags to the tune of around Rs 7,500 crore every year for packing food grains. It enjoys a captive market for the last couple of decades and the decision to slash orders would have a disastrous effect upon the industry, particularly, on the workers. This decision of the union government will open the door for indiscriminate suspension of work, reduction in shifts and in workforce and in throwing tens of thousands of jute workers out of employment. A few months ago, when the second wave of Covid spelled a catastrophic effect on the state's economy, the traders of raw jute cum owners of the jute mills declared suspension of work in more than 15 jute mills rendering 40- 45 thousand workers out of employment under the pretext of shortage of raw jute. All the functional trade unions were of

the opinion that the unscrupulous jute traders and hoarders deliberately created this artificial crisis and appealed to the Jute Commissioner of India (JCI) and the state government to take stringent action against illegal hoarding. The trade unions stated that if mills were shut due to shortage of raw jute, it would tantamount to encouraging lay-off and not suspension of work. The labour department do not entertain the disputes raised under Industrial Disputes Act, if it is suspension of work.

Neither previous regime of the Left front government nor the incumbent Mamata government has taken any constructive steps for amelioration and development of this industry till date. This agro-based industry and its eco-friendly product has gained tremendous popularity globally and the demand for value-added jute goods, luxury bags, curtains, dress materials have increased manifold. The property of tensile strength of jute aids in its use in a proper mix for repairing roads and embankments. Yet, the state government and owners of the mills continue to be the prisoners of the old mental framework and could not re-invent jute for purposes other than packaging. No steps have been initiated to modernize the industry or plan for diversification of its products.

This sector is predominantly controlled by the

middleman-turned-supplier of raw jute, under the disguise of employer, and is looted and plundered only with an aim to earn super profit within a shortest period. The sector is exploited for accumulating capital and the capital is re-invested into other greener pastures, in turn, leaving the industry in a dry and anemic state. The Ministry of Textiles, in its report, has indicated that the annual turnover of the jute industry is over 10,000 crores of rupees. However, the industry spent only Rs 270 Cr, i.e., a paltry 2.7 percent of its annual turnover, on modernisation and technological upgradation. This is the only organised sector in the state where seven to eight types of wage patterns exist. The state government, despite promising to formulate jute policy and grade and scale, during the last tripartite agreement in 2015, has miserably failed to implement it.

Law of the land is alien to this sector. Whopping PF and gratuity dues are still plaguing the industry. The data placed by the government of West Bengal reveals that the man-days lost due to illegal lockout is 100 per cent and fatal accidents are the highest in the industry. For the first time, National Jute Board carried out a survey and found the average income of workers' household is Rs 11,015 per month. Maximum households (57.4 percent) have reported monthly income between Rs 5,001 to Rs 10,000. Only 6.4 percent have income above Rs 20,000 per month. Indebtedness is a common problem among jute workers. The survey points out 54 percent households are in debt.

Tea and Jute are the only two remaining labour-intensive industries that earn huge revenue annually but criminally neglected for decades together. The industrial relations in this sector is medieval and informal employment still predominates. Engaging workers sans statutory benefits is becoming the norm of the day. In the last assembly elections of West Bengal, the jute workers voted overwhelmingly against BJP all over the state. The jute workers responded to the industrial strike called by the CTUs and have a militant legacy of resistance. Cutting across all political lines, trade unions of various political hues have forged a broad unity and this is the strength of the jute workers movement in the state. Stormy days are ahead, and the united trade union movement has many a challenge to confront in the days ahead. ◻

SNIPPETS

LEKHA

Compensation to Families of Dalit Workers Who Were Forced to do Manual Scavenging

Passing a detailed order in a public interest litigation filed by the All India Central Council of Trade Unions (AICCTU) before the High Court (HC) of Karnataka in respect of immediate cessation of the inhuman practice of manual scavenging, the Court stated – "It is made clear that, henceforth, there will be no more manual scavenging in the State of Karnataka

ignoring the statutory provisions of the Act of 2013 and Rules of 2013. Meaning thereby, the scavenging shall be done only with aid and assistance of the equipments which are mentioned under the Rules framed under the Act of 2013". Further, The HC cast the responsibility on District Magistrates to create awareness amongst all officer of local bodies to ensure compliance of statutory provisions as contained under the Act of 2013 and the Rules of 2013 and held that in case of non-compliance of the statutory provisions under the Act of 2013 and Rules of 2013, the District Magistrate shall be held for contempt proceedings as the District Magistrate was the authority who has been made responsible under the Act of 2013 for rehabilitation of such manual scavengers. The Court also directed that apart from payment of compensation of Rs. 10 lakh to workers who had died in Kalaburagi and Ramanagara in 2021, their families had to be rehabilitated under Section 13 of the 2013, Act.

Further, on September 17th, 2021, the Bombay High Court directed the Maharashtra Government to disburse compensation to the families of Sri. Govind Sangaram Chorotiya, Sri. Santosh Kalsekar and Sri. Vishwajit Debnath, who all died cleaning a septic tank in December 2019. Seeking compensation and rehabilitation under the Prohibition of Employment as Manual Scavengers and Their Rehabilitation Act of 2013, the wives of the three Dalit workers had petitioned the Bombay High Court, which directed the State Government to pay the compensation within four weeks and to submit an elaborate rehabilitation plan for the families. The Court further directed the State Government to empower and make local governments responsible to ensure compliance with the legal provisions.

'Right to sit' for Workers in Tamil Nadu

The Tamil Nadu government tabled a bill in their legislative assembly to make it mandatory for all establishments to provide seating facilities for its employees, and the same was passed unanimously on 13.09.2021. This will benefit and bring relief to thousands of workers who are employed in the service sector, including those in shops, showrooms, housekeeping, security, among others. Thousands of workers are put through this inhuman situation who end up suffering from severe health impacts due to the inability to sit during their working hours.

This Bill seeks to amend the Tamil Nadu Shops and Establishments Act, 1947 by proposing to add sub-section 22A which reads - "The premises of every establishment shall have suitable seating arrangements for all employees so that they may take advantage of any opportunity to sit which may occur in the course of their work and thereby avoid 'on their toes' situation throughout the working hours."

This issue was discussed during the State Labour Advisory Board in September 2019 and received unanimous approval from all its members. However, the same came to be tabled in the form a Bill after two years, hence before the legislative assembly. Tamil Nadu is the second State, after Kerala, that has raised the basic 'right to sit' concern of workers.

Compliance with S. 33(2)(b) is Mandatory

Dismissing a writ appeal filed by Tata Coffee Limited, the Karnataka High Court held that as per Supreme Court's judgment in Jaipur Zilla Sahakari Bhoomi Vikas Bank Ltd. v. Ram Gopal Sharma [AIR 2002 SC 643], the Appellant failed to establish that they had made the payment of one-month salary in compliance of Section 33(2)(b) of the Industrial Disputes Act, 1947 when an application was made before the trial court to obtain approval to dismiss the Respondent

Workman. Throughout the trial, the Appellant had not produced any document or acknowledgment whatsoever to show the mandatory compliance with the provision. The Appellant had only made claims that they had sent a payment of one-month salary via money order. There was no reference made in regard to whether the workman was served a copy of his dismissal order either. Therefore, the High Court upheld the order of the Industrial Tribunal which had ordered reinstatement of the workman.

Tata Coffee Limited vs. P.A. Ganapathy, 2021 LLR 713 (Karn. HC)

Penalty for Not Maintaining Records Under Minimum Wages Act

The Labour Enforcement Officer found some discrepancies in compliance with the Minimum Wages Act during his inspection of an ATM which was being maintained by the Applicant who had entered into an agreement with State Bank of India, who then served a notice on the Applicant to remove the discrepancies. The Applicant responded to this notice stating that he is not liable to maintain the register or records with regard to minimum wages or to display the notices as he is a petty contractor. Dissatisfied with the response, the Labour Enforcement Officer filed a criminal complaint against the Applicant under Section 22A of the Minimum Wages Act, 1948, which the Applicant sought to be quashed before the Madhya Pradesh High Court. The High Court then dismissed the petition stating that even if he is a petty contractor, he cannot escape liability under the Minimum Wages Act.

Dayle De'Souza Vs. Government of India and Ors. [2020 LLR 532]

Employee Can Challenge T&C of Employment

If It Violates Statutory Requirement: Supreme Court

In a batch of appeals filed by Associate Professors and Assistant Professors, who had work experience of 15 to 17 years and were substantively appointed after going through the process of selection provided under the Uttar Pradesh State Universities Act, 1973, the Supreme Court of India held that the professors shall be treated as substantively appointed teachers and members of service for all practical purposes and are entitled to pay-scale and consequential benefits on par with regular professors. The bench also stated that as the bargaining power vests with the employer and the employee is left with no option, but to accept the terms and conditions dictated by the management, it is open for the employee to challenge the conditions if it violates the statutory requirement and can raise questions when they are aggrieved.

These professors of HNB Garhwal University were substantively appointed on contract basis despite going through a process of selection as per the Act and had challenged the arbitrary conditions of the letter of appointment restricting it to be on contract basis for three years which is in contravention to the Act.

The court said that since these teachers have gone through the process of selection provided under the scheme of the Act regardless of the fact whether the post is temporary or permanent in nature, at least their appointment is substantive in character and could be made permanent as and when the post is permanently sanctioned by the competent authority.

Somesh Thapliyal Vs. Vice Chancellor, H.N.B. Garhwal University [LL 2021 SC 414]

Software Engineers fall under the definition of workman under Section 2(s) of the Industrial Disputes Act, 1947

In the context of deduction under Section 80JJ(AA) of Income Tax Act, the Karnataka High Court was faced with the question as to whether the employees in software industry are covered by the definition of 'Workman' in Explanation (iii) to section 80JJAA of the Act read with section 2(s) of the Industrial Dispute Act.

The Court while referring to the order of the Supreme Court in Devinder Singh v. Municipal Council, Sanaur [Civil Appeal No.3190/2011 dt. 11.04.2011 before Supreme Court] held that under Section 2(s) of the ID Act, the definition of a workman is very wide inasmuch as the said definition would cover any person who has the technical knowledge, self-skilled in an industry.

It held that the software engineer was a skilled person, a technical person who is engaged by the employer for hire or reward, and hence would also come within the purview and ambit of workman under Section 2(s) of the ID Act so long as such a person does not take a supervisory role.

The Court also held that the concept of the workman has undergone a drastic change and was no longer restricted to a blue collared person but even extends to white-collared person. It held that while a couple of decades ago, an industry would have meant only a factory, but today industry includes software and hardware industry, popularly known as the Information technology industry.

