



WORKERS RESISTANCE

Vol. 1 No. 12

Monthly Web Magazine of AICCTU

APRIL 2022

CONTENTS

Page 04

General Strike - CTUs Report

Page 06

General Strike - WFTU Message

Page 07

General Strike - AICCTU Message
and Reports from States/ Sectors

Page 14

Indian Telephone Industries- Fact
Finding Report

Page 16

Contract Workers in
Public Sector Undertakings

Page 19

Struggle for Benefits of E.P.F,
E.P.S, E.S.I.S

Page 21

AAP and Working Class

Page 24

Tragedy in Bengal?

Page 27

LABOUR SNIPPETS - APRIL 2022

Page 30

Ambedkar's Vision for the
Working Class

Page 33

The Plight of I.T. Workers

Page 35

L&T Workers Strike at Puducherry

Page 36

London Underground Metro
Workers' Strike

Page 37

Economic Crisis in Sri Lanka

Page 38

Conversations from Bhoiguda



OBSERVATIONS OF A SUCCESSFUL STRIKE AND THE MESSAGE OF MAY DAY 2022

Workers Resistance and AICCTU congratulates the working class of the country for making the all-India strike on 28 - 29 March 2022 a great success. The strike was made successful defying all machinations, threats, arrests, ESMAs and scores of intimidations not only by the Modi led BJP government but also by several non-BJP ruled state governments.

This strike assumes greater significance because the workers strike was backed by and participated by farmers. "Worker - Peasant unity" has been one of the most important ideals of the working class movement in the country. We can proudly say that such a unity of farmers and workers became a reality in this strike, although in its embryonic form.

Secondly, this strike also assumed significance by participation of a large number of unorganised workers belonging to various sectors. The participation of women

CLICK HERE TO READ THIS ARTICLE IN BROWSER

workers, particularly scheme workers, such as ASHA, Anganwadi and Mid Day Meal workers and also scores of contract workers of various sectors was quite encouraging and inspiring.

Thirdly and most importantly, the strike has brought forth the contradiction between the corporate bourgeois class and the working class in a bold relief. The corporate class has tried to assert itself. Several industrialists' associations issued statements to break the strike against workers intention to make the strike a great success, particularly in BJP ruled states. BJP government in Karnataka openly declared to offer police protection to operate industries. Some of the industrialists' associations made a unilateral declaration that they will operate industries against the strike. Generally, on the days of strike, workers march around industrial areas to enforce the strike in non-unionised industries by appealing to workers. But, when unionised industry managements decide to operate the companies it is becoming the responsibility of workers to enforce the strike in their own companies in addition to enforcing strike in industrial areas as a whole. The success of the strike makes it amply clear that the working class has boldly and bravely taken up the challenge thrown by the corporate class.

Kerala High Court intervened restraining Kerala government employees from joining the strike. The states like Haryana imposed ESMA against striking transport employees. Maharashtra invoked ESMA against electricity workers.

It is only by defying black laws like ESMA, arrests and high-handedness of the state administrations, workers have made the strike a great success and the Workers Resistance and AICCTU salutes the working class for such militant actions.

Even the non-BJP ruled state governments, - including Tamil Nadu led by MK Stalin and also West Bengal led by Mamata - issued orders to discourage government and transport employees from joining the strike. Congress governments

too followed suit. Mamata Banerjee, true to her corporate class interests, had always been against any Bandh or Strike by working people. Tamil Nadu state government too, displaying its pro-corporate class interests, actively opposed the strike while their party DMK supported the strike and their trade union wing, LPF (Labour Progressive Federation) was part of the call itself. There were talks of economic consensus among all across the spectrum of political parties of the country irrespective of their political colour and ideology. When it comes to representing corporate class interests, all kinds of parties - right from BJP to DMK are competing with each other. It is not about economic policies alone.

In case of anti-worker, anti-people Labour Codes too, all parties are on a consensus. BJP calls them as "New Codes for a New India" while they are actually "Corporate Codes for a Corporate India". Trade unions call the Codes as nothing but scripting modern slavery. The Codes cannot be implemented unless appropriate rules are formulated by the state governments. BJP ruled states have already formulated rules to implement the Labour Codes. Non-BJP ruled states too have started formulating accompanied rules. They want to say that they would formulate rules without negative impact on workers. This argument appears to be completely illogical and aimed at deceiving workers because there cannot be any state rules against the Codes adopted by the Modi led BJP government at the centre. When trade unions say that Codes are scripting modern slavery of the working class, the state rules can only follow suit. It cannot do anything against the Code. But all opposition party ruled states are busy preparing draft state rules now. Even the Left led Kerala state government is also busy doing the same while implementing "K-Rail, Silver Line Project", a Kerala version of pro-corporate Bullet train. Both actions on labour front and also the front of the rail project only underlines the pro-corporate, pro-liberal policies of the Left government in Kerala. Mamata is also doing the same in the name of "industrialisation" while DMK is talking about One Trillion Dollar

economy. Hence, it is brutally visible that there is an absolute corporate consensus against the working class and the toiling masses among parties like BJP, Congress, and other regional parties, including the Left.

In such a backdrop, we need to redefine and re-emphasize our struggle against the anti-labour Codes and other onslaughts on the working class. The working class should rise up to the occasion and establish its supremacy in the class struggle between the corporate bourgeois class and working class. The class struggle requires to assume the dimension of a political struggle against not only Codes but also against the state rules being formulated by the state governments.

We are approaching the May Day 2022 when the country is being sold out to corporates and multinationals in the name of privatisation and national monetisation pipeline. The real agenda of privatisation is coming to the fore. The privatisation accompanied with huge loss of jobs and ever escalating unemployment are potent with outbursts and revolts. Hence, the Labour Codes accompanied with black laws, including ESMA and UAPA, are designed in such a way to expedite the process of privatisation and contractualisation on the one hand and

also to contain the revolts and outbursts that are a natural by-product of wholesale privatisation of the entire country, on the other.

On the occasion of May Day 2022, the working class resolves to fight back privatisation, unemployment, the Anti-Labour Codes and the black laws.

On the May Day 2022, the working class should march on the streets in greater numbers not only to proudly recollect the historic Chicago struggle and its martyrs but also to re-stage such a historic struggle in the soil of our motherland in the present day context.

We call upon the working class to carry forward the ongoing movement against privatisation, contractualisation, unemployment, Labour Codes and accompanied black laws.

Long live the united and militant struggles of the Working Class!

Long live Worker – Peasant Unity!

Long live Revolution!

Long live May Day! ■



TWO DAY NATIONWIDE GENERAL STRIKE OF WORKERS ON 28-29 MARCH 2022 RECEIVES TREMENDOUS RESPONSE

The Farmers, Students, Youth, Women came in Support

The Joint Platform of the Central Trade Unions and the independent Sectoral Federations and Associations congratulate the workers of all sectors, organised and unorganised, the govt. departments, the public sector, the private establishments, small-medium-micro enterprises, rural and urban working people, having participated in different ways, made a grand success of this two day general strike. The participation crossed 20 crores facing all odds, ESMA, intimidation, and obstructions of all kinds including the high handedness of police in some cases and high court order in Kerala prohibiting strike for BPCL and Govt. employees.

The workers and employees in banks, insurance companies did not enter their work places anywhere in India. The coal, Vizag steel, oil and LPG plants, powergrid, copper, telecom sector, cement sector workers struck work in a big way from the morning of 28th March. Electricity Workers went on strike in all the states, including in Maharashtra, where the Government had invoked ESMA. The port workers at Tuticorin and Paradip also struck work. The Kerala state unions began strike action from midnight of 27-28 March itself. The employees of Railways and Defence sector are reported to have organized militant demonstrations at more than one thousand places across the country. The Anganwadi, ASHA, Mid-day Meal and Domestic Workers, Construction, Beedi, Tea and Agricultural Workers, Hawkers-vendors joined the strike and participated in protest actions in several hundreds of spots in Chakka jam, road roko, rail roko programmes in various parts

of the country. The Road Transport workers in Haryana began their strike by picketing at Depots from early morning of 28th March, also in defiance of ESMA and continued on 29th. Private sector industrial units including many MNCs witnessed massive strike action on both the days in Maharashtra, Karnataka, Tamilnadu, Telangana and Haryana. Hydel power projects also witnessed massive strike in Assam, Himachal Pradesh, Uttarakhand and Jammu & Kashmir.

There is bandh like situation in the states of Tamilnadu, Kerala, Puducherry, Andhra Pradesh, Telangana, Tripura, Assam, Haryana, Jharkhand and also in many districts in other states. The strike is substantial in the industrial areas in the states of Goa, Karnataka, Maharashtra, Chhattisgarh, Punjab, Bihar, Rajasthan, West Bengal, Meghalaya and Arunachal Pradesh. The Security Workers even in Sikkim have gone on strike. The Industrial areas of Delhi, HP, Gujarat, J&K, are reported strike. 50000 Government employees picketed Central Government offices in 300 places in Tamilnadu. Central Govt employees in postal deptt, Income Tax audit, GSI and others too have joined the strike in a massive way. Even Fishermen did not venture into sea in the morning.

The Farmers have mobilized in rural areas as per the decision of the Samyukt Kisan Morcha, in favour of the Strike action, pressing for their six demands, along with the support to workers demands. The farmers and agricultural workers also participated along with striking workers

CLICK HERE TO READ THIS ARTICLE IN BROWSER



in organizing road-blockade including many national highways and Rail-blockade actively.