The Commissioner of Income-Tax LTU and Ors. vs. Texas Instruments India Pvt. Ltd. and Ors. [(2021)321CTR(Kar)34]

The New Labour Code Acts: Assault on Rights of Women Workers

AVANI CHOKSHI

"It is true that where the State refrains from intervention what remains is liberty. But this does not dispel of the matter. One more question remains to be answered. To whom and for whom is this liberty? Obviously, this liberty is liberty to the landlords to increase rents, for capitalists to increase hours of work and reduce rate of wages... In other words what is called liberty from the control of the State is another name for the dictatorship of the private employer."

-Dr B.R. Ambedkar

The first law minister of Independent India Dr. B.R. Ambedkar could clearly see what would happen if laws of a nation deny to protect rights of the working class or the oppressed. Quite often than not, this denial comes with glorious justification of freedom of the 'Capitalist', the Corporates in today's functional terms, to do business.

The latest Labour Code Acts passed under the present regime in 2020 in its content is a step towards setting the corporates free for denying hard earned rights of workers. Several articles, carried in this journal earlier, have analysed this.

In this piece, we will focus on the impact of the new labour codes on women workers.

In a patriarchal structure, women workers face double exploitation, as workers on one hand, and as women on the other. Through decades of struggle, certain demands of working women have been enacted in statute. The new Labour Codes that are being sought to be implemented will strike at the soul of these rights, and dilute their essence.

Assault on Right to Equal Remuneration

Article 39(d) of Constitution envisages that the State shall direct its policy towards ensuring equal pay for equal work for both men and women. This provision was given teeth in the Equal Remuneration Act, 1976, which was avowedly enacted "to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of sex, against women in the matter of employment" This law provides for non-discrimination in payment of remuneration and conditions of service.

The new Code on Wages deliberately obliterates the spirit and substance of the mandate of equal pay for equal work, while maintaining its façade.

Firstly, what is the "pay" that is mandated to be equal? The 1976 statute envisaged that all remuneration, [whether payable in cash or in kind] be equal between men and women, for same or similar work. However, the new Wage Code mandates payment of 'equal wages', which is specifically defined in section 2(y) with various exclusions. Thus, opening up space for gender discrimination.

The catch, for our purposes, lies in the second proviso to section 2(y), which state that "Provided further that for the purpose of equal wages to all genders and for the purpose of payment of wages, the emoluments specified in clauses (d), (f), (g) anf (h) shall be taken for computation of wage. This convoluted wording means that clauses (a), (b), (c), (e), (i), (j), (k) would not be included in the new mandate for equal wage for equal work. Thus, discrimination on ground of gender is statutorily permissible in respect of the following heads:

"(a) any bonus payable under any law for the time being in force, which does not form part of the remuneration payable under the terms of employment;

(b) the value of any house-accommodation, or of the supply of light, water, medical attendance or other amenity or of any service excluded from the computation of wages by a general or special order of the appropriate Government;

(c) any contribution paid by the employer to any pension or provident fund, and the interest which may have accrued thereon;

(e) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment;

(i) any commission payable to the employee;

(j) any gratuity payable on the termination of employment;

(k) any retrenchment compensation or other retirement benefit payable to the employee or any ex-gratia payment made to him on the termination of employment.

Importantly, the second proviso must be read with the first proviso to section 2(y), which states that any if the first 9 exclusions exceed half or any other prescribed percentage of wages, excess payment under such categories beyond such percentage

would be considered wages. This means, that the upto 50% of the income of workers may not be considered "wages". It is unclear whether, for the purposes of equal remuneration, the same 50% limit on disparity in wages would apply or whether there is no such limit.

Secondly, the new Code on Wages in section 3 mentions the term 'employees', which excludes apprentices. Hence, women apprentices will have no right to equal remuneration.

Thirdly, there is a shift in the definition of 'same work or work of similar nature'. This now includes a condition of same experience, in addition to the previous criteria of skill, effort and responsibility. Importantly, in the context of equal pay for equal work for casual workers, the Supreme Court had held that "Whether appointments are for temporary periods and the Schemes are temporary in nature is irrelevant once it is shown that the nature of the duties and functions discharged and the work done is similar and the doctrine of 'Equal pay for equal work' is attracted." Introduction of the 'experience' criteria may be utilized to deprive workers engaged in same work from equal remuneration.

Fourthly, the 1976 Act prohibited discrimination "in any condition of service subsequent to recruitment such as promotions, training or transfer", whereas in the new Wage Code the cause of discrimination to be prohibited is limited to 'conditions of employment'. This effectively obliterates the illustrative list of conditions of service.

Reduced Maternity Benefit

The calculation of Maternity Benefit is heavily impacted by the definition of wages in the new Social Security Code. Thus, while on maternity leave, a woman would still be entitled to maternity benefits, but the "wages" though would newly exclude the following, effectively reducing the wages significantly compared to the existing acts:

(d) any conveyance allowance or the value of any travelling concession;

(e) any sum paid to the employed person to defray special expenses entailed on him by the nature of his employment;

(f) house rent allowance;

(g) remuneration payable under any award or settlement between the parties or order of a court or Tribunal;

(h) any overtime allowance;

(i) any commission payable to the employee;

Permitting Night Shift for Women

Another dangerous change is the deletion of the prohibition against employment of women in night shifts in Section 43 of the Occupational Safety, Health and Working Conditions Code (OSH Code henceforth). This section permits employment of women in night shift (between 7 p.m. and 6 a.m.) with their consent. The crux of the matter is that, when dealing with highly unequal power structures, consent cannot be assumed to be free. Even in the context of wages, the Hon'ble Supreme Court has repeatedly held that due to various forces, including economic coercion, a consensual agreement to work for less than minimum wages could not be understood as free consent. In PUDR v Union of India AIR1982SC1473, the Supreme Court held similar view.

"Moreover, in a country like India where there is so much poverty and unemployment and there is no equality of bargaining power, a contract of service may appear on its face voluntary but it may, in reality, be involuntary, because while entering into the contract, the employee, by reason of his economically helpless condition, may have been faced with Hobson's choice, either to starve or to submit to the exploitative terms dictated by the powerful employer. It would be a travesty of justice to hold the employee in such a case to the terms of the contract and to compel him to serve the employer even though he may not wish to do so. That would aggravate the inequality and injustice from which the employee even otherwise suffers on account of his economically disadvantaged position and lend the authority of law to the exploitation of the poor helpless employee by the economically powerful employer."

Consent taken from women workers to be employed at night would be nothing more than an unfree choice, thus a travesty of justice. The deletion of prohibition against employment in night shifts is nothing more than an extention of exploitative practices against women workers.

It may be noted that the Factories Act provides in section 66 that 1) women cannot be required to or allowed to work in a factory for more than nine hours in any day, 2) no woman shall be required or allowed to work in any factory between 7 P.M and 6 A.M, and even relaxation by State government could not permit employment between 10 P.M. and 5 A.M. The Plantations Labour Act, 1951, the Mines Act, 1952, the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, and the Contract Labour (Regulation and Abolition) Central Rules, 1971 have similar provisions

Curtailment of Provision of Crèche

A number of sectoral statutes currently mandate provision of crèche. Statutorily, the manner of maintenance of such crèches are laid down, including that they must provide adequate accommodation, be adequately lighted and ventilated, be maintained in a clean and sanitary condition and be under the charge of a woman trained in the care of children and infants.

Section 67 of the new Social Security Code maintains the provision of creche, but the sector-wise mandate of crèche has been done away with. This has three consequences:

1. Now, only 'establishments' would be covered, whereas the BOCW Act covered all 'places' where more than 50 workers were ordinarily employed. In the context of construction, where there might not be a single large establishment, workers would not be entitled to crèche.

2. Those factories with 30 women workers but less than 50 workers would now be excluded from coverage.

3. The base criteria for such crèches, including ventilation and sanitation, are no longer statutorily mandated.

Inadequate Representation of Women in Statutory Boards

The Code fails to ensure adequate representation to women in various statutory boards and instead merely provides for their token representation. For example, the Building and Other Construction Workers' Welfare Board that may have upto 16 persons mandates that 'at least one member of the Board shall be a woman'. Similar is the case with the Building Workers' Welfare Boards under the Social Security Code. Despite a large percentage of workers in the construction industry being women, adequate representation has been ignored in the new code.

Perpetuating Bonded Labour Practice of Contractualization

Women workers have faced the brunt of the rampant contractualization of employment across sectors. Dalit women especially, are employed for decades on end through sham contractors to clean toilets and other areas, and are euphemistically called "housekeeping staff". Now, the OSH Code prohibits employment of contract labour in core activities of any establishment, but excludes, from the definition of core activities "housekeeping and laundry services, and other like activities, where these are in nature of support services of an establishment". Moreover, sanitation and house keeping are very much part of core activities in some industries like hospital, etc., that necessaitates cleanliness a precondition for cure and delivery of the industry. Effectively, the burgeoning sham contractualisation of the most vulnerable in terms of caste, class and gender is granted sanction in law. It must be remembered that the Supreme Court likened contract labour to an improved form of bonded labour in Sankar Mukherjee and Ors. v. Union of India (UOI) and Ors., [AIR 1990 SC 532.

In conclusion, it is important to keep in mind that the manner of incorporating such anti-women provisions makes it clear that such amendments are wholly deliberate. This was not an accident while seeking to streamline the provisions, but a very intentional and underhanded attack on Article 14 of the Constitution. We must mobilise against these anti-women, anti-workers Codes not only in terms of the unconstitutionality of such provisions, but also the mala fides of the government towards women workers. ◻

Survey Reveals Exploitation of ASHA Workers in Delhi

SHWETA RAJ

(An abridged version of a more detailed report to be released soon)

The Covid 19 pandemic has brought to the forefront the importance of ASHA workers in running and sustaining the public health care system. Since the pandemic broke out ASHA workers have been working as frontline workers against the coronavirus outbreak, performing important tasks like disease surveillance, reaching out to infected patients with medicines, conducting daily temperature checks in neighbourhoods and encouraging people to get vaccinated against the virus. But little is known about the fact that most of the work done by ASHAs goes unnoticed and is grossly underpaid. To begin with, ASHA workers were meant to carry out tasks around healthcare for children and pregnant and young mothers. But during the course of the pandemic, they have been made to bear the brunt of most of the work in the public health system with little or no pay and zero recognition of the risks they have taken by putting their own lives in danger while carrying out their responsibilities. An overwhelming number of ASHA workers across the country did not even get basic equipment like masks, face shields, gloves and sanitizers during the covid pandemic. On top of being perennially underpaid, receiving just Rs. 3000 as honorarium for their regular work, they received a pittance of Rs. 1000 as bonus for the extra work they performed during the pandemic. Despite this they have received scant recognition for the crucial role they performed as frontline workers.

To highlight the apathy with which they are regarded, the Delhi ASHA Kamgaar Union affiliated to AICCTU, conducted a sample survey of over 200 ASHA workers across 10 dispensaries in Delhi. The findings of the survey paint a stark picture of the underpaid and exploitative working conditions that ASHA workers have to face day in and day out. It also shows that little respect that is paid to the labour of ASHA workers who work in undignified work conditions. The important findings of the survey are as follows:

- Nearly all the respondent ASHA workers said they have no fixed working hours and are on call 24×7, which means they are perennially on standby mode to respond to any emergency. While they are on call throughout the day, they receive no allowance for this. They do not get and not even entitled to, any overtime payment.

- 86% of the respondents said they do not receive a fixed remuneration for the work they do. This is despite the fact that ASHA workers who were surveyed had an average work experience as ASHA of six and a half years. This clearly means that the problem of not receiving any fixed remuneration is a long standing one.

- Most ASHA workers are supposed to receive Rs. 3000 per month as honorarium. This is much lower than the legally mandated minimum wages for workers. The sheer cruelty of this becomes starker when seen along with the finding of the survey that 30% of the respondents said they are the only earning member in the family, which means their family survives on the Rs. 3000 they earn as honorarium.

- In addition to the pittance they receive as pay, 66% of ASHA workers surveyed said some amount is regularly deducted from their monthly pay on some pretext or the other.

- All ASHA workers said they performed duties other than child health and maternal health care during the pandemic like monitoring home isolation and conducting surveys

during the pandemic.

- On an average each ASHA worker covered 550 households as part of their work during the covid pandemic performing a variety of tasks. For this work they received an average of Rs. 180 per ASHA worker pointing to the fact that remuneration paid to ASHA workers are completely arbitrary, unjust and irregular.

- 90% of the respondents said there are no restrooms available for their use in the dispensaries.

- About 45% of ASHA workers said they regularly face misbehaviour and harassment from their superiors at their workplace.

- 85% of respondents said they did not receive any gloves, 67% said they did not receive any mask and 75% said they did not get any sanitiser to perform their work relating to the coronavirus.

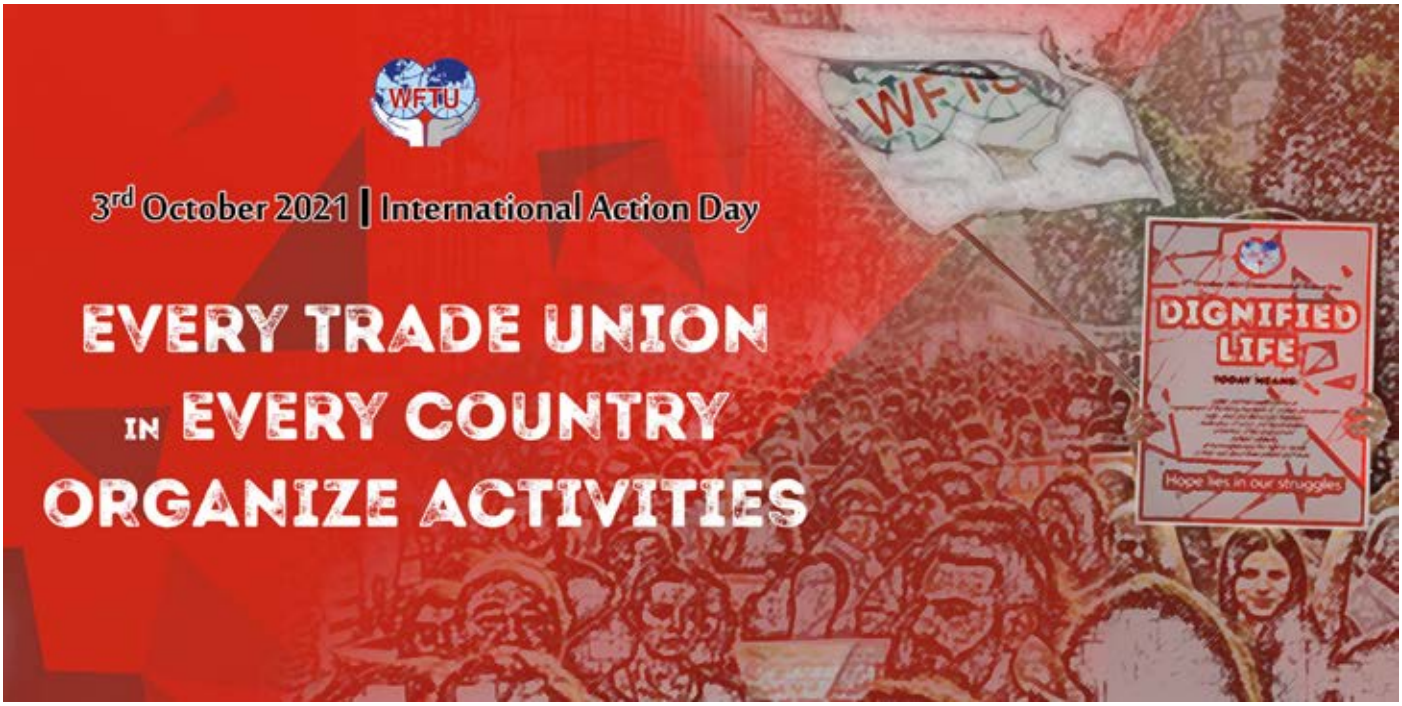
- Family members of many ASHA workers were infected with the virus both in the first and the second wave but barring a few exceptions, ASHA workers got no help from the government for their treatment.

- While ASHA workers are supposed to be paid Rs. 1000 as Covid allowance which in itself is absolutely shameful, many do not even get that regularly. In the survey it was found among the respondents that only 30% of ASHA workers received the Covid allowance regularly.

From the above findings a clear picture emerges of the underpaid and exploitative nature of the work that ASHA workers do. Trade unions of ASHA workers and trade unions in general have been saying for years that ASHA workers are one of the most underpaid and overexploited members of the working class. Despite the invaluable service they have provided during the course of the pandemic, only lip service has been paid to them without guaranteeing their rights and dignity. The findings presented here are preliminary findings from the survey conducted by the Delhi ASHA Kamgaar Union. A detailed report will be released very soon. ◻

Call of WFTU

Internationalist Action Day 3rd October 2021



On the occasion of the 76th anniversary of the founding of WFTU (World Federation of Trade Unions), on October 3, 1945, for one more year, we honour its history and militant course by promoting the following demands:

DIGNIFIED LIFE today means:

– Public and free healthcare for all

As the pandemic has proven, when health and medical care are considered to be a cost by states and governments, it is workers who face the tragic consequences of the undermining of public health. The WFTU members since the first moment of the Pandemic, dynamically claimed public and free healthcare, safe and free vaccines for all. During the recent WFTU Symposium on Vaccines and Medicines, all the trade unionists who took part argued loud and clear that health, medicines and vaccines cannot be commodities, that they should be social goods, and subsequently that patents on medicines should be completely abolished. A relevant resolution with the decision of the Symposium was sent to all the International Organizations.

– Improvement of the living standards of workers and pensioners

Nowadays, the enormous wealth that is produced is enough to cover all the contemporary needs of all workers and Peoples on earth. However, the contradictions between the workers and the few powerful ones increased with the outbreak of the new economic capitalist crisis. Under the pretext of the pandemic, the governments passed new anti-labour measures attacking salaries, pensions, working conditions of workers. Poverty, extreme poverty and unemployment are on the rise. High prices in fuel, heating and basic goods will deteriorate the situation of all workers and their families. We demand immediate improvement of the living standards of workers and pensioners by increasing salaries and pensions, with Collective Agreements that ensure dignified working conditions, with social security for all.

– Trade union and democratic freedoms

Over the last time period, trade union freedoms and democratic rights have been limited around the world, so that the Peoples accept the failure of the capitalist states to manage the pandemic; so that they do not react to the new anti-people measures and they do not organize their struggle against their acute problems. The repression against workers' and popular protests in Latin America, Europe, Asia, etc.; terrorism, violence by the forces of repression under the pretext of measures to contain the pandemic; new

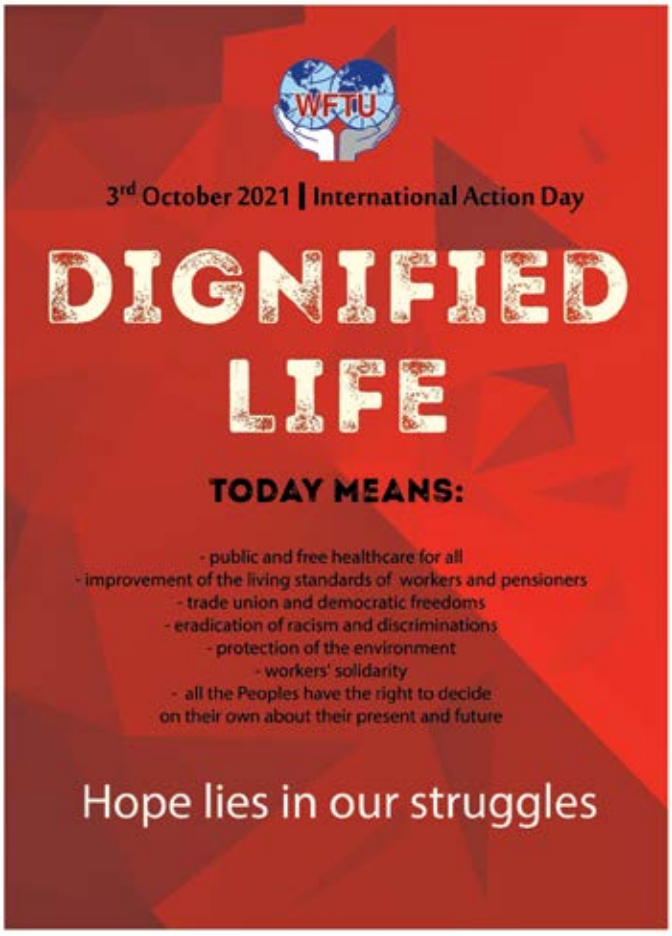
measures to limit the right to strike, to monitor and control the unions; the persecution of trade unionists; all the aforementioned must not lower the morale of workers. As history has repeatedly shown, workers and the Peoples have the power to overthrow their oppressors, they are the ones who have the last word when they struggle and put forward their demands in an organized and decisive manner.

– Eradication of racism and discriminations

The WFTU calls upon all workers to struggle together regardless of race, nationality, language and religion for their common interests; to strengthen the joint struggle against racism and xenophobia, against imperialist interventions that create flows of refugees and migrants, for dignified living conditions for refugees and migrants, for the end of imperialist wars and exploitation of local and foreign workers.

–Protection of the environment

The position of the class-oriented trade union movement for adequate measures to protect the environment and workers against fires, floods, earthquakes, hurricanes, droughts, etc., is firm. The lack of these measures is diachronic and responsible for the great disasters in the environment and for the victims who mourn the Peoples after every natural disaster or extreme weather events. The criminal refusal to allocate funds, human resources and equipment for protection measures and for appropriate infrastructure is the responsible for the consequences of disasters, and not climate change. The workers must intensify our struggle for immediate measures to protect the environment on the basis of contemporary needs by utilizing the advances and achievements of science and technology.