The protesters were addressed by those leading the strikers and the protesters. They alleged that the national resources and the national assets including infrastructure, all has been put on sale by BJP led govt. at Centre for the benefits of the Corporates of Indian and foreign brand. The working class, which creates national wealth, is being made defenceless with draconian changes in Labour laws, weakening their trade unions, taking away their right to strike, doing away with factory inspections, and so on. The voice of workers will be stifled. They expressed their worries that the unemployment level has reached 12 percent and the youth below 25 years of age are the majority among the unemployed as per govt's own statistics. The prices of petrol, diesel and gas are once again rising post elections in five states. National Monetisation Pipeline project is being pushed through to hand over all infrastructure PSUs virtually free to private corporates. Emboldened by the results of election in five states the policy of selling out of land of the Central Public Sector enterprises has been rolled out, the interest rate on the provident fund of workers has been brought down from 8.5 to 8.1 percent, the privatisation of banks is being talked about vigorously, selling of substantial portion of LIC funds, the talks of

report of Supreme Court committee on farm laws is being in the air.

The unions in Delhi organized a protest demonstration at Jantar Mantar on 29th March 2022 addressed by the Central leaders of the Central Trade Unions (CTUs) among others.

Those who addressed the gathering included Amarjeet Kaur (AITUC), Harbhajan Singh Sidhu (HMS), Tapan Sen (CITU), R K Sharma (AIUTUC), G Devrajan (TUCC), Lata (SEWA), Rajiv Dimri (AICCTU), Mohan (LPF), Suresh Daggar (UTUC), Santosh (MEC), Narender (ICTU).

Binoy Viswam, Member of Parliament-Rajya Sabha and Hannan Mollah on behalf of SKM also addressed the gathering.

The unionists recognised that the demand of time is to strengthen the workers- peasants unity to put up vigorous struggle against tyrant regime at Centre which has not only failed the nation but is also letting loose the vicious divisive agenda in detriment to the core values of Indian constitution and harmonious living of Indian people with diverse religious beliefs, cultures, languages.

INTUC | AITUC | HMS | CITU | AIUTUC | TUCC | SEWA | AICCTU | LPF | UTUC | And Independent Sectoral Federations/Associations. ■



WFTU SOLIDARITY MESSAGE WITH THE GENERAL STRIKE IN INDIA

Athens, 24th March 2022

The international class-oriented trade union movement, the 105 million workers who join the ranks of the WFTU, fully stand on the side of the workers of India who are prepared for another great Two Days' Countrywide General Strike against the anti-worker, anti-people, anti-national Policies of the Indian Govt. on March 28-29, 2022.

We are following the intensification of the trade union struggle in India in the last period with conventions, strikes, rallies, and manifestations in every state and sector in view of the Countrywide General Strike which constitute the culmination of this long fight.



It has been proven in practice that the massive, militant, and decisive struggle brings results. The workers and the people of India proved it on numerous occasions in the past. The farmers of India have recently confirmed it once again with their relentless fight and the firm solidarity by the working class and the entire trade union movement.

We call upon the workers and the popular strata in India to work for the success of the Countrywide General Strike which is organized on the occasion of the second phase of the Budget Session of Parliament. Only the people of India can save India, only the workers can save themselves from the destructive and anti-worker Modi's policy and the capitalist exploitation.

The World Federation of Trade Unions congratulates its affiliates for their leading role in the decision, the preparation, and the realization of the General Strike as well as for all the massive and militant initiatives they organized during the last months spreading out the message and the demand of the Indian trade union movement.

The WFTU joins its voice with the trade union movement and the working class of India, demanding the full implementation of their just demands. We strongly condemn the unacceptable, anti-people policy of the Indian government, demanding the immediate and unconditional withdrawal of the labour codes and the privatization plans of national assets.

There is no other way for the popular strata to follow but the path of dignity and class unity; the path paved with the struggles and the blood of the heroic working class of India all these years. The path that led to the previous massive and militant strikes that inspired the working people all over the world and reminded the bourgeoisie that the real power is in the hands of those who produce everything and have nothing to lose but their chains. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER



MESSAGE OF GREETINGS FROM AICCTU

AICCTU Congratulates the working class of India for making the two days all-India strike on 28-29 March strike successful. The strike was made successful by the working class of the country braving threats and intimidations not only by the Modi led BJP government at the centre but also by many BJP and non-BJP led state governments. The working class of the country has taken up the challenge of the corporates to break the strike with the support of various governments.

At the call of the Platform of Central Trade Unions, crores of organised and unorganised workers and employees across the country and sectors joined the strike. The workers anger was simmering on the streets in the form of Rasta Roko (Road Blockades), Rail Roko, picketing, rallies, demonstrations, burning effigies, etc., against the anti-worker, anti-people and anti-national policies of the Modi government. Thousands and thousands of workers were also arrested all across the country. AICCTU salutes all those workers engaged in a militant action of Strike and arrests.

Several states witnessed bandh like situation. Samyukta Kisan Morcha (SKM) and several organisations of Dalits and downtrodden also expressed their unflinching support to the workers militant strike action.

Various sections of society, including students, youth, women, in addition to farmers, joined the strike with full vigour. Red and green flags were fluttering all across the country.

The subject matter of the strike was also raised vociferously in both the houses of parliament today demanding adjournment and discussions.

AICCTU strongly condemns threats, intimidations and strike breaking actions resorted to by several corporate companies which is promptly backed by the pro-corporate Modi led BJP government and also by several state governments.



STRIKE REPORTS FROM STATES/ SECTORS

Railway

Indian Railway Employees' Federation (IREF), affiliated to AICCTU launched a "Save Railways, Save India" campaign from 23rd March (martyrdom day of Bhagat Singh) in support of all-India general strike. As a part of the campaign, IREF held demonstrations, on both days of strike at various railway stations and production units including Allahabad in NCR; workshops in Patiala and RCF, Kapurthala (both Punjab); Diesel Shed, Tuglakabad (New Delhi), Sultanpur and Jagadari in Northern Railway; a dozen railway stations of Hajipur zone in EC Railway; Jamalpur and Howrah in Eastern Railway; Santragachi, Howrah and Soro in SE Railway; Jabalpur and Katni in WC Railway; and Varanasi and Chittaranjan Locomotives. It also participated in joint trade union programmes at various places across the country.



Gujarat

On 28th March, an impressive rally was held at Ahmedabad jointly by AICCTU and CITU. The participation of ASHA and Anganwadi was noteworthy. Protests were held in other districts of the state on 29th.

Delhi



On 28th March, processions were organized in different industrial areas. AICCTU led the strike in the Wazirpur area. Joint trade union processions were also taken out in Okhla, Jhilmil and other industrial areas of Delhi, in which AICCTU joined with sizeable mobilisation. Sanitation contract workers of JNU held a massive procession led by AICCTU.

On 29th, a joint trade union demonstration and a mass meeting was organized at Jantar Mantar which was addressed by leaders of all central trade unions, including the General Secretary of AICCTU, Comrade Rajiv Dimri. The participation of AICCTU was very impressive in this demonstration in which various sections workers, including health contract, scheme, construction, sanitation, industrial workers and slum dwellers participated.

Jharkhand

On both days of strike, the capital city, Ranchi, witnessed huge joint trade union rallies and demonstrations involving various sections of workers. AICCTU participation was very impressive. Construction workers joined the strike in large numbers all across the state under the banner of AICCTU.

The strike in the coal sector was partial, but complete in the areas of operation of CMWU





(Coal Mines Workers Union), affiliated to AICCTU, like in Mugma area of ECL. Even the coal office of this area was closed at the initiative of CMWU. On 29th March, an impressive joint trade union rally was taken out in Dhanbad, the coal city. The contract workers of Bokaro Steel plant went on strike. HEC workers observed a complete strike on the first day, defying strike breaking designs of BMS (Bharatiya Mazdoor Sangh owing political allegiance to BJP - RSS). Mid-day meal workers under the banner of AICCTU, held demonstrations in various districts. The state government employees, led by AICCTU, held demonstrations at various district headquarters, including Ranchi, on both days. Overall, there was a Bandh like situation in Jharkhand.

Tamil Nadu

AICCTU cadres courted arrest along with other central trade union leaders at Tirunelveli, Madurai, Trichy, Karur, Thanjavur, Pudukottai, Namakkal, Salem, Coimbatore, Thiruvellore and Chengalpattu districts. AIKM cadres courted arrest at a few more centres in Salem, Kallakuruchi and Sivganga districts. Hundreds of AIARLA cadres blocked roads in Tanjore district. Strike notice was jointly issued to employers' associations of Beedi industry by AICCTU, CITU and AITUC. Workers of the unorganised sector, including construction, affiliated to AICCTU, blocked the roads all over the state and thus halted the traffic for several

hours.

On the first day of strike, loading workers of the public distribution system (TNCSC - Tamil Nadu Civil Supplies Corporation - a state owned PSU) held a massive demonstration at their head office at Chennai. AICCTU had also served strike notice jointly with other central trade unions.

In Devaram of Theni district, hundreds of workers, agricultural labourers and farmers under the leadership of AICCTU, AIARLA and AIKM blocked the roads and courted arrest. In Kanyakumari, AICCTU members held an impressive demonstration. AICCTU led unions of electricity and transport workers joined the strike in Karur, Dharmapuri and Krishnagiri districts. On 29th March, AICCTU cadres joined demonstrations in various centres all over the state. In Guduvanchery of Chengalpattu district, a joint demonstration with other central trade unions was organised by AICCTU. An independent demonstration was held by AICCTU at Manaparai of Trichy district. Our Tasmac (Tamilnadu government owned liquor outlets) union leaders also joined picketing and courted arrest defying warnings by the DMK led state government.

The BHEL, central public sector unit, witnessed an absenteeism of about 70% on the first day of the strike. Defence and BSNL employees organised solidarity demonstrations. Banking



and insurance sector employees struck work and held massive demonstrations at various centres. Even though the party in power, the DMK, announced its support for the strike, the Government of Tamil Nadu issued warnings to the employees of the state government and its undertakings of serious consequences if they joined the strike. But participation was massive in these sectors.

Puducherry

After a state level convention on 17th March, an intensive campaign for three days was held on the 12 points charter of central trade unions in all industrial estates and zones of Puducherry.