-Workers' solidarity

The expression of workers' solidarity and internationalism is a powerful weapon of workers and Peoples that puts pressure on the enemies of the working class, cultivates friendship and support among the workers and makes them stronger in their struggles. The WFTU, with the Campaign of Solidarity and Relief to the Palestinian People, calls on all militants to show their support in practice to our Palestinian brothers and sisters, who have recently been hit by new Israeli raids.

–All the Peoples have the right to decide on their own about their present and future

For one more year, new imperialist interventions and plans were launched against the Peoples of Palestine, Cuba, Afghanistan, in the interests of the monopolies of the US, EU, and their allies. We stably and unwaveringly express our solidarity with the Peoples who suffer from imperialist wars and interventions in the context of the economic and geostrategic rivalries of the powerful states; we strengthen our struggle for peace, for the right of the Peoples to decide for themselves about their present and future without external interventions. International Organizations must play their role in ending interventions and sanctions against Syria, Yemen, Palestine, Cuba, Venezuela and Afghanistan. Following the successful holding of three International Conferences in solidarity with the Peoples of Venezuela, Palestine and Cuba, with a number of other events and actions, the rich internationalist action of the WFTU, of its members and friends, will continue.

Colleagues,

We invite you to honour October 3, 2021, in any way that is most convenient for you. Convey to workers that HOPE lies in our STRUGGLES.

In this way, with internationalism and militant spirit, let us all united prepare for the 18th World Trade Union Congress.

- WFTU Secretariat

75 Years of India's Independence
Workers In India's Freedom Struggle

(As independent India approaches 75 years, Liberation marks the occasion with a series - starting with the August 2021 issue – of commentaries and features on the richly diverse freedom struggle, especially on under-represented aspects and chapters of the struggle that hold inspiration for the challenges that the country and its people face today. It is our effort to remind ourselves that the workers, peasants, adivasis, dalits, women, were not mere "followers" of charismatic leaders – they were the true makers of history, leaders in their own right. India's March to Freedom: The Other Dimension (Dipankar Bhattacharya, Liberation Publications, July 1997) noted that in most of the dominant, official narratives of the freedom movement, ordinary people, workers and peasants, "are never shown in action as men and women fighting their own battle with their own vision, dynamism and initiative and trying to become arbiters of their own collective destiny. The working people are thus not only denied their due in the present. They are also denied their role in the past. They are sought to be delinked from their own past and turned into permanent refugees relegated to the margins of history." In this issue, we carry some edited excerpts from India's March to Freedom, to foreground the role of the working class in the freedom movement.)

Arrival of the Indian Working Class

The first footsteps of the Indian working class could be heard in the second half of the nineteenth century. Facilitated by the introduction of railways in 1853, industries like cotton textile and jute as well as coal mining and tea plantation began to come up in different parts of the country. Early instances of workers trying to organise and revolt against their oppressive living and working conditions date back almost to the same period. Strikes of non-industrial workers like palanquin bearers and scavengers have also been recorded in the dosing years of nineteenth century.

Quite understandably, the formation of trade unions proper was preceded by the launching of various welfare organisations often by non-worker philanthropist citizens. At a time when the working class was still in its inception or infancy, with no tradition of trade unions or factory acts or labour laws, clear demarcation between various forms of organisation and categories of demands was often not possible. But given the fact that the mill managements were overwhelmingly white and the air was heavy with the humiliation and hatred generated by a racist, colonial order, even the most ordinary and primary attempts to organise the workers and articulate their demands tended to acquire an unmistakable political significance.

Swadeshi: The First Surge of Working Class Action

The first surge of working class action came in the wake of Partition of Bengal and the subsequent swadeshi agitation. On 19 July, 1905 Curzon issued his fiat partitioning Bengal. This sinister application of the British strategy of divide-and-rule in one of the most sensitive Indian provinces anticipated the eventual vivisection of the country in 1947. The Partition of Bengal provoked angry outbursts not only in Bengal itself but also in distant Maharashtra, a sure sign of the rise of a popular national consciousness.

In a two-pronged campaign, spearheaded primarily by the so-called extremist wing of the Indian National Congress led by Lala Lajpat Rai, Bal Gangadhar Tilak and Bipin Chandra Pal (the famous Lal-Bal-Pal trio), people were urged on the one hand to boycott British goods and promote Swadeshi ways on the other. Most of the Swadeshi leaders advocated the use of religious idioms to mobilise the masses. Tilak came up with the idea of celebrating Ganesh and Shivaji Utsavs.

This was also the formative phase for revolutionary terrorists. The attempt made by Khudiram Basu and Prafulla Chaki at Muzaffarpur on April 30, 1908, on the notorious British magistrate Kingsford was the most well-known terrorist action of this early period. But beyond this interface between religious revivalism and revolutionary terrorism, Swadeshi also had a distinct working class dimension.

The first real trade union, the Printers' Union, was formed on 21 October, 1905 in the midst of a stubborn strike in government presses. During July-September 1906, workers in the Bengal section of the East Indian Railway launched a series of strikes. On 27 August there was a massive assertion of workers at the Jamalpur railway workshop. The rail strikes would become more decisive and widespread between May and December 1907 covering important centres like Asansol, Mughalsarai, Allahabad, Kanpur and Ambala. Between 1905 and 1908, strikes were also quite frequent in the jute mills of Bengal. In March 1908, workers at the foreign-owned Coral Cotton Mills at Tuticorin in Tirunelveli district of the then Madras province went on a successful strike. Efforts to suppress the Coral mill workers led not only to protest strikes by municipal workers, sweepers and carriage-drivers, but municipal offices, law courts and police stations at Tirunelveli town too were attacked by the masses.

More importantly, Swadeshi signalled the arrival of the working class as a political force with workers beginning to take to the streets together with students and peasants demanding freedom and democracy. Militant street fights would soon become the order of the day. In the first week of May 1907, about 3,000 workers of the Rawalpindi workshop and hundreds of fellow workers from other factories joined the students in a huge protest demonstration against the conviction of the editor of the journal Punjabee for publishing 'seditious' matters. Peasants from nearby areas also joined this militant rally and virtually everything with a British connection came under attack.

Lenin Hails the Political Awakening of Indian Workers

Meanwhile the Russian revolution of 1905 had failed but not before it had inspired the entire international working

Calcutta in Mourning

Yesterday was one of the most memorable days in the history of the British administration of India. It being the day on which the Bengal Partition scheme took effect, ... the people of Calcutta, irrespective of nationality, social position, creed and sex, observed it as a day of mourning ... From the small hours in the morning till noon, the bank of the Ganges from Bagbazar to Howrah presented a unique spectacle. It looked, as if it were, a surging sea of human faces. The scene in the roads and streets of Calcutta was quite novel and was perhaps never before witnessed in any Indian city. ... All the mills were closed and the mill hands paraded the city in procession. The only cry that was heard was that of Bande Mataram".

- Amrita Bazar Patrika, Calcutta, 17 October, 1905

class movement with a new vision and with a brand new weapon: the mass political strike. When Bipin Chandra Pal was arrested, the Calcutta journal Nabasakti wrote on 14 September, 1907: "The workers of Russia today are teaching the world the methods of effective protest in times of repression – will not Indian workers learn from them?"

This anticipation soon came true in Bombay. The arrest of Tilak on 24 June, 1908 provoked a storm of protest not only in Bombay but also in industrial centres like Nagpur and Sholapur. While court proceedings were on, workers would explode in protest and clashes would ensue with the police and military. In one of these street battles, on 18 July, several hundred workers were wounded and many killed. The next day some 65,000 workers belonging to 60-odd mills went on strike. Dock workers of Bombay also joined the movement on 21 July. On July 22, Tilak was sentenced to six years of rigorous imprisonment. In protest, for six days striking workers converted Bombay into a veritable battle field.

Lenin hailed this heroic assertion of Bombay workers as an inflammable material in world politics: "... in India the street is beginning to stand up for its writers and political leaders. The infamous sentence pronounced by the British jackals on the Indian democrat Tilak ... evoked street demonstrations and a strike in Bombay. In India, too, the proletariat has already developed to conscious political mass struggle — and, that being the case, the Russian-style British regime in India is doomed!"

The Swadeshi aftermath had already seen a significant upswing in revolutionary militancy in Bengal. The Yugantar and Anushilan groups emerged as the two key centres and in spite of the revocation of Partition in December 1911, the Bengal militants continued to gain in strength and popularity. The foremost leader of this school, Jatin Mukherjee (Bagha Jatin), died a hero's death near Balasore on the Orissa coast in September 1915.

Revolutionary militancy also struck strong roots among Indian expatriates, mostly Sikhs, in British Columbia and United States. The famous Ghadr (revolution) movement began in 1913 in San Francisco. In contrast to the Hindu overtones of early Bengal militants, Ghadrites invoked the 1857 legacy of Hindu-Muslim unity. Many of the terrorists and Ghadrites were to be transformed eventually into communist activists.

With the outbreak of the First World War, British imperialists intensified their reign of repression in India. Even after the war was over, the British tried to perpetuate and legalise the war-time suspension of basic rights by pushing through the so-called Rowiatt Act, against which a popular offensive was soon unleashed by various sections of Indian people.

Brutal Repression and Upswing in Worker-Peasant Action

British colonialists tried their level best to crush the post-war popular upsurge through sheer repression. The worst instance of repression in this period was the barbaric Jallianwallahbagh massacre in Amritsar on 13 April, 1919. The infamous General Dyer who executed this massacre defended it in terms of "producing a moral effect" and his only regret was that had he not run out of ammunition he could have killed many more! In the face of such acute state terror and Gandhian vacillation and dilution, if the Indian people succeeded in producing a different 'moral effect' on the British administration, it was largely due to the powerful working class initiative and wider expressions of peasant discontent.

Parallel to the upswing in peasant movement, there was a strong strike wave sweeping across the country. The following figures quoted from a 1923 publication (cited by Sumit Sarkar in Modern India) give an idea about the depth and sweep of the strike-wave:

Workers' Organisation Acquires All India Shape

It was in the midst of such a powerful countrywide assertion of the working class that the first central organisation of Indian workers came into being. The All India Trade Union Congress was founded in Bombay on 31 October, 1920. Tilak was a key inspiration behind the birth of AITUC, but he expired on 1 August, 1920, three months before the actual inception of the organisation.

The inaugural session had all the fervour of a new-found proletarian identity, but ft could not move out of the Congress trajectory of constitutional reforms. In his presidential address, Lala Lajpat Rai emphasised the role of organised labour as the antidote against capitalism as well as "militarism and imperialism ... the twin children of capitalism" and underscored the need to "organise our workers (and) make them class conscious"; but with regard to the British government he said the attitude of labour should be "neither one of support nor that of opposition."

The "Manifesto to the Workers of India" released on this occasion by the first General Secretary of AITUC, Dewan Chaman Lall, called upon the "Workers of India" to "assert your right as arbiters of your country's destiny". It reminded them that they must remain "part and parcel" of the movement for national freedom and urged them to "cast all weakness... and ... tread the path to power and freedom". Vice-President Joseph Baptista, however, waxed eloquent about "the higher idea of partnership", emphasising that mill-owners and labourers "are partners and co-workers and not buyers and sellers of labour".

The second, conference of AITUC (30.11.1921 - 02.12.1921) held at the coal-town of Jharia in Dhanbad district of today's Bihar (reckless and faulty mining by BCCL has unfortunately jeopardised the very existence of this historic

working-class centre which also hosted the ninth AITUC session in December 1928 that called for transforming India into a Socialist Republic) was, however, much more emphatic about the goal of the Indian workers and the people at large. "The time has now arrived", the conference declared, "for the attainment of swaraj by the people". The Jharia session was an extraordinary event-some fifty thousand people, most of them coal miners and other workers from nearby areas and their family members, participated in this unprecedented show of worker power.

Worker Vanguards Embrace Communism

The 1920s saw an infectious rise of political activism in almost all major working-class centres. New states joined the map of the working class movement. In May 1921, tea gardens of Assam, especially at Chargola in Surma valley witnessed a major upsurge of tea workers leading to a massive exodus of some 8,000 workers from the valley. Sporadic struggles were again reported in December 1921 from the tea gardens of Darrang and Sibsagar districts. On November 17, 1921, workers in Bombay, Calcutta and Madras played a key role in organising a highly successful countrywide hartal (general strike) in protest against the visit of the Prince of Wales. Madras had just witnessed a bitter four-month-long strike from July to October at the Buckingham & Camatic Mills. As many as seven workers were killed by the police in the course of this strike. On 1 May, 1923, elderly Madras lawyer and labour leader Singaravelu Chettier organised the first major May Day celebration in India on the Madras beach. Singaravelu was critical of the repeated brakes applied by Gandhi on the non-cooperation movement and went on to be among the communist pioneers in the country. North Western Railway witnessed a major strike lasting from April to June 1925. Textile strikes, of course, continued to rock Bombay at regular intervals.

This was also the period that saw the beginning of introduction of communist ideology in the Indian working class movement. Communist circles began to operate among Indian expatriates as well as inside the country. On December 26, 1925, leaders of various communist circles active in the country met at Kanpur and formally launched the Communist Party of India. In the 1920s, communists also operated from within organisations called workers' and peasants' parties apart, of course, from the Congress. Such parties became quite active and popular in Bengal, Bombay, Punjab, UP and Delhi. In Punjab the party was known as the Kirti Kisan Party and was formed at Jallianwallah Bagh in Amritsar on the ninth anniversary of the infamous massacre.

Workers Demand Complete Independence

To stem the rising tide of working class movement, the British government came up with the highly restrictive Trade Unions Act legislation in 1926. This Act virtually declared all unregistered unions as illegal and placed all sorts of restriction on trade unions collecting and contributing funds for political purposes. Ironically, this was in sharp contrast to the prevailing norms in Britain where trade unions formed the backbone of the Labour Party and played a key role in the country's politics. But this retrograde and restrictive piece of hypocritical legislation could hardly dampen the rising spirit of working class movement.

In February 1928, 20,000 workers marched in Bombay against the arrival of the all-white Simon Commission. The Lilooah rail workshop witnessed a major struggle from January to Jury 1928, From 18 April to September 1928, T1SCO workers went on a protracted strike. Bombay had yet another massive textile strike from April to October 1928. July 1928 saw a brief but very bitter strike on the South Indian Railway. Its leaders, Singaravelu and Mukundlal Sircar, got jail sentences while a worker striker, Perumal, was extemed for life to the Andamans. The most spectacular assertion of the working people could be seen in Calcutta where in December 1928, thousands of workers led by the Workers' and Peasants' Party of Bengal marched into the Congress session, occupied the pandal for two hours and adopted resolutions demanding Purna Swaraj or complete independence.

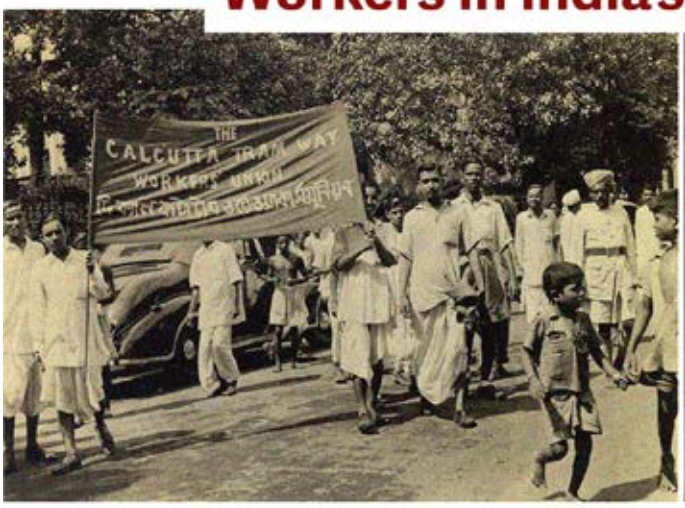
Alluri Sitarama Raju to Bhagat Singh: Inquilab Zindabad

The beginning of the 1920s had witnessed a great example of peasant guerrilla war in Andhra. From August 1922 to May 1924, Alluri Sitarama Raju and his band of hundred tribal peasant guerrillas waged a successful war against the British state over an area of about 2,500 square miles in the hills of the Godavari Agency region. With his accurate ambushes and successful raids on police stations, Raju won the grudging admiration of the British as a formidable guerrilla tactician. The Madras Government spent Rs. 15 lakh to suppress the rebellion with the help of the Malabar Special Police and the Assam Rifles. Raju was finally caught while he was bathing in a pond, and after inflicting heavy torture on this great fighter the British administration shot him dead on 6 May 1924. Incidentally, the fiftieth anniversary of India's independence also marks the birth centenary of this

Period	Place	Industry	Participation
4.11.19-2.12.19	Kanpur	Woollen mills	17,000
7.12.19-9.01.20	Jamalpur	Railway workers	16,000
9.01.20-18.01.20	Calcutta	Jute mills	35,000
2.01.20-03.02.20	Bombay	General strike	2,00,000
20.01.20-31.01.20	Rangoon	Mill workers	20,000
31.01.20	Bombay	British India Navigation Co.	10,000
26.01.20-16.02.20	Sholapur	Mill workers	16,000
24.02.20-29.03.20	Jamshedpur	TISCO	40,000
9.03.20	Bombay	Mill workers	60,000
20.03.20-26.03.20	Madras	Mill workers	17,000
May 1920	Ahmedabad	Mill workers	25,000
There were 110 strikes in Bengal in the second half of 1920 alone.			

75 Years of India's Independence

Workers In India's Freedom Struggle



legendary peasant revolutionary.

If Alluri Sitarama Raju symbolised the courage and capacity of the rural poor to wage a militant battle for independence, Bhagat Singh held out a really potent promise of a much more meaningful freedom that could have been ours. In September 1928, he and his comrades set up the Hindustan Socialist Republican Army at a meeting held on the ruins of Delhi's Ferozeshah Kotla. In one of its first actions, the HSRA avenged the assault on Lajpat Rai (he was seriously injured by the police white leading an anti-Simon protest march at Lahore on 30 October, 1928 and finally succumbed to death on 17 November) by killing the guilty police official Saunders at Lahore in December 1928. On 8 April, 1929 Bhagat Singh and Batukeswar Dutta threw bombs in the Legislative Assembly even as discussion was on in the Assembly on the anti-labour Trades Disputes Bill and a bill to bar British communists and other supporters of Indian independence from coining to India.

While carrying out such specific terrorist actions under the HSRA banner, Bhagat Singh and his comrades also built up an open youth organisation in the name of Naujawan Bharat Sabha. The clarion call popularised by Bhagat Singh, Inquilab Zindabad, has become the permanent war cry of every Indian struggle for justice, freedom and democracy.

Sholapur Commune and Chittagong Armoury Raid

From 12 March to 6 April, Gandhi accompanied by 71 inmates of his ashram drawn from different parts of the country undertook the famous Dandi March. The issue of salt served as a simple yet very potent rallying point and the movement soon assumed a countrywide mass dimension. The arrest of Nehru in the middle of April led to bitter clashes between mill workers at Budge Budge near Calcutta and the police. The mood of the jute mill workers of Bengal was then quite upbeat, only the previous year they had organised a highly successful general strike in jute mills to beat back the employers' bid to increase working hours from 54 to 60 hours a week. Calcutta transport workers too waged a militant struggle. A major upsurge was also witnessed at Peshwar in North Western Frontier Province. The city continued to be rocked for ten days on end following the arrest of Badshah Khan (the Frontier Gandhi) and other leaders on 23 April, 1930 leading to the imposition of martial law on May 4. Refusal by the Garhwal regiment led by Chandra Singh Garhwali to open fire on peaceful demonstrators at Peshawar opened up a new possibility of fraternisation between the fighting people and the armed forces. Dock labourers in Karachi and Choolai Mill workers in Madras were also up in arms.

The climax came at Sholapur following Gandhi's arrest on 4 May. The entire work force in the textile industry went on strike from 7 May onward. Till martial law was clamped down on 16 May, the town remained virtually under workers' control. Liquor shops were burnt down and police outposts, law courts, the municipal building and the railway station all came under attack. Something like a parallel government seemed to have token over the entire township and if soon became well-known across the country as the celebrated case of the Sholapur Commune.

Congress Rule in Provinces: An Early Pointer

The twenty-seven months of Congress rule in the provinces served as a clear early pointer to the conservative character of the Congress-led social coalition. A whole set of democratic demands of the working class and the peasantry had already come to be articulated not only by the AITUC and the All India Kisan Sabha (formed in Lucknow in April 1936 under the presidentship of Swami Sahajanand Saraswati) but also in various AICC sessions and by the Bihar and UP PCCs. The Congress governments in the provinces refused to take any significant step in this direction.

The betrayal was perhaps most glaring on the working class front. While in Bengal, the Congress Working Committee expressed solidarity with the jute workers who went on a massive general strike from March to May 1937 and denounced the non-Congress Fazlul Haq ministry for adopting repressive measures, similar measures continued to be freely applied by Congress ministries in other provinces. In Assam, during the Digboi oil strike of 1939 against the

British-owned Assam Oil Company, the Congress ministry led by N C Bordoloi allowed free use of the war lime Defence of India rules to crush the strike. And in Bombay, the Congress ministry rushed through the Bombay Trades Disputes Act in November 1938 which was far worse than the earlier 1929 version of the Act. It imposed compulsory arbitration thereby making virtually all strikes illegal and raised the prison-penalty for illegal strikes from three months to six months. The Bombay Governor found the Act "admirable" white Nehru found it "on the whole ... a good one". Barring the Gandhian labour leaders of Ahmedabad, the entire trade union movement opposed this draconian Act; 80,000 workers attended a protest rally in Bombay on 6 November addressed among others by Dange, Indulal Yajnik and Ambedkar and the next day the entire province observed a general strike.