Political parties such as CPI-ML, CPI-M, CPI, DMK, INC, M DMK, VCK, IUML and Students' confederation of Pudicherry gave a Bandh call on 29th March. On 28 March, all leaders of above-mentioned parties, including the former Chief Minister Narayan Swami, went around the town seeking support for the strike. All trade unions affiliated to AICCTU served strike notices to the employers concerned.

On 28th March, thousands of workers of AICCTU in various factories struck work. AICCTU took charge of enforcing strike at Sedarapet Industrial Estate which is the largest one in Puducherry. All operations of production units in the entire industrial estate came to a grinding halt on 29th March. There was a complete Bandh in Puducherry. Nearly 2000 workers of central trade unions, including AICCTU, courted arrest along with opposition party MLAs of DMK and Congress on 29th. The State Government employees took out a rally on the same day. BSNL employees demonstrated against Modi government policies.

On 29th March, all unions affiliated to AICCTU, including construction workers, struck work. All the government and private transport vehicles were off the road on the bandh day. In Puducherry, it was a total industrial strike and a bandh by all traders in solidarity with workers cause.

Rajasthan

The two days' All India General Strike was largely successful in state. In industrial cities like Jaipur, Alwar and Udaipur, workers from all sectors gathered in thousands and marched on the roads.

In Jaipur, on 28th, hundreds of workers of central trade unions, including AICCTU, gathered at Saheed Smarak and marched to the Collectorate, where after a meeting addressed by leaders, a memorandum to the President was also given via the District Collector.

In a similar rally at Udaipur, over one thousand workers gathered at the town hall and marched to the collectorate. AICCTU participation was quite impressive in programs at Udaipur and Jaipur.

Similar joint programs were also held at Alwar, Kota, Ajmer, Sikar, Hanumangarh, Pali and Banswada. Farmers organised rallies and demonstrations in support of the workers' strike, demanding withdrawal of the regressive labour codes and against the ever increasing price rise.

In Chittorgarh, AICCTU comrades held a day-long sit-in at the collectorate. In Pratapgarh too, our comrades submitted a memorandum to the Collector. AIKM comrades in Jhunjhunu organised a protest rally at Buhana sub-divisional office and submitted a memorandum.

West Bengal

Defying Mamata Government's anti-strike, pro-corporate stand, working people of Bengal, including peasants, actively participated in the two days' strike on 28-29 March. Though there was a mixed response in the Jute Mills, Tea Gardens, factories and industrial establishments, the financial sector and the Postal department witnessed overwhelming response against the corporate policies of the Modi Government.

Numerous rallies, meetings, road and rail blockades were organised. AICCTU initiated a massive independent campaign before and on

the Strike days. In Kolkata, AICCTU and other CTU's took out impressive rallies both on 28 and 29 March along with other independent federations. On 24th, a joint jail bhara/ courting arrest programme was organised. On 29th, AICCTU took independent initiatives at Moulali, Kolkata, and burnt the effigy of Modi. CPI-ML General Secretary Comrade Dipankar also participated in the programme.



Odisha

AICCTU actively participated in different districts including the capital city of Bhubaneswar. All affiliated unions among construction workers, Railway contract workers, sanitation workers and loading and unloading workers enthusiastically participated in the strike and demonstrations. AICCTU affiliated union, Denzong Beverage Workers' Union, in Khurda industrial area, picketed the roads. In Rayagada, scheme and construction workers participated in big numbers in a rally at Gunupur town. At Puri, Railway sanitation workers, contract and construction workers went on strike. Similarly at Bhubaneswar, the sanitation contract and construction workers protested at the railway station, in front of RBI and SBI and city Bus stand and master canteen square. In Bhadrak district, construction workers, self-help groups and domestic workers organised protests on 42-NH and Bhadrak city. Protest demonstrations were organised at Gajapati, Kendrapara, Sonepur, Dhenkanal and Balangir districts with impressive participation of construction workers, ASHA



and Anganwadi workers of AICCTU. Overall, the strike had a good impact in cities and rural areas.

Uttarakhand

In Haldwani, the most important centre after the state capital, impressive demonstrations and day-long sit-ins were organized, led by AICCTU. Employees of the financial and government sector, on the one hand, ASHA, Mid-day meal, and industrial workers on the other, joined the strike on both days.

In the state capital, Dehradun, AICCTU workers participated in the joint demonstration.

In NHPC, Dharchula, AICCTU led contract workers' union, the sole union in the establishment, observed the strike on both days and held a procession in the town joining hands with other sections of workers.

Taking the lead, Scheme workers throughout the state held impressive demonstrations. Led by AICCTU, ASHA workers in most of the districts of Kumaon region and anganwadi and mid-day meal workers in many districts of the region held protest programmes. In Sidcul (industrial area), led by AICCTU, the



workers organised a procession. Strike was very effective in the financial sector and the postal department.

Karnataka

2 days strike was successfully carried out in Karnataka and the AICCTU played a key role. AICCTU also held a demonstrations in several districts across the State including Bengaluru, Mysuru, Raichur, Koppal, Davangere, Kolar and Mangalore.

As a part of the strike, on the night of 27th March, a torch light procession was also organised.

At Gangavathi town, Koppal district, thousands of workers went on a procession on 28th March. All unions affiliated to AICCTU, including Auto Technicians, Municipal Workers, Agricultural workers, construction workers, etc., participated in the strike.

On 28th March, protests were held at the Taluk office and at various Panchayat Offices at Kolar and on 29th March, a huge gathering protested outside the office of the Deputy Commissioner, Kolar district. Similarly, rallies were held in Sindhanur, Raichur District, Bangarpet, Harapannahalli, Davangere, and various other parts of the State.

On 28th and 29th rallies took place across the Bengaluru city. Municipal workers, industrial workers, readymix workers, Hospital workers, library workers, ITI workers, among others, joined the Strike. In Bengaluru, on 28th March, there were rallies across the city including several industrial areas where street corner meetings were held. On 29th March, thousands of workers gathered at Freedom Park where a huge public meeting was held by the Joint Committee for Trade Unions.

Assam

Across the State, public transport was off the road. Scheme workers, particularly ASHA workers, observed the Strike in full spirits. AICCTU affiliated All Assam ASHA Association took active and organised initiatives in places



like Dibrugarh and Diphu.

The contract workers of Oil establishments had organised strike befittingly.

In the Tea sector, AICCTU affiliated Asom Sangrami Chah Shramik Sangha was active in making wider propaganda among tea gardens in its areas of operation. But, Strike was partial, including in tea estates in Golaghat district. In Tinsukia mainly, a tea workers' rally was organised, calling upon the public and the business community to observe Bandh on the days of Strike, and the same had a good impact.

In Silchar and Bishwanath, hundreds of workers were arrested during a mass propaganda on the first day of Strike. A joint meeting of ASHA, Anganwadi and Mid-Day meal workers was held to make wider propaganda for the Strike at Roha (Nagaon district). Also, workers were arrested in Nagaon while picketing.

General Strike particularly on the 28th March was relatively better.

Maharashtra

In Ahmednagar district, anganwadi workers participated in large numbers in a sit-in at the main gate of Jila parishad. Industrial workers participated in the strike and sit-in. The city municipal corporation workers participated in the dharna after striking work.

In Nanded District, workers participated in a strike and took out a march. About 3000 workers participated in the march at the district Collector office. Our members from forest department, social forestry department and municipal workers and jila Parishad workers

participated in the rally.

In Aurangabad, workers assembled at Kranti chowk in the city and took out a procession and demonstrated. Workers from different sections participated. In Pune, workers from different sections participated in a demonstration at the Collector Office. At Kolhapur, workers from engineering industry and cooperative banks joined hands with workers of PSUs, government employees and ASHA workers and organised demonstrations on both the days. Anganwadi workers from the district participated in a mammoth demonstration at the house of the Labour minister.

Retired workers/ pensioners made common cause with other workers at Sangli and Nasik and demonstrated at Collector offices.

Chattisgarh

On 28th March, joint trade union rallies and demonstrations were held at Rajnand gaon and Bilaspur with a good participation of AICCTU. On 29th March, an impressive rally and demonstration at collector office were held under the banners of AICCTU and Chattisgarh Mukti Morcha. In Rajnandgaon, the municipal contract sanitation workers led by AICCTU observed the strike on 28th March for which they were penalised and refused employment the next day by the administration.

In BALCO, Korba, around 70 percent of workers observed the strike and participated in joint demonstrations on both days. In Bhilai Steel Plant joint demonstrations were held at main gates on both days with the participation of AICCTU affiliated union, CSW (Centre of Steel Workers).

Uttar Pradesh

All AICCTU affiliated unions took active part in the strike, on both days, in two dozen districts of the state. Various sections of workers - industrial workers, particularly in Kanpur and Noida, workers of local bodies, including water and municipal corporations, IIFCO, scheme workers like ASHA, anganwadi and mid-day

meal, construction, MNREGA, health workers and contract workers of various establishments participated in good numbers under the banner of AICCTU in independent and joint rallies and demonstrations. The participation of women workers from sectors like scheme, construction and industries was impressive.

Bihar

Big joint trade union demonstrations were held in state capital, Patna, on both days. The participation of AICCTU was most impressive. Demonstrations were held in the central part of Patna at Dakbangla Chowk, resulting in a traffic jam for several hours. Observing the strike, scheme workers - ASHA, anganwadi and mid-day meal - held impressive demonstrations throughout the state. Similarly, construction and agricultural workers also participated in a big way. The rail and road blockades were organized at several important centres. Led by AICCTU, Municipal sanitation workers observed the strike in several cities. Also, led by AICCTU, the state government employees held demonstrations in almost all district headquarters focussing on the issues of restoration of OPS. ■



INDIAN TELEPHONE INDUSTRIES

A REPORT OF THE FACT FINDING TEAM

★ AKASH BHATTACHARYA



[An Abridged Version of the Fact Finding Team Report on the Mistreatment of ITI Contract Workers—Almost Half of Whom are Dalits—on the 100th Day of their Struggle. Bengaluru, 10th March 2022.]