Quit India: Unprecedented Countrywide Upsurge

On 8 August, 1942, at Gandhi's behest the Congress Working Committee adopted the famous Quit India resolution calling for "mass struggle on non-violent lines on the widest possible scale". Anticipating immediate arrest of the Congress leadership, the resolution even asked "every Indian who desires freedom and strives for it ... (to) be his own guide". Gandhi delivered his celebrated "Do or die" speech and for once even went to the extent of saying "if a general strike becomes a dire necessity, I shall not flinch".

All Congress leaders were arrested and removed by the early morning of August 9. With the British unleashing wholesale repression, almost the entire country exploded in violent protests.

What eventually came to be known as the great Quit India rebellion was thus a largely spontaneous outburst, led in pockets by socialist leaders working underground and local-level Congress activists. Bombay and Calcutta were rocked by continuous strikes. Striking workers clashed with the police in Delhi, and in Patna, control over the city was virtually lost for two days following a major confrontation in front of the Secretariat on 11 August. The Tata steel plant was completely closed down for 13 days from 20 August with the TISCO workers refusing to resume work till a national government was formed. Ahmedabad textile workers were also on strike for no less than three and a half months. As many as 11 B & C Mills workers died in police firing in Madras.

The Tumultuous forties

To prevent any repetition of a mass upsurge on the Quit India scale and best preserve their long-term interests in India, Britain quickly initiated the process of negotiations for the eventual transfer of power. Indian capitalists were also in great hurry to have an early transfer primarily because they were afraid that delay would only raise the profile of the working class and the communists in the future alignment of forces in free India. The fear of a revolution was quite real both for British imperialists and their would-be Indian successors.

After the ill-conceived isolation of 1942, communists were soon back in mass action in a big way. With exemplary zeal and dedication, the Communist Party organised massive relief operations in the wake of the severe 1943 famine. Mention must be made here of the excellent role played in this relief work as well as in all subsequent mass upsurges by the communist-led progressive cultural activists of the Indian People's Theatre Association.

In an increasingly communally surcharged situation when almost all established leaders were busy angling for their own loaves of power, the working people marching and fighting under the great red banner were the only force to uphold the ideals of communal harmony and secularism, selfless sacrifice and progressive anti-imperialist nationalism.

INA Trials and the Great Naval Mutiny of Bombay

On 21 October, 1943, when the Second World War had nearly entered its last phase, Subhas Chandra Bose issued his famous Delhi Chalo call from Japanese-controlled Singapore. He announced the formation of the Azad Hind Government and the Indian National Army, the latter had rallied about 20,000 of the 60,000 Indian prisoners of war in Japan. Between March and June 1944 the INA made its brief entry into India, laying siege to Imphal along with Japanese troops. But this campaign ended in an utter military failure even though it had a great psychological impact on the popular Indian mind.

In November 1945 British rulers began public trial of INA soldiers in Delhi's Red Fort. This provoked a very powerful and determined wave of protests in Calcutta. On 20 November, students took out nightlong procession demanding release of INA prisoners and when two students were killed in police firing, thousands of taxi drivers, tram workers and corporation employees joined the students. Pitched battles were fought on Calcutta streets on 22-23 November leaving 33 people killed in police firing. Between 11 and 13 February, Calcutta was shaken by a second wave of protests when Abdul Rashid of INA was sentenced to seven years' rigorous imprisonment 84 people were killed and 300 injured during these three days of street battle.

While Calcutta exploded in protest over the INA trials, Bombay was rocked by the heroic naval mutiny. The sequence of events had a close resemblance to the Black Sea Fleet mutiny in the Russian revolution of 1905 which has been immortalised by the great Russian film director Sergei Eisenstein in his all-time classic Battleship Potemkin. In India there has been no film on the Bombay mutiny, but playwright director Utpal Dutt did pay tribute to the great naval fighters in his inspiring play Kallol in the 60s.

On 18 February, 1946, ratings in the Bombay signalling school Talwar went on hunger-strike against bad food and racist insults. The strike soon spread to Castle and Fort Barracks on shore and 22 ships in Bombay harbour raised the Congress, League and Communist flags on the mastheads of the rebel fleet. The Naval Central Strike Committee combined issues like better food and equal pay for white and Indian sailors with the demands of release of INA and other political prisoners and withdrawal of Indian troops from Indonesia. On 21 February, fighting broke out at Castle Barracks when ratings tried to break through the armed encirclement. By 22 February the strike had spread to naval bases all over the country involving no less than 78 ships, 20 shore establishments and 20,000 ratings.

The Bombay unit of CPI, supported by Congress Socialist leaders like Aruna Asaf Ali and Achyut Patwardhan organised a general strike on 22 February and despite Congress and League opposition 30,000 workers struck work, almost all mills were

closed and according to official figures 228 people were killed and 1046 injured in street fighting. Senior Congress leaders only intervened to end the mutiny. On 23 February, Patel succeeded in persuading the ratings to surrender on the assurance that their demands would be conceded and nobody would be victimised. But the assurance was soon forgotten with Patel pointing out that "discipline in the Army cannot be tampered with", Nehru emphasising the need to curb "the wild outburst of violence" and Gandhi condemning the ratings for setting bad "an unbecoming example for India".

The Great Working Class Actions of July 1946

1946 also saw a massive wave of working class struggles and peasant insurgency crossing all previous records. The strike-wave this year recorded 1629 stoppages involving 1,941,948 workers. And with government employees too throwing in their full weight, strikes increasingly became all-India affairs. Most significant in this context was the July strike of postal and telegraph employees. On July 11, 1946, the Postman Lower Grade Staff Union went on an indefinite strike. The All India Telegraph Union too joined in. By July 21, posts and telegraph employees all over Bengal and Assam also threw in their lot. Bombay and Madras observed solidarity industrial strikes on July 22 and 23 respectively. On July 29, general strike was observed in Bengal and Assam.

The same day, Calcutta witnessed a massive rally, which has perhaps had very few parallels since in terms of spontaneous mass involvement, firm in its belief that "this historic general strike has marked the beginning of a new chapter of unity and fighting consciousness in the labour movement of the country". The strike wave continued in 1947 with Calcutta tram workers striking work for 85 days. Kanpur, Coimbatore and Karachi also emerged as prominent centres of working class action.

The Working Class Today

In the 75 years of independence, India's working class waged many battles, and wrested a measure of rights from the capitalists and landlords that rule India. But today, each hard-won right is under a lethal attack from the current rulers who are descendants of the RSS and Hindu Mahasabha that betrayed the freedom struggle and served the British rulers back then. Today in their labour laws, working conditions, treatment of union leaders and working class movements, they mirror the colonial "Company Raj", serving corporations and sacrificing workers. And at the same time, the current regime tries not only to replicate the colonial "Divide and Rule" policy but to dismantle India's constitutional democracy and hard-won freedom and replace it with fascist oppression under the garb of "Hindu Rashtra" within the country, together with subservience to US imperialism.

During the freedom struggle, workers again and again rebuffed divisive communal politics and united to deliver spirited blows to the colonial rulers. Now, once again, India's workers must rise to the challenge, resist every attempt to poison the well of workers' unity with anti-Muslim venom, and unite to defend India's democracy and freedom. ◻

November Day Demonstration by Workers, Calcutta, 1946

Statement against National Monetisation Pipeline by the Platform of Central Trade Unions and Independent Sectoral Federations Associations

India Put on Sale by the Ruling Regime at the Centre! It is the Task of the Working Class to Save India!

The so called 'National Monetisation Pipeline' (NMP) was announced by the Union Finance Minister on 23 August 2021, to raise Rs 6 lakh crores over the next 4 years. The plan envisages leasing out various government assets such as 26,700 Kms highways worth Rs.1.6 Lakh (L) Crore (Cr); 400 Railway stations and 150 trains (Rs.1.5 Lakh Cr); 42,300 Circuit Kms of Power Transmission Lines (Rs.0.67 L.Cr); 5,000 MW Hydro, Solar and Wind Power Generation assets (Rs.0.32 L.Cr); 8,000 Kms of National Gas Pipelines (Rs.0.24 L.Cr); 4,000 Kms Pipelines of IOC and HPCL (Rs.0.22 L.Cr); BSNL and MTNL Towers (Rs.0.39 L.Cr); 21 Airports and 31 Ports (Rs.0.34 L.Cr); 160 Coal Mining projects (Rs.0.32 L.Cr); and 2 Sports Stadiums (Rs.0.11 L.Cr) etc. for various durations of lease. It is claimed that the funds so generated will be invested in expanding infrastructure. This is nothing but a nefarious design to hand over all infrastructural assets to private hands virtually free for revenue generation by them without any obligation of capital cost while sharing just a small part of that huge revenue with the Govt.

That is why this plan is being criticized roundly as free privatisation (or rather, doling out) of national assets built with tax-payers' money. Finance Minister Smt. Nirmala Sitharaman is defending this decision saying the ownership of the assets will remain with the government and therefore it is not outright privatisation. Nobody is convinced by this justification.

While this debate is going on, further advisories went out from the government to all the Gram Panchayats to monetise their assets such as common lands, water bodies, common buildings etc. to add to their finances. The diabolic effect this will have on village society can only be imagined.

Common sense will tell us that the immediate effect of this latest government move will be price-rise for the common man for all the infrastructural services being leased out to private players because the private operators, as per the official NMP document, have been empowered to increase the user/service charges of all this infrastructure and make windfall profit at the cost of the common people.

Contrary to the argument by the government that jobs would be created, thousands of workers will lose their jobs, worsening the already alarming unemployment situation. The quality of jobs will deteriorate further. The SC/ ST sections will be among the worst affected, as there is no reservation in jobs in the private sector.

Add to this is the government's announcement to sell 100 profit making PSUs. This means that the profit flowing into government coffers will stop and start flowing into the coffers of private corporate houses. Again, it does not require deep economic knowledge to know that the government's ability to provide social security to people will be curtailed due to these steps.

It also does not require deep economic knowledge to know that the government can fill its coffers by taxing the rich and super-rich in India. But the government refuses to tax their friends, rather their masters-- the rich and the super-rich.

Why is the government embarking on such policies obviously detrimental to the interests of the common people? The blunt answer is, because they are in the interest of the corporates, who finance the party in power.

Action Plan

What should the common man then do? The Joint Platform of Central Trade Unions, Independent Federations and Associations and the Samyukta Kisan Morcha are showing the way: throw out of power the perpetrators in governance committing this heinous crime against the national economy and the toiling people at every available opportunity, while simultaneously building determined resistance unitedly throughout the country.

Let us, the working class, take up the cause as "MISSION INDIA" to defend our national assets, the nation as a whole and also the lives and livelihood of the toiling people by developing a determined resistance against this direly anti-national policy regime of the present government in power as the toiling people are bearing the brunt of the destructive policy regime in the form of incessant price rise, continuous loss of jobs and livelihood, sky-rocketing unemployment, aggravating hunger and impoverishment and atrocious attack on the rights of the toiling people along with manifestation of obscene inequality through huge increase in wealth of a handful of rich and super-rich among the corporate/big-business class.

Let us spread among the mass of the common people much broader awareness through intensive

campaign against this anti-people, anti-national regime and the crime being committed by them against the national interests and lives and livelihood of the people. Let us expose the real anti-people and anti-national ugly face of the ruling class sought to be camouflaged through their captive-media-backed propaganda.

The Joint Platform of CTUs has decided on the following roadmap for heightening the decisive struggle of resistance against the anti-national destructive projects of the ruling regime at the centre:

1. All round collective initiative for extensive continuous campaign among the mass of the common people against this destructive policy regime and its grievous impact on the lives and livelihood of the common people from all walks of lives.

2. Countrywide National Protest Day through massive joint demonstration/ agitation/ mobilizations at least up to district level on 07th October 2021.

3. National Convention of Workers at New Delhi against the anti-national, anti-people policies of the government with focus on this latest exercise of loot and plunder against people-the NMP, on a date by the end of October to decide on the future course of action/agitation preparatory to multiple days of strike/action at the appropriate time.

4. Support sectoral actions including strikes in the sectors directly and immediately affected by NMP. ◻

ACTIVITY REPORTS

West Bengal

Tea Workers Convention Demands Minimum Wages and Land Rights

ABHIJIT MAZUMDAR

A mammoth assembly of tea workers, hailing from most of the tea gardens of Terai, Dooars and Darjeeling Hills met at Bhanu Bhawan (Gorkha Rangmanch), Darjeeling town, in a spectacular convention on 11 September 2021. The convention was the culmination of a decision taken at a meeting of the leaders of all tea unions in Siliguri, owing allegiance to the "Joint Forum" of 37 trade unions operating in the tea sector of North Bengal.

Burying all political differences for the first time, TMC led, INTTUC affiliated, five tea unions also joined the concerted movement demanding minimum wages and land rights for the struggling workers of the tea sector. P.T.Sherpa, a veteran leader of the tea garden workers of Darjeeling hills, presided over the convention as the chairperson. All leaders were greeted by offering the traditional 'Khada'.

Broaching the main demands of minimum wages and land pattas for tea workers, Com. Ziaul Alam (CITU), the Convenor of the Joint Forum, explained the prevailing critical condition of tea workers as a whole, and gave a call to make the most of this opportune moment to press for the demands of issues of housing with the growing united strength of all unions.

To put into sharp relief, the various aspects of deprivation points like lack of availability of Covid vaccines at garden level, food insecurity, non-realisation of extending the age of superannuation from 58 to 60 years for the permanent workers, the motivated suspension of Tea Act of 1953 by the central government, the historic trajectory of hill workers' movement for realising 20% bonus and other demands, a number of resolutions were proposed by leaders Manikumar Darnal (INTUC), Nakul Sonar (INTTUC), Harihar Achariya (BMS), Suraj Subba (GJMM- Bimal Gurung faction), Gopal Pradhan (UTUC) and others.

On behalf of Tarai Sangrami Cha Shramik Union (affiliated to AICCTU), Com. Abhijit Mazumdar spoke on the adverse impact of the four Labour Codes on the wages, social security, industrial relations and on safety, health and working conditions of the tea workers as a whole. He moved a resolution for outright rejection of labour codes and to join the forthcoming Bharat Bandh on 27 September against the three draconian Farm laws and four Labour Codes, towards strengthening the unity of workers and peasants and to achieve the demands of the tea workers in particular.

The existing deplorable working conditions of West Bengal tea workers were raised in the convention with categorical references to lacunae in providing proper housing facilities by the employers. The worker's families remain cribbed and cabined in a small space of one-room tenement, where they have to arrange paying electricity bills and necessary repair of old labour quarters. Even potable drinking water is not supplied in most of the tea garden labour lines. Most of the gardens do not provide health care services as per the requisites of PLA (Plantation Labour Act). No ambulance service is available except in a few big gardens run by big companies like Andrew Yule, Goodricke, etc. Moreover, stretching work-hours from 8 to 9 hours during prime plucking season leaves a detrimental impact on health. With variance to the number of health advisories issued both by the state and the union governments that restricted workers' attendance a day to 50% of total strength, the employers engaged 100% workforce in plucking and other works without taking any precautionary safety measures to protect workers against the spread of Covid-19 infections.

Wage for daily-rated workers now stands at Rs. 202 in Bengal tea sector which is also determined unilaterally by the state labour ministry and rolled out by the industry in 2-3 installments as interim benefits. By adopting this uncalled for method of fixing wages, the state government has by-passed the united demand of declaring a structured minimum wage in tea sector for the first time, since the inception of the industry in the colonial period. The retirement age for a permanent worker still remains at 58 years. In addition, after retirement from work, a permanent worker is mandated to leave the labour quarter. Hence, the demand for realising patta for the homestead lands has come up in a big way and the much-touted 'Cha Sundari Project' of WB government to provide free housing for the

workers has lost its steam.

In the name of amending the Tea Act of 1953, the union labour ministry has, in recent times, obliterated Sections 12 to 16 of it. Not only that securing government's prior permission while extending the area of the garden or acquiring land to set up a new plantation is lifted but also that the penal provision for violation under Sec 39 and 40 are also lifted. The tea garden employers seem to rejoice over this decision. They also remain hopeful to get the share of the budgetary allocation of Rs. 1000 crore as a fortune while depriving working population its dues. They are getting this allocation for doing brisk business that would not have been possible without the hard labour of the workforce, who braved the health threats of Covid-19 and also economic and medical deprivations. But, the workers who are actually the basic reason for the benefits of employers are being denied all mandatory benefits even.

At times, the employers are found to manipulate the garden level register to prepone the retirement age of a worker and to re-engage her/him on voucher payment denying all benefits of permanent workers. PF and gratuity deposits often suffer defalcation and the employers enjoy immunity, hoodwinking penal provisions of law.

The convention adopted all resolutions in high spirit and the session ended with a vote of thanks by local organisers.

It was also resolved that if the next round of meeting of the Advisory Committee of MW (minimum wages) for tea sector does not yield a positive outcome, an all-out movement will be unitedly launched to achieve all the above demands, after the conclusion of the bonus negotiation scheduled on 14--15 September 2021.

Post-script: All the tea unions, irrespective of colours could successfully wrestle out the decision of paying 20% bonus even from the

Bihar

A First Step of Victory for Sanitation Workers' Strike in Bihar

HC Orders Government to Reply for Worker's Demands

RANVIJAY

The sanitation workers and other sections of workers of municipal corporations and local bodies of Bihar state went on a state-wide indefinite strike from 7 September 2021. The strike was led by the joint front of Bihar Rajya Sthaniya Nikay Karamchari Sangh, affiliated to AICCTU, and other municipal workers' federations. The strike ended after one week with Patna High Court passing an order on 14 September directing the government to file a reply through affidavit on the workers' demands within eight weeks. Further, the court gave directions to the government to pay all arrears to workers within one week and revoke all disciplinary action against the workers. The court ordered for a dialogue with the representatives of workers unions before taking a final decision and before filing a reply. On the matter of outsourcing, the court directed that the services shall not be dispensed with till the final decision is taken by the government. The court made no adverse comments on the strike.

An unprecedented unity of all sections of municipal workers - both contractual and permanent workers, marked the strike. 12 municipal corporations, 49 town parishads and 80 Town panchayats took part in the strike. The striking workers raised a 12-point charter of demands, including repealing the order on ending Group D posts and outsourcing them instead and regularizing daily, outsourced and contract workers on these posts. The charter put forth the demand of creating regular posts in accordance with population, ending outsourcing / contract / commission system, equal pay for equal work, minimum monthly salary of Rs.18000-21000, implementation of 5th, 6th and 7th pay commission recommendations and benefit of ACP for permanent workers.

AICCTU played a leading role in organising the strike and garnering support for it. The strike received wide support from various employees organisations of Bihar. Karamchari Mahasangh (Gope), Bihar Rajya Asha Karyakarta Sangh, Viddyalay Rasoiya (MDM) Sangh and many other organisations. CPI-ML extended its full support to the strike.

Letters expressing solidarity to the strike and demanding an amicable solution were sent to Chief Minister of Bihar Mr Nitish Kumar by Uday Bhat, President of All India Municipal Workers' Federation and workers unions of municipal corporations of other regions including Pune, Bengaluru, Allahabad, Coimbatore, and AICCTU State unit of Tamil Nadu.

Castigating and exposing the Nitish-BJP government, Com. Shyamlal Prasad, General Secretary of Bihar Rajya Sthaniya Nikay Karamchari Sangh and State President of AICCTU said that the Bihar govt. has resorted to vindictive and repressive actions against the striking employees, instead of fulfilling the

demands. While on the one hand, the government proclaims itself to be a government of social justice and keeps trumpeting its commitment for the dignity and development of sanitation workers and dalits-backwards, on the other hand, it has turned a deaf ear to the pressing demands of these frontline workers, who are overwhelmingly dalits and maha-dalits, who are the backbone of Modi's Swachh Bharat Abhiyan and who risk and sacrifice their lives in the battle against Covid-19.

Welcoming the HC Order, he stated that it was the Nitish government, insensitive to the just demands of the workers, appealed to the court instead of resorting to dialogue with the protesting workers. "If the Nitish-BJP government failed to comply with the court orders within the stipulated time, the corporation workers will be forced to agitate again" and he emphasised that the entire responsibility of it rests on the government now. ◻

Karnataka

NIMHANS Workers of Bengaluru Emerge Victorious After 68 Days of Relentless Struggle

MAITREYI KRISHNAN

19 hospital assistants, who were working in National Institute of Mental Health and Neurological Sciences (NIMHANS), Bengaluru, for several decades, but branded as contract workers, were illegally removed from employment on 9 July 2021 through oral instructions. The workers are predominantly Dalit and 15 of them are women. The reason for such an arbitrary action was that one day earlier, the NIMHANS administration unilaterally changed the shift timings in a way that the shift which ended at 7 pm, now ended at 9.30 pm. This was the time when the Government of Karnataka had declared a night curfew prohibiting all activities after 9 PM, which would mean that there was no public transportation whatsoever. The workers who came from long distances expressed their difficulty in travelling during the night curfew and sought provision for transportation. When the workers expressed their difficulties and apprehensions, the Management of NIMHANS abused these workers in vulgar language and unilaterally removed them from employment the next day.