One Hundred Days of Struggle!

On 1st December 2021, 80 workers of India's first Public Sector Undertaking (PSU), M/s Indian Telephone Industries (ITI) Limited, based in Bengaluru, were terminated with little justification. Despite having worked for between 3 to 35 years, workers are guised as “contract workers.”

The retrenchment of the workers is only one part of a longer history of labour abuse at ITI.

In recent times, as with all PSUs, ITI contract workers have been rendered increasingly precarious: they are punished for unionising with de-promotions and humiliations, not to mention abrupt terminations.

The ITI workers' struggle entered its 100th day on 10th March 2022. Coinciding with the 100th day, a fact-finding team of concerned citizens released a 25-page report summarising the abuses faced by the retrenched workers. “We feel that the struggle of the ITI workers in the face of such adversity is an ode to resilience and claims making for constitutional rights, fairness, inclusion, and citizenship. Industrial workers' struggles and farmers' struggles cannot be disconnected: they are both part

CLICK HERE TO READ THIS ARTICLE IN BROWSER



of a broader political-economic trend that is concentrating wealth and power upwards in the hands of elite corporate management, both public and private,” say the report authors Akash Bhattacharya, Juhi Tyagi, Malini Ranganathan, Rajendran Narayanan, and Sushmita Pati.

Despite providing services during the first covid wave in 2020, ITI downgraded contract workers from “skilled” to “unskilled” soon after, based purely on their level of education, not experience. As one contract worker put it, “suddenly I became unskilled [from skilled] ...In a month, I was making about 5,000 rupees less than before. We thought we have been working here for so long, it is okay. We realized only later that we have been working like slaves and not even asking for what they are supposed to give us.” Coded discrimination, disproportionately affecting women and people from marginalised castes and classes, is a key feature of the contract labour system. Of the 80 workers who were terminated, nearly half are from Dalit backgrounds and a large number are women.

Workers Demands

The report upholds the demands of the workers – who came together to form the Karnataka General Labour Union (KGLU), affiliated to the All-India Central Council of Trade Unions (AICCTU). The demands are as follows: to be immediately reinstated; to be allowed to unionise without fear of retaliation; to receive decent living wages and benefits, including maternity benefits; and to be treated with the dignity and respect they deserve as core workers of the company and as called for by the law.

The Regional Labour Commissioner (Central) had deemed ITI’s actions as a violation of the Industrial Disputes Act and has insisted that the workers be reinstated forthwith. Despite facing a suite of labour rights cases, ITI refused to comply. The report authors, who have also communicated the facts at hand to senior government representatives in New Delhi and Karnataka, strongly condemned the unlawful activities of ITI and demanded penal action

against the PSU.

In the light of the current political and economic circumstances in our country, the authors of the report believe that ITI workers’ struggle has the potential to become a watershed movement in Indian workers struggle for their rights. The workers’ demands therefore assume a great significance.

While the pandemic disproportionately impacted the casual workforce, the ITI workers’ retrenchment demonstrates the precarity of the RWS (Regular Wage Salaried) informal workers even in a well-established public sector unit. Indeed, analysis based on independent surveys suggest that even salaried workers have been forced to resort to self-employment or casual work. These circumstances add urgency to the ITI workers’ demands and underscores the significance of their struggle.

The authors of the report believe that it is crucial to think not only about ITI workers, but also the Swiggy and Zomato delivery partners, Anganwadi workers, even software professionals who faced salary cuts and lost jobs due to the pandemic. They continue to suffer and also protest thereafter, as separate entities, but we need to see them all as part of the same continuum of exploitative working conditions. Contractual employment, precarity of livelihoods, indignity of labour, and the criminalization of collective bargaining are generalized phenomena being encountered by workers these days.

Besides, the current power structure, heavily tilted towards corporate welfare, religious violence and conservatism, looks to crush all dissent, and keep the working people socially and economically vulnerable. The dilution of labour laws is a useful case in point. Powerful workers’ struggles can go a long way in challenging the forces of status quoism. Hence the struggle of the ITI workers is not only theirs, but ours too, the report states. ■

CONTRACT WORKERS IN PUBLIC SECTOR UNDERTAKINGS

★ MAITREYI KRISHNAN AND CLIFTON D' ROZARIO

The recent struggle of the workers working at M/s ITI Ltd., Bengaluru once again brings to the forefront the question of contract workers and the conditions under which they are forced to work, especially in public sector undertakings and the Government. These workers like thousands of other workers in various public sector undertakings have been termed as contract workers and denied their most basic rights despite working for several decades.

The bane of contract labour system was recognized by the Supreme Court¹ as “an archaic system and a relic of the early phase of, capitalist production, which is now showing signs of revival in the more recent period”. The institutionalization of contract labour in both public and private establishments, received a great impetus in the early nineties which saw the advent of policies of liberalization, privatization and globalization (LPG) in the country. Over time, this system has steadily grown and become one of the biggest contributors to the continuance and growth of inequality in the country. This archaic system is today once again finding new methods of perpetuation.

According to the Public Enterprises Survey for 2019-2020, the number of contractual workers in CPSEs rose from 2,67,929 in March 2016 to 4,98,807 in March 2020.² The data shows that the number of non-permanent workers and employees in CPSEs has rapidly increased since 2015-16, and account for 37% of the manpower of CPSE in 2019-20 compared to 19% in 2015-16. While, the share of daily-wage workers rose by 178% and that for contractual workers rose by 86% from 2015-16 to 2019-20 in Central Public



Sector Enterprises, for the same period, the number of permanent employees reduced by 25%. Many of the PSUs that reported a large number of contractual workers and employees in 2019-20 didn't have any or had very few contract workers in 2015-16.

This trend of increased rise in the number of workers engaged as contract workers, and the fall in the number of permanent workers is not accidental, but very much part of the conscious policy pushed by the State. Workers are engaged as contract workers in all works including the core work of the organization, and work in such capacity for several decades without any security of tenure and stripped of their ability to bargain for their basic rights. It must be noted that a vast majority of the workers compelled to work as contract workers are those from historically oppressed communities, including Dalits and women.

Court Rulings against the contract system

The Supreme Court way back in 1960 in the case of Standard Vacuum Refinery Company Vs. their Workmen [AIR 1960 SC 948], was of the opinion that “industrial adjudication generally

[1] *Catering Cleaners of Southern Railway and Ors. vs. Union of India and Ors.*

[2] <https://dpe.gov.in/public-enterprises-survey-2019-20>;

<https://trak.in/tags/business/2021/08/20/contract-workers-in-govt-psus-rise-by-178-as-permanent-employees-resigning-but-why/>



does not encourage the employment of contract labour in modern times...”. Similarly, in *Catering Cleaners of Southern Railway and Ors. vs. Union of India and Ors.*³, the Supreme Court noted the 'primitive' and 'baneful' nature of the system of contract labour. It also expressed its surprise on the tendency of the organized sector including the public sector companies to get the work done through contractors rather than through their own departments, when, in fact, it is expected to function as a model employer.

In *Sankar Mukherjee and Ors. vs. Union of India (UOI) and Ors.*⁴, the Supreme Court noted that the contract labour system was nothing “but an improved version of bonded-labour”, and again expressed its surprise at the employment of workers through contract by public sector employees and held that “There is no security of service to the workmen and their wages are far below than that of the regular workmen of the company.”

In *Gujarat Electricity Board v. Hind Mazdoor Sabha* [(1995) 5 SCC 27] the Supreme Court again expressed its dismay over the continued use of contract labour by the public sector undertakings even where workmen could be employed by them directly and observed that “The only ostensible purpose in engaging the contract labour instead of the direct employees is the monetary advantage of reducing the expenditure. Apart from the fact that it is an unfair labour practice, it is also an economically short-sighted and unsound policy, both from the view of the undertaking concerned and the country as a whole”

Again, in 2011, the Supreme Court in *Bhilwara Dugdh Utpadak Sahakari S. Ltd. Vs. Vinod Kumar Sharma Dead by L.Rs. and Ors.* held that showing workers as employees of the contract is “a new technique of subterfuge” to “to deny the rights of the workmen under various labour statutes” and categorically held that the “Court cannot countenance such practices

any more. Globalization/liberalization in the name of growth cannot be at the human cost of exploitation of workers.”

On the question of employing contract workers by HAL, a Single Judge of the Karnataka High Court⁵ articulated it most justly, in a judgment that was subsequently overturned by the Division Bench

“Hence, the moot question would be whether the respondent who is a public sector behemoth with a workforce of over 30,000 and a turnover of about 18,000 crores and engaged in developing technology to serve the defence of the country and also categorised as a navaratna company, could have resorted to employing labourers on contractual basis to execute services of a perennial nature? In the considered opinion of this court the only answer can be is a emphatic "NO", more so, keeping in view the enormous work and thousands of thousands of employees and thousands of crores of profits. More so in the light of the fact that the petitioners started working between the year 1974-1997 is not disputed. If that be so, even the latest entrant has put in two decades of services as on today and almost a decade of service even by the time the judgment in Umadevi's case came to be rendered.”

However, this judgment was overturned and the position of contract workers continues to be precarious.

The Contract Labour Act and its watering down

The Contract Labour (Regulation and Abolition) Act 1970 which was brought in with the stated objective to abolish contract labour system in certain works as prescribed therein and to regulate the conditions of work, recognizes that the system of employment of contract labour lends itself to various abuses. Despite the passing of the law and the various judgments of the

[3] AIR1987SC777

[4] AIR 1990 SC 532

[5] *Peer Bhaktar and Ors. vs. Hindustan Aeronautics Ltd. and Ors.*

Supreme Court, the employment of contract workers not only continued, but in fact has increased, as seen above.

However, the law was substantially watered down by the Supreme Court, which in *SAIL Vs National Union Water Front Workers and others* [2001 LAB. I.C. 3656] overruled the judgment in *AIR India Statutory Corporation Vs United Labour Union and Others* [1997 LLR 305 (SC)]. While in *Air India*, the Supreme Court had ruled that by "necessary implication" the Principal Employer will be under statutory obligation to absorb the Contract Labour on abolition of the Contract Labour system, in *SAIL*, the Supreme Court ruled that in section 10 of the CLRA act there is no implicit requirement of automatic absorption of Contract Labour by the Principal Employer in the concerned establishment on issuance of notification by the appropriate Government under section 10(1) prohibiting the employment of Contract Labour in a given establishment. With this judgment, a catch-22 was brought in for workers who demanded the abolition of the contract labour, who by virtue of this demand, in fact faced the risk of losing their jobs.

Perpetuation of new forms of bonded labour by the Labour Codes

The perpetuation of the contract labour system also continues and in fact pushed by the coming in of the new Labour Codes. [This has been dealt with in depth in a previous issue](#).

More particularly for this article, Section 57 of the OSH Code is important which prohibits the employment of contract labour in core activities of any establishment, excludes from the definition of core activity the following works namely:-

(i) sanitation works, including sweeping, cleaning, dusting and collection and disposal of all kinds of waste;

(ii) watch and ward services including security services;

(iii) canteen and catering services;

(iv) loading and unloading operations;

(v) running of hospitals, educational and training Institutions, guest houses, clubs and the like where they are in the nature of support services of an establishment;

(vi) courier services which are in nature of support services of an establishment;

(vii) civil and other constructional works, including maintenance;

(viii) gardening and maintenance of lawns and other like activities;

(ix) housekeeping and laundry services, and other like activities, where these are in nature of support services of an establishment;

(x) transport services including, ambulance services;

(xi) any activity of intermittent nature even if that constitutes a core activity of an establishment;"

The exclusion of the above activities thus condemns the workers in these activities to being "contract workers" in perpetuity.

With increased contractualization of the workforce and a concomitant reduction in the permanent workers, what is being developed is a workforce with no rights, which will be subject to easy victimization for any effort to organize and demand their basic rights. This will affect not only contract workers, but also the permanent employees in the establishment, whose power to bargain will also be significantly reduced. It is the need of the hour for all workers to come together to stand up and agitate against these new forms of bonded labour. ■

STRUGGLE FOR BENEFITS OF E.P.F, E.P.S, E.S.I.S IS A STRUGGLE AGAINST THE NEOLIBERAL ECONOMIC REGIME!

★ ATUL DIGHE

The new economic regime, unleashed in the 1990s through liberalisation, privatisation and globalisation, brought in an era where the economy was increasingly driven by the market. This also applies to the labour market, since these policies deregulate all markets. As a result, we now have a pro-capital and anti-labour economic regime, where the policy is to allow the market to govern labour and its rights, in favour of capital. Indian labour has a long history of struggles, which have resulted in some level of structural protections in the form of enshrined rights. These structures cannot simply be wished away. Hence the new economic regime has been slowly but surely chipping away these protective structures, dismantling labour rights and workers' welfare institutions in the process. This process of chipping away have taken place in stages. During the Vajpayee regime, we saw the dismantling of the Old Pension Scheme, and now in the Modi regime, we are seeing multiple assaults on institutional protections of workers' rights. The new labour codes are the latest such assaults in a long line of similar attacks.

The four new labour codes, for instance, do away with penalties (of imprisonment and fines) for non-compliance of regulations by employers. The government machinery, which has never been serious in trying to enforce regulations to defend workers' rights, now will not even have to pretend to do so. Bureaucracy has always been markedly disinterested in this regard and moreover over the years, trade unions too had not been successful in enforcing penalties for non-compliance but for some sporadic attempts. And now, these penalties, which were only notional, are officially being done away with to boost the morale of the industrialists. Rather,

penalties are being introduced to scare away workers and their organisations. Similarly, through the new 'Code on Social Securities', which is supposed to address social welfare policies related to workers, the government has, in principle, relieved industry from the responsibility of providing social welfare schemes while maintaining some reduced share of the industry in such schemes, perhaps for a short period. Even such penalties for violations are withdrawn but for giving some friendly advise and preaching. Now, the penalties are not for non-compliance of welfare measures, but are limited to acts of furnishing false documents and the like.

Over the years, the Government created huge corpuses under the Provident Fund Act and the Employee's State Insurance Act. These corpuses are now being invested in the share market, under the pretext of earning greater returns. The money invested in the share market is without a counter guarantee from the government and may get wiped out as well. The investment of the EPS fund is to the tune of a whopping 45% of the total corpus. We do not have data to tell us where the investments are happening. Are the investments catering to the interests of the beneficiaries? Or are they bolstering the fortunes of select corporations? What we do know is that these investments in the share market have not resulted in providing much needed relief to the beneficiaries.

The trajectory of the ESIC is a case in point. ESIC works as a comprehensive health cover scheme. Governments have been working towards increasing the number of people covered under ESIC. This has resulted in substantial collections. On the other hand, the contribution from workers' salary and employer's contributions

[CLICK HERE TO READ THIS ARTICLE IN BROWSER](#)



have been reduced. Moreover, many sections of workers have been kept out of the scheme. In addition, the facilities available under the ESIC scheme are far from satisfactory. ESIC operates through State Governments. At a time when governments often appear to be shirking from their responsibilities, the ESIC faces significant challenges.

The ESIC hospitals are small in number and provide inadequate coverage. Some have been converted into speciality hospitals, while the vast network of hospitals have very few facilities. In many cases, ESIC is turning into suppliers of patients to corporate hospitals at the cost of workers money, instead of strengthening its own network of hospitals to provide a cheaper treatment. The authorities are ever willing to spend on building works and infrastructure even as they are loathe to invest in better, well-maintained state-of-the-art equipments. The paucity of staff affects the service and many posts remain vacant. The ESIC OPDs are close to old industrial areas, and newer industrial areas where workers line in greater numbers do not have adequate number of OPDs. The work is outsourced to private doctors, agencies and hospitals. The payments are caught up in red tape and new entrants are not willing to take up the responsibilities of providing OPD facilities. “Diagnostics” and “in-patient” treatment in private hospitals are also often not satisfactory. Payments through ESIC do not happen smoothly, even though the ESIC scheme is supposed to provide cashless medical treatment. The nominated private hospitals refuse to provide cashless diagnostic and in-patient service. Moreover, contract workers suffer even more. Fake attendance records are created, in some cases, to reduce the contribution of contract workers. It saves money of the contractor but the worker and his family are refused treatment on basis of inadequate contribution. All these factors work towards workers families not getting adequate and satisfactory medical care.

The EPF scheme is similarly seeing a dilution. This scheme provides for retirement benefits

and protects the family to some extent from such events as death during service period or accidents and physical impairments. The EPF scheme involves a contribution of 12% of salary by workers themselves and a matching contribution by the employer. The worker's contribution is based on salary; however, the employer is given the facility of paying contribution on the basis 12% of certain ceiling, presently Rs. 15000 per month. While the total money collected is substantial, the beneficiary is at loss due to depleting value of money due to inflation. Returns on the money is also dropping due to dropping interest rates in market. The rate of returns on workers money should have been constant, given that EPF is a welfare scheme. However, workers have had to wage a relentless battle to prevent the government from reducing the rate of returns (which is currently under 8.1%, from the initial 12%).

The pension schemes for workers have also, of course, seen a systematic dilution. To begin with, the Old Pension Scheme was scrapped and replaced with a new one which drastically reduced guarantees and benefits for workers. The new pension fund has been turned into a contributory scheme while the basic concept of Old pension scheme was a beneficiary one. The pension fund corpus is formed by deducting 8.33% of salary as employer's contribution and 1.67% from the government. Dearness allowance (DA) was also not protected under the new scheme. Since then, the workers' movement has been waging several struggles to demand a minimum monthly pension of Rs 6500 as well as dearness allowance. As the result of this pressure, the BJP too has had to announce that it supports a minimum monthly pension of Rs 3000 and DA. This was subsequently accepted by the Pension Committee of the central government. However, the BJP backtracked on its promise to implement these recommendations within 90 days of coming to power in 2014. The Modi government, instead, announced that it would guarantee only a monthly pension amount of Rs 1000. Along with this, other changes were also announced (including a pro-rata

calculation of pension). This anti-worker policy was successfully challenged in the Kerala High Court. Now the Union of India itself has challenged the decision in the Supreme Court. The struggle of EPF, EPS and ESIS is a struggle against loot and cheating by central government as part of new economic regime unleashed in the 1990s. What we are seeing is more extraction of

money, hollow promises and dwindling returns for workers while offering the entire corpus and assistance, to corporate capital, to reduce their share to begin with and to gradually withdraw from the responsibility of social security for workers. The social security for workers is being turned into security for corporate capital. ■

AAP IN DELHI, AAP IN PUNJAB: AN APPRAISAL FROM THE WORKING-CLASS PERSPECTIVE

★ SUCHETA DE

Introduction

The Aam Admi Party (AAP) has gained a major victory in recently conducted Punjab Assembly elections. The party has won 92 out of 117 assembly seats and it has defeated the incumbent Congress. The Shiromoni Akali Dal – an ally of the Bhartiya Janata Party (BJP) in the National Democratic Alliance (NDA) – and the BJP itself were also routed to ground in the election result. Bhagwant Mann, a prominent Member of Parliament from AAP has been sworn in as the Chief Minister of Punjab.

The AAP has been sitting in the Government of National Capital Territory (NCT) of Delhi since 2015. Punjab is the second state after Delhi where the AAP has emerged victorious. While the AAP manifesto for Punjab election sheds some light on their declared intentions of running the Punjab state government, their more than 7 years' rule in Delhi gives an overview of how an AAP led government is actually being governed.

Other than the obvious religious overtone, conspicuous omission in the AAP manifesto was the rights of farm and non-farm workers of Punjab. Punjab has the highest percentage of Dalits in the country, and most of the Dalit population are engaged as agricultural

laborers and non-farm workers. Although a special section for Dalits has been allotted in the manifesto, no concrete promise of land reform or rights of the farm labourers are mentioned in the section. A significant section of workers population of Punjab also works in the non-farm sector including major industrial areas. Just like the rest of India, the informal workforce constitutes the majority in Punjab as well.

Thus, in today's time, credibility of any political force that promises to change the present order of things, is primarily tested by its commitment to halt the blood sucking profit motive of the companies and ensure labour rights for the masses. Having said that, let us now have a critical look at the track record of AAP in fulfilling its promises to the working class of Delhi.

The Lockdown Disasters and the Workers

Delhi was the epicentre of a massive humanitarian crisis the country experienced during the lockdown. Thousands of workers working in the city were rendered jobless without any money or food as soon as the lockdown was announced. The massive flight

[CLICK HERE TO READ THIS ARTICLE IN BROWSER](#)



of migrant workers was a tragedy that unfolded in full visibility before the entire country.

The lockdown brought forth the stark realities of job insecurity confronted by the informal labourers who toil to make the city functional. Millions of contractual workers were rendered jobless as soon as the lockdown was announced. The meagre wages that the contractual workers earn left them without any savings to bank upon. Although a Home Ministry notice ordered payment of two months of wages after the lockdown was announced, most of the employers refused to comply with the order.

The abysmal functioning of the Public Distribution System (PDS) in Delhi left millions of workers without any food. The food distribution scheme started by the Delhi government during lockdown was far away from meeting the needs of the people. Hundreds of migrant laborers and informal workers were seen desperately waiting on streets for the supply of food from civil society organizations. Such was the scale of hunger in the national capital of India. Only 37% of the population of Delhi had ration cards when the lockdown was announced.¹

In the name of providing temporary relief, an E-Coupon system was announced but it remained inaccessible to most of the working-class population due to the complicated requirements to avail the coupon. The Delhi government has not, since then, restarted the registration for issuance of new ration cards. Thus, a vast majority of the working-class population in the city still struggle for food given the massive increase in unemployment post-lockdown and non-availability of documents.

Betrayal of Contractual Workers, Non-Compliance of Labour Laws, and Factory Deaths

The electoral victory of the AAP in Delhi was mainly because of aspirations of the contractual workers to get regularized in their jobs.

Regularization of contractual workers was an important electoral promise of the AAP in Delhi.



Yet, millions of contractual workers including those working in government institutions, are still waiting to get regularized. The Delhi Transport Corporation (DTC) Workers' Unity Centre, affiliated to AICCTU, has time and again demanded regularization of the contractual workers working in DTC. But the Delhi government has conveniently ignored its promise in the last seven years of its rule in Delhi.

Even the mandatory equal pay for equal work norm, whereby contractual workers working in an institution are supposed to be paid the same wage as permanent workers, mandated by Contract Labour (Regulation and Abolition) Act, remain unimplemented in all workplaces in Delhi.

Deaths of workers in factory fires have become regular incidents in Delhi. These incidents have continued unabated, killing dozens to hundreds of workers every year in areas like Bawana, Narela, Sultanpuri and Anaj Mandi. Despite such repeat of incidents every year, the factories are being allowed to operate without adherence to any safety

[1] Siraj Hussain and Jugal Mahapatra, 'Why Home Delivery of Rations in Delhi Is a Trickier Proposition Than it Appears', *The Wire*, 16 June 2021. (<https://thewire.in/government/why-home-delivery-of-rations-in-delhi-is-a-trickier-proposition-than-it-appears>)

measures. In most of the cases, the factories that engage in hazardous work, have single entry/exit and congested areas inside their premises. In one such incident that happened in 2019 in a factory near Anaj Mandi that killed around 50 workers and injured several others, the workers were sleeping inside the building that was being used as a luggage bag factory. Despite several interventions by trade unions, the Department of Labour under the Delhi state Government continues to allow factories to violate The Factories Act, Minimum Wages Act, Trade Union Act, and other applicable labour laws, by turning a blind eye.

Violation of Rights of Scheme Workers, Construction Workers and Domestic Workers

Thousands of scheme workers of Delhi continue to be denied their basic rights. The ASHA workers who worked as the real front-line workers to contain the pandemic were left to face the pandemic without any safety equipment being provided. They worked with a meagre honorarium of Rs. 3000/- and a pandemic allowance of Rs. 1000/-. These workers had to be on 24x7 duty calls as the pandemic struck Delhi. Even when the ASHA workers died due to corona by contracting the virus while on duty, their families have been denied compensations. In one such incident, the family of AICCTU member Nurma Naaz, an ASHA worker, continues to be denied the Rs 1 crore compensation.

The Anganwadi workers of Delhi similarly face denial of their basic rights. The Anganwadi workers of Delhi are paid a meagre Rs. 9600/- per month and the helpers around Rs. 4500/- per month. The Anganwadi workers and helpers are among the front-line workers who worked throughout the corona waves. Yet, their basic rights are being denied. These workers protested for more than two months at Vikas Bhawan in Delhi demanding an increase in pay to Rs. 25,000/- per month for Anganwadi workers and Rs 20,000/- for helpers. They are

demanding to be recognized as workers with all benefits such as pension and social securities. The Delhi government, rather than listening to the demands of women workers, has chosen to let loose a heavy crackdown on them.

Thousands of women Anganwadi workers have been on the streets since January this year demanding their rights. The Delhi Government has invoked the draconian ESMA (Essential Services Maintenance Act) to clamp down on the protesters. More than 900 workers have been terminated till now. A government that does not recognize the Anganwadi workers as workers, enforces Essential Services Maintenance Act when they speak out for their rights. This is not the first instance that the AAP led Delhi government has invoked the draconian law like ESMA. Earlier when DTC workers went on strike demanding regularization, the government acted in the same way.

Thousands of domestic workers in the city work in vulnerable, unsecured, and undignified conditions as there is absolutely no recognition of their existence as workers. These workers face regular harassment, gender violence and humiliation from their employers. In several instances, the workers are kept as bonded labour inside the households. They are unable to claim even the minimum wages. The Delhi government has not bothered to enact any policy for the rights and welfare of these workers.

Construction workers form a major part of the working population in Delhi who faced the hardest blow of the lockdown due to complete stoppage of construction activities for several months. The government announced a one-time payment of Rs. 5000 as compensation, which remained inaccessible to thousands of workers due to lack of registration with the welfare board. Other than the lockdown disaster, the construction workers are always at the receiving end due to random and arbitrary stoppage of construction activity in Delhi whenever the pollution level reaches its peak. But such orders of stoppage of construction work doesn't come with a promise of assistance from the

government. Pollution in a city like Delhi is worsening mainly because of emission from private cars. But loss of livelihood is being faced by poor construction workers who have nothing to contribute to the city's pollution.

Other than the above-mentioned violation of workers' rights in Delhi, the poor and informal workers live under constant threat of demolition of their houses as the Delhi government failed to fulfil its promise of Jahan Jhuggi Waha Makan (House near slum). The promised subsidy of

water and electricity doesn't reach the workers staying on rent or living in slum areas. The AAP led Delhi government that overspends on its propaganda of welfare measures, is conveniently hiding the inaccessibility of city's workers to the basic minimum government subsidies.

While the nature of AAP's rule in Punjab is yet to unfold, their massive betrayal to the poor and the workers of Delhi is not hidden from anyone anymore. ■

.....

WILL HISTORY REPEAT ITSELF AS A TRAGEDY IN BENGAL?

★ ATANU CHAKRAVARTHY

The official slogan of "industrialization" that emanated from the corridors of power at the fag end of the Left Front Government which dug the grave for the 34 years of Left Front hegemony, has now resurrected again. Now, the present Chief Minister of Bengal, Ms Mamata Banerjee, has embarked upon the road of industrialising Bengal, desperately trying to erase the "anti-industrial" image she earned when she was in her high-noon of political opposition. Irony, per se!

In a press conference, with all senior bureaucrats around, she declared, "all the work on social plane have been completed. Now, the government's aim is to develop industry, generate employment and build infrastructure."

She stated that 4.5 lakh crore was invested in the industry during the last ten years. However, she failed to specify the names of those industries and cleverly avoided to respond to questions on the number of people employed, quantum of wages, nature of work, et al.

She also said that MSMEs received Rs. 3.42 crores out of the total investment to salvage the sagging economy. Again, she did not mention whether those industries were able to revive themselves and the number of people employed in those units. Let's not forget that, on 3 February, the Union Minister of MSMEs, Narayan Rane, informed the Lok Sabha that during FY 21, 67 percent of MSMEs that participated in a survey, were shut down (the number is much bigger, according to the entrepreneurs of the industry), and over 50 percent witnessed a decline of over 25 percent of their revenues in 2020-21. The Minister further stated that 66 percent of those units reported decline in profitability and revenue.

The Chief Minister of Bengal claimed that MSMEs received investment but was oblivious of the fact that 36 percent of units had taken loans but these loans brought only a sigh of relief to some while thousands could not benefit from the scheme and eventually got closed, as reported by Animesh Saxena, the President, Federation of Indian Micro & Small, Medium Enterprises (FIMSME). A substantial number of enterprises never knocked the

CLICK HERE TO READ THIS ARTICLE IN BROWSER



doors of financial institutions for business loans as they felt that a scarcity of demand in the economy was looming large and it was having a telling effect upon them.

Mamata informed the press that she was aiming at developing domestic industries. What is the state of affairs of domestic industries when she is already at the helm of state power for the third consecutive term? Jute and tea are the two century old, labour intensive, traditional industries in Bengal. Both these industries have a fair share in the state's exchequer. And both these industries are facing a severe crisis.

The 17th meeting of Minimum Wage Advisory Committee on Tea was held on 4 March 2022 at Siliguri. The Principal Secretary of the Labour Department, who chaired the meeting, noted that the tea gardens were suffering from shortage of labour as the wages of tea garden workers were not attractive enough. Consequently, workers are migrating from tea gardens in search of better wages.

The shortage of workforce in Darjeeling Hills is about 32 percent, while it is about 30 percent in Dooars. This shortfall is resulting in sub-optimal production. Though discussions started on the issue of Minimum Wage fixation in 2015 itself, it is not resolved even after seven years. On the contrary, Tea Garden managements are engaging outstation workers paying wages (sans all other statutory benefits) more than the prevailing wages of tea gardens. As many male workers were becoming uninterested in working in tea gardens, the percentage of female workforce was on the increase.

The Jute industry of the state is facing similar problems for years together. Less wages, hazardous working conditions coupled with extreme uncertainties have led to acute shortage of workforce in this industry too. Mamata Government's anti-strike, no demonstration at workplace policies have only helped employers to unleash unprecedented attack on the working people. Now, in Bengal,

the man-days lost due to lockout is 100 percent, while man-days lost due to strike is nil. The increase in basic wage for Jute workers, in the last tripartite agreement in 2015, was only Re 1, which was opposed by all left trade unions.

The Chief Minister is going to hold an All India Trade /Industrial Fair at Kolkata in the month of April, and the PM Modi has agreed to inaugurate the jamboree. Adani - Ambani and many bigwigs of the industry have agreed to participate in this mega event. Addressing the press conference, she presented an unending list of industries and "would be" infrastructure for attracting new investment for the state. The Deocha Pachami coal block, supposed to be the second largest coal block in the world, is the biggest challenge for her, with an investment of more than Rs 30,000 crores. She has openly threatened to crush any opposition that would "destabilise" this anti-people, anti-environmental catastrophic coal project which is gradually gaining momentum in Birbhum district. She further tried to define which movements are legitimate and which are not. She warned the press to behave in a responsible manner, to report "positive news" and highly critical of the press for the coverage of the protest movement following the mysterious killing of student leader Anish Khan. She announced that media will be rewarded if positive news is printed and propagated and for selling Bengal aggressively. It is very clear that the freedom of press will be sacrificed at the altar of industrialisation. In short, media will have to follow the instructions of the state henceforth.

The billion-dollar question of unemployment was not addressed by the Chief Minister. She claimed that the proposed industrialisation would generate millions of jobs, but never answered the question as to why lakhs and lakhs of state government posts are lying vacant in various government departments/ semi-government departments/ autonomous bodies and why, following the footsteps of Modi government, she abolished more than

5.5 lakh posts in government offices. During COVID times, within a span of two years, 2.5 lakh posts of primary school teachers remained vacant. About 1 lakh 39 thousand posts of Group-D employees have not been filled even as Kolkata is witnessing everyday movement on the issue, which is mercilessly being suppressed by the state government.

Behind the facade of rapid strides towards industrialisation lies the Mamata government's reckless move towards complete informalisation of employment. She has come out with an offer to engage graduates in govt jobs for a monthly wage of five thousand rupees for a fixed term. Even as 45,000 and 75,000 posts are still lying vacant in Kolkata and Bengal police respectively, civic police are engaged in huge numbers. The post-COVID scenario has brought a regressive, alarming change in Indian job market with a whopping increase in Informal workforce in all sectors. These workers are often engaged in hazardous jobs with far less wages, sans all social security benefits.

An important article, "Who cares for labour" by Krishna Ram and Shivani Yadav in Economic & Political Weekly, Feb.12, captured the profile and precarity of informal workforce in India. It pointed out that the SC & OBC workers together constituted around 60 - 80 per cent of the total workforce who did not get the minimum wage in 2018-19 in almost all states. The states of Delhi, Gujarat, Punjab, Tamil Nadu, Madhya Pradesh, Uttar Pradesh and West Bengal together constitute 70 percent of the workers who did not get the minimum wages.

The article also mentions 32 percent (22 million) of all urban informal workers are not getting even the bare minimum wage. Across all social categories, a substantially larger proportion of Dalit / adivasi workers is unable to earn even the bare minimum daily wage fixed for the unskilled workers. The SC and ST workers account for a higher percentage of people getting less than minimum wages

in almost all industries as proportionate to their employment share in those industries. Further, SC/ST and OBC workers on an average earn lower wages as compared to the OC (other category) workers.

It is clear that huge number of adivasis evicted from their hearth and home will be engaged as labourers with extremely low wages in Mamata's dream project of Deocha Pacchami coal block.

While presenting the Budget 2022, the Finance Minister's speech revolved around the two words - "jobs" and "employment". However, she deliberately skipped the words "workers" and "labourers". The essential theme of the budget conveyed the hackneyed message - "large scale budgetary provisions for capital investment will facilitate higher GDP growth, which eventually will bring more jobs and employment, thereby increasing income of the poor". This bankrupt 'trickle-down' theory only proliferated inequities globally and India too, and is once again being peddled to serve the interests of a handful of cronies.

In order to face the rising anger and dissidence in the ranks of the working class and to offer a gift to the corporate class, the Chief Minister Mamata, has decided to implement her opponent Modi's Labour Codes in Bengal too, by formulating mandatory state rules.

Surprisingly, Mamata, the vociferous opponent of Modi, is treading the same trajectory that rejected any real economic narrative by presenting a mirage of employment for the state of West Bengal. To fulfil her dream, she is all set to launch an onslaught against the freedom of press and against all democratic movements in the state. One can safely proclaim that the history is to be repeated in Bengal, for the second time, as a tragedy! ■

LABOUR SNIPPETS – APRIL 2022

★ LEKHA ADAVI

1. Ad-hoc Employee Granted Pension by Supreme Court

The Supreme Court has directed the State Government of Gujarat to pay pensionary benefits to an ad-hoc employee who retired from his employment after 30 years of continuous service. It reprimanded the state government for stating that it is unreasonable to claim pension as the workman was employed on an ad-hoc basis for 30 years and therefore was not eligible for pension. The Supreme Court in its order noted that “as a welfare State, the State as such ought not to have taken such a stand.”

The State of Gujarat & Ors. vs. Talsibhai Dhanjibhai Patel [Supreme Court of India, Special Leave to Appeal (C) No. 1109/2022 dated 18.02.2022]

2. ‘Any termination referring to case against employee and no inquiry is stigmatic’

In a petition challenging the termination order of the petitioner in this case, the High Court of Gujarat has stated that if the termination order refers to an FIR or a case filed against an employee, without conducting full departmental inquiry, then the said termination order is considered to be stigmatic. The High Court then quashed the termination order.

The petitioner was employed as ‘taluka livelihood manager’ on contractual basis with the Gujarat Livelihood Promotion Company Ltd., from the year 2011, until he was terminated in 2018 on allegations of financial irregularities. The employer claimed that since he was employed on contractual basis, his employment can be terminated without having to follow principles of natural justice!

The High Court directed the employer to reinstate the petitioner into service to his original post with continuity of service, salary

and wages for the interregnum as if the termination order was not passed. However, the High Court also stated that the employer could initiate appropriate departmental proceedings or an inquiry against the employee before terminating him from service.

Minakshiben Laxmanbhai Paraliya vs. State Of Gujarat [High Court of Gujarat, Special Civil Application No. 22681 Of 2019, dated 08.02.2022]

3. Out-of Court Settlements May be Accepted by Courts, holds Delhi High Court

A worker had entered into an agreement with his employer in regard to conditions relating to his reinstatement, which included withdrawal of disputes pertaining to non-payment of bonus and contractual employment. However, the terms of settlement were breached by the employer and another conciliation proceeding was initiated resulting in the conciliation officer directing payment of a certain amount. This order came to be challenged by the employer before the High Court of Delhi. During the course of appeal filed by the employer after making deposit of actual wages before the court, the worker and the employer reached a settlement. The employer sought a refund of the deposited amount from the court, at which the appellate court stated that the pre-deposited amount cannot be refunded as the worker had not confirmed the settlement and that the employer had to obtain a no-objection certificate from the worker.

Hence, the question arose as to whether the appellate court would have to consider whether the settlement was reached or not. The High Court, if satisfied that the settlement has been arrived at and that there were no allegations of forgery or fabrication. Therefore, as per Section 18(1) of the Industrial Disputes Act,

CLICK HERE TO READ THIS ARTICLE IN BROWSER



which recognises out-of-court settlements, should have been accepted by the Court.

M/s Wearwell (India) Pvt. Ltd. vs. Mohd. Nizam [Citation: 2022 Livelaw (Del) 95]

4. Reservation in Teaching Jobs for Trans-persons

The Karnataka Government has decided that in future, 1% of the jobs in the teaching sector will be reserved for members of the transgender community. In the upcoming recruitment process for 15,000 teachers to various government schools across the State, about 150 posts will be reserved for the persons belonging to the transgender community. The Karnataka Civil Service (General Recruitment) Rules, 1977 was amended following a petition before the Karnataka High Court.

However, the eligibility criteria is that the candidates must be graduates in any subject, must possess a B.Ed degree and must have cleared the Teacher Eligibility Test. This renders many people from the trans community ineligible and thus cannot avail the reservation. The Department has stated that if there are not many applicants for the reservation, then the posts will be automatically converted to other categories.

5. Workers Constructing Flyover in Bengaluru Not Paid Wages for 7 months

AICCTU has filed a complaint with the Labour Department in regard to the non-payment of wages for several months to the workers employed in the construction of a flyover in Bengaluru. The workers were employed by the Bruhat Bengaluru Mahanagara Palike through Simplex Infrastructures Ltd. There have been several complaints in regard to the delay in the completion of the project and the BBMP has been rapped on the knuckles for such inordinate delay. Due to this, the BBMP cancelled the contract with Simplex Infrastructure, thus rendering the workers



anxious. After the complaint by AICCTU, the workers have received all their due payments.

6. Teachers Denied 32-month arrears of salaries in Bihar

Five teachers in the Khagaria Collectorate of Bihar have been in protest since February 2022 as the government has refused to pay them salaries for about 32 months on account of irregularities in due process of their appointment.

Initially, the Education Department of Government of Bihar had cancelled the appointment of 11 teachers for the reason that prescribed appointment process was not followed. Of the 11 teachers, five teachers were reinstated and given fresh appointment orders. As per the same, they were paid salaries till October 2017. However, they have not been paid for the period between November 2017 to June 2019, and thereafter, their arrears were paid. However, to their dismay, the appellate authority passed an order that those teachers appointed on the basis of selection in 2006 would no longer receive a salary. The same was brought to the attention of the Patna High Court, which then passed directions to the department asking them to conduct an inquiry into the appointments and whether due process was followed, and accordingly make payment of arrears of wages. Accordingly, an inquiry



was conducted by the Education Department which found that no malpractice was done in their appointment, and therefore cleared the dues.

However, despite the same and without any reason, the Education Department, again issued fresh appointment letters to the five teachers in February, 2022, and has been adamant on not paying arrears for 32 months, i.e., between July 2019 and January 2022, to the teachers even though all of them continued to work without any service break.

7. Only 8 Healthcare Workers Received COVID Death Compensation in Delhi

In Delhi, it has been reported that about 177 healthcare workers died due to COVID - 19. The Delhi Government had assured a compensation amount of one crore rupees to the kin of healthcare workers, including doctors, teachers and sanitation workers. However, the government has paid the compensation amount to only 8 workers. While the state government had stated that they have given compensation to about 17 workers, the same was found to be untrue vide an RTI, which stated that out of the 40 applications received for compensation, only 8 families had received the amount. Whereas



about 56 doctors, 13 nurses, 16 paramedical staff and 92 safai karamcharis had died after contracting COVID-19 while on duty.

8. Devadasis Protest for Rehabilitation in Karnataka

During the budget session of the Karnataka Government, thousands of devadasis gathered in Bangalore demanding the fulfilment of promises made by subsequent governments in rehabilitating the women who are exploited in the name of culture. An association of these women have been waging relentless struggle since 2006 for their betterment and their rights. Some of the demands of the devadasi women included - Raise of monthly pension to Rs. 3000, immediate rehabilitation of devadasi women and their children with financial assistance, education facilities for children of devadasis, debt relief and assistance with agrarian activities, unemployment allowances, among other such demands.

9. Daily Wage of Tea Estate Workers Increased in Tripura

Over 7,000 families in Tripura will benefit from the increase in their daily wages from Rs. 105 to Rs. 136, which will come into effect



from April 2022, which is an increase by Rs. 31. News reports state that there are over 54 tea estates that are run privately. About Rs. 85 crores has been allocated towards the welfare of tea estate workers which is expected to be utilised towards education, basic amenities like healthcare, roads, toilets, provision of purified drinking water, health insurance, among other measures. ■

BABASAHEB AMBEDKAR'S VISION FOR THE WORKING CLASS

★ AKASH BHATTACHARYA

Ambedkar Jayanti, Amidst a Workers' Struggles

This year's Ambedkar Jayanti arrives on the back of a two-day general strike on 28 and 29 March, called by central trade unions and other sectoral organizations. The unions are demanding work for every hand, equal pay for equal work, the scrapping of the labour codes, immediate measures against the record-high unemployment and skyrocketing price-rise, and an end to mass privatisation and sale of the country's public resources.

This strike is of great importance, given that the working class of the country is facing onslaughts, due to the pro-corporate and communal policies of the present government. The wounds of the migrant workers owing to the arbitrarily imposed lockdown are still fresh in our memories. The government used the pandemic to push through the unpopular labour codes which, for all practical purposes, legalizes hire and fire practices and restricts the workers' rights, including the right to strike.

In fact, the problems had started way before the pandemic. A study of the Periodic Labour Force Surveys (PLFS) data of 2018-19 reveals that more than half of the workforce were self-employed, nearly a quarter were daily wage casual workers, and only about 24% were Regular Wage Salaried (RWS) workers when covid struck.¹ At that juncture, merely 4.2% of the total workforce in the country could be categorised as having a "good job" or "decent work." From the



standpoint of human development and access to social protection, casual workers were at the bottom of the pyramid along with many in the self-employed category. In the course of the pandemic, there has been a steady decline in real wages across each of these segments of the workforce - the self-employed have faced the sharpest decline.²

Precarity and vulnerability in the country have increased and inequality has widened.³ The growing inequality coincides with a steady decline in the corporate tax to GDP ratio from over 3 percent in 2010-11 to a meagre 0.9 percent in November 2020.⁴ Thus, we are facing a general crisis related to work, employment, and livelihoods. In response to this, workers' struggles are emerging everywhere.

As these struggles look to broaden themselves and combine with other struggles, they are inevitably searching for ideological strength

[1] Kapoor, R. "The Unequal Effects of the Covid-19 Crisis on the Labour Market," *The India Forum*, 27 July 2020, https://www.theindiaforum.in/article/unequal-effects-COVID-19-crisis-labour-market?utm_source=website&utm_medium=organic&utm_campaign=category&utm_content=Covid-19

[2] Abraham, R and A Bosole, "Covid-19 and the Informalisation of India's Salaried Workers," *The India Forum*, 7 January 2022, <https://www.theindiaforum.in/article/COVID-19-and-informalisation-india-s-salaried-workers>

[3] "Inequality Kills: India Supplement 2022," Oxfam India, <https://www.oxfamindia.org/knowledgehub/workingpaper/inequality-kills-india-supplement-2022>

[4] Ibid



from other struggles happening now and from those that have happened in the past. This search takes us to the legacy of Babasaheb Ambedkar.

The Significance of Babasaheb's Ideas for the Working-Class Politics

Ambedkar had the foresight to spot the danger of “Hindu Rashtra” on the distant skyline as early as the 1940s. Today that danger is at our gates, in the shape of the Modi Raj. Similarly, Ambedkar also foresaw the necessity of a strong working-class politics. He also provided a basic outline for how it might look, and for its role in deepening democracy. He did so at a time when Indian society was still largely semi-feudal (some call it pre-capitalist) and a generalized condition for a strong working-class assertion against the capital was yet to emerge.

For Ambedkar, the “nation” was no ready-made thing to celebrate. Rather, it must be painstakingly built by recognizing and destroying the foundations of inequality and oppression. Work and labour, for Ambedkar, were key axes of inequality and oppression which took different forms – of caste, class, and gender. Ambedkar of course famously struggled for the annihilation of caste and for gender equality. These were all part of a substantive vision of socio-economic transformation that he tried to put forward. Struggles against capitalism were integral to this vision.

Not only the ruling classes but even some influential Ambedkarite ideologues, with great hopes in the equalizing power of capitalism and globalization, have tried to paint Ambedkar as a “free-market neoliberal”. But Ambedkar’s life and his writings are a testament to his strong opposition to capitalism and his espousal of the cause of the working class.

In 1938 Ambedkar, while addressing the GIP Railway Dalit Mazdoor Conference in Manmad, had declared that the Dalits had two enemies,

Brahminism and Capitalism.⁵ At a time when Ambedkar was unsure of his election to the Constituent Assembly, he prepared a memorandum in March 1947, published in May 1947 as “States and Minorities: What are Their Rights and How to Secure them in the Constitution of Free India”. This document, presented as a “Constitution of the United States of India”, strikes a different note from the constitution that was eventually drafted. This document recommended that key industries should be run by the state and that the state should acquire all agricultural land, divide it into farms of standard size, and let out the farms for cultivation to residents of the village as tenants, to be cultivated collectively. In some ways, this document presents a vision of democracy that was more radical than what the constitution envisioned.

The document prophetically observed that industrialization through private enterprise would produce those inequalities of wealth which private capitalism had produced in Europe. In the Appendix to this document Ambedkar observed how capitalism’s tendency to create inequalities, was fundamentally opposed to democracy:

“The fear of starvation, the fear of losing a house, the fear of losing savings if any, the fear of being compelled to take children away from school, the fear of having to be a burden on public charity, the fear of having to be burned or buried at public cost are factors too strong to permit a man to stand up for his Fundamental Rights. The unemployed are thus compelled to relinquish their Fundamental Rights for the sake of securing the privilege to work and to subsist.”⁶

Ambedkar’s work with the Independent Labour Party (ILP) has garnered a fair bit of attention among today’s activists. We suggest here that his work with the ILP was not a one-off. Similarly, his understanding of caste

[5] This was reported in Times of India on 14 February 1938.

[6] BR Ambedkar, “States and Minorities”. Accessed here: <http://www.ambedkar.org/ambcd/10A.%20Statesand%20Minorities%20Preface.htm#pV>

as a division of labourers and not merely a division of labour, shows that he located the specificities of caste within the context of modes of production. Towards the latter phase of his life, he even actively considered the potentialities of communism “in some form”.⁷ He is not known to have actively associated with the Communist Party, but within his framework of political praxis, he provided ample scope for working class struggles.

Understanding Ambedkar Today

India is going through a phase in which the limited achievements of Indian democracy are being eaten away. As a response to that, there is an objective need to defend the constitution in a particular context. At the same time, questions are also being raised as to whether the corporate-communal aggression can be fought back simply by defending the constitution. Deep down within peoples’ movements, there is another question lurking. Or rather the above conundrum is being thought