These workers, and in fact about 700 workers, all of whom have been performing core and perennial work for several decades are termed "contract workers" and denied job security. They are being forced to work in a state of permanent insecurity. This is part of the Central Government's policy which "abolished" the D-group cadre itself, thereby mandating that these workers who are predominantly dalit and largely women to work under insecure conditions.

The action by NIMHANS was clearly illegal. Neither had they issued a notice for change, nor had they complied with the notification of the Government that mandated that women could work after 7 PM only if the individual woman employee consented and the employer provided transportation along with CCTV camera.

The workers started a struggle against the illegal actions of NIMHANS under the banner of the NIMHANS Pragathipara (Progressive) Workers Union affiliated to AICCTU, protesting outside NIMHANS demanding that the terminated workers be reinstated. The protesting workers, a majority of whom were women were subjected to threats and harassment of all forms. The NIMHANS Management, instead of coming forward and speaking to the workers, resorted to targeting them through various forms - a CCTV camera was put up which captured only the protest area, a clear violation of their privacy; false police complaints were made against workers and they had to face repeated threats of arrest from the police. Workers who supported the terminated workers were subjected to threats of termination. In several instances the workers were detained at the police station throughout the day. The workers, however, were committed to the struggle and to withstand any form of assault and to fight till the end.

The protest of the workers captured the imagination of the people across the city of Bengaluru, with support pouring in for workers from all quarters. Several other Unions, including sanitation workers, ready-mix concrete workers, ITI workers, and workers from libraries came together to support them. Various women and women's organizations published an open letter condemning the actions of the Management of NIMHANS and demanded that the workers be taken back on duty. A fact-finding team of various members of civil society visited the protesting workers, met the NIMHANS administration and submitted a representation to NIMHANS and the Ministry of Health and

Family Welfare. The Karnataka Safai Karamchari Commission visited the protest site and directed the NIMHANS administration to ensure that the workers were reinstated.

It was after 68 days of continuous protest and due to the unflinching stand of the workers that the NIMHANS Management was forced to beat a retreat and to permit the 19 workers to resume duty. On 15 September, 2021, the 19 workers resumed duty, through a written understanding in front of the Assistant Labour Commissioner (Central), victorious after their united militant struggle.

This struggle brings to the forefront the manner in which laws that "permit" night shifts for women, in the name of freedom of employment, are in fact tools for exploitation and oppression. It also brings to the forefront the struggle of contract workers, a system the Supreme Court has termed as an improved form of bonded labour, across the country. The work performed by them is core, necessary and essential in nature and in fact these workers were the frontline workers who worked throughout the COVID pandemic and had been at the forefront of the battle against COVID-19. Yet the assault against them continues, with the Occupational Health and Safety Code, 2020 stating that sanitation work, housekeeping and laundry services "shall not be considered as essential or necessary activity". It must be noted that those performing this work are predominantly Dalits performing their caste ordained occupation, and women, and it is these historically oppressed groups of workers who are being condemned to work only as "contract workers".

The struggle of the NIMHANS workers is one that history will remember. The struggle forward is against the contract labour system that seeks to treat workers as slaves. ◻

Railways

AICCTU Against the Mafia Raj and the Nexus of Bureaucrats, Contractors and the Mafia in Railways

NN BANERJEE

It has become a regular feature of the Modi Government to violate existing laws and rules applicable for protection of rights of contract workers as the Railway administration has no viable mechanism to monitor the compliance of statutory laws and rules applicable for contract workers.

In South Eastern Railway the contract workers are engaged in almost all departments to carry out the outsourced jobs in core and non- core activities like cleaning, sanitisation, sweeping of stations and rakes, electrical, engineering, mechanical maintenance etc. In connivance with the Divisional authorities, the contractor habitually denies statutory benefits like ESI, EPF, minimum wages, bonus, compelling them to work beyond 8 hours to12 hours, etc. Any protest by individual workers for such denial and deprivations end up in instant retrenchment and threat by goons engaged by contractors. Virtually, the poor workers, before being unionised, used to surrender before the Mafia Raj being run by the contractors with the tacit support of the railway divisional administration. AICCTU first came forward to conduct a detailed study on the plight of contract workers in Kharagpur Division of S. E. Railway and concentrated trade union work among such deprived workers who were leading a life of almost like a bonded labourer in Santragachi – Andul - Padmapukur - Shalimar complex in the Kharagpur Division of S.E. Railway.

Demands of the union were conceded immediately when the union started operating, creating a great enthusiasm among workers.

The situation abruptly changed when the BJP Government came to power in 2014.The unholy nexus between the bureaucrats, contractors and the mafia attempted to suppress the raging movement of the contract workers for minimum wages, social security, bonus, etc. In 2020-21, the Mafia Raj was established in Santragachi - Shalimar Complex by a section of influential contractors which led to threatening of workers with guns and then, followed by threat calls its leaders. SERTSU/AICCTU started organising the workers against mafia raj and gave a strike call on 21st July, 2021, defying the mafia, contractors and the administration, on demands of Minimum Wage and ESIC Card for the Line Box Carriers of Guards and Drivers. When Empty rake of Dhauli Express bound

for Bhubaneswar could not leave as boxes of Guards and Drivers were not loaded, the local authority came to a negotiated settlement of hiking the wage by RS.1000 along with providing ESIC Card and of promising restoration of law and order.

In the background of massive outsourcing of perennial jobs in Santragachi area, South Eastern Railway, "Thika Shramik Union" was formed by AICCTU in 2010 to spearhead the movement of AC Coach attendants for minimum wages and for reinstatement of 7 retrenched contract workers for going on a lightning strike that resulted in the halting of Mumbai Duronto Express.

Similarly on 31st July the contract Workers engaged in ANDUL Running Room as cooks, helpers, sanitation workers, etc. led by AICCTU/SERTSU gheraoed a particular contractor for immediate payment of wage dues and bonus for 2019 and 2020. This exposed the fraud, perpetrated by the said contractor, of showing inflated amount of wages through individual bank account while actually paying much less to each worker. The Branch Secretary led the movement forced the contractor to pay wage dues and bonus for they years 2019 and 2020 on the spot. (In the same branch, since ESI Card was not issued, one worker suffering from brain-tumour could not be admitted to ESI Hospital for life saving treatment).

On the next day 14 workers were terminated from services as a sinister move to supress the struggle for justice. The union immediately intervened and organised mass demonstration on 10th August at Santragachi and Andul.

South Eastern Railway Mazdoor Union, another affiliate of AICCTU came forward in solidarity and organised a militant demonstration followed by dharna at Kharagpur in front of the office of the Divisional Railway Manager (DRM) of Kharagpur on 31 August. The aggrieved workers were so agitated that they forced themselves into the prohibited area of DRM premises, defying RPF on duty at the gate. Dharna continued from 11AM to 5 PM. Leaders from AITUC, LRSA supported the movement by joining the rally and addressing the gathering. ADRM, in the absence of DRM, held a long negotiation for more than an hour and some of the demands of the Mazdoor union were conceded. He also assured that 14 retrenched contract workers would be reinstated after due consultation with the concerned contractor.

Contract workers under the leadership of AICCTU/SERTSU are preparing themselves for a bigger struggle to assert their rights as well as to end the Mafia Raj in the division.

Jharkhand

Mid Day Meal Workers Making History

GITA MANDAL

The Mid Day Meal scheme was initiated in Jharkhand in 2004-05. The Village Education Committees were entrusted with the responsibility of employing cooks for the scheme. In the initial phase, mere 25-30 paisas were fixed as honorarium for every meal cooked for a student. If meals for 100 school kids were cooked, the total honorarium to be paid was 25 rupees. And, say for example, if two cooks were engaged in cooking the 100 meals, honorarium payable to each of the cooks would be a mere 12.50 rupees. The honorarium money used to come in the account of the president or secretary of the Village Education Committee. They used to disburse the payable amount to the cooks once or twice in a year. One cook is employed for every 50 enrollments of students in a school according to the existing practice in Jharkhand. On an average, one to six cooks are employed in a school in Jharkhand.

The precarious work condition and payment structure of the cooks are amplified by the fact that most of the cooks are uneducated and thus it becomes difficult for them to keep a proper account of their payment. To get rid of this exploitative and dependent condition, the MDM cooks started a movement demanding payment of the honorarium in their own account in 2008-09. The movement began in Deoghar and Dumka areas of Jharkhand. The union of the MDM cooks emerged from out of the movement and the founding conference of Jharkhand Government School MDM Cook Union (Jharkhand Rajya Vidyalaya Rasoiya Sangh) was held in Hazaribagh on 10th March, 2019. A 13-member committee was elected through the conference. Comrade Anita Devi was elected as the secretary and Comrade Geeta Mandal was elected as the president of the union. The Union has expanded itself in different districts of Jharkhand since then and it now has an active presence in different blocks of Santhal Pargana and Palamu also.

The union has been able to successfully intervene in a major discrepancy in payment of MDM cooks in Deoghar district. Here a total 4242 MDM cooks are engaged in the scheme. But the government was only paying for honorarium of 2628 cooks which were then being distributed to 4242 cooks. The union intervened and ensured that the stipulated honorarium for all 4242 cooks was disbursed by the government.

The lockdown, enforced in the country in 2020-21, became another major opportunity for the government to deny MDM Cooks of their rights. The government left the MDM cooks without any money in the lockdown under the pretext that all schools were closed and meals were not cooked. The Rasoiya Sangh announced a protest action in front of the Jharkhand Assembly during the budget session in March, 2021. Intense campaigns were organised throughout the state demanding payment in lockdown period. Due to the powerful intervention by the union, the Jharkhand government had to agree to pay their dues for the lockdown period. The government also had to declare an increase of the honorarium by Rs 500 per month making the payable honorarium to Rs 2000 per month to every MDM cook. This increased amount has been implemented from April, 2021.

The union continued to intensify the struggle of the MDM cooks for proper salary and dignified work condition. A massive protest action of the MDM cooks were organised during the monsoon session of the Jharkhand Assembly in September, 2021. More than 1000 cooks participated in the protest from all over the state despite heavy rain on the day of the protest. The increased intensity of their struggle ensured immediate release of payment of the pending honorarium of two years for MDM Cooks in Sahibganj district.

The unionisation of the MDM Cooks is fast expanding in different districts of Jharkhand. District level committees of the Rasoiya Sangh are being formed right now and a State Conference of the Union will be held in October-November of this year. ◻

Punjab

Odisha

Scrap Farm Laws! Scrap Labour Codes! End Corporate Loot

Visuals from 'Bharat Bandh', September 27

Bihar

Tamilnadu

Workers Resistance

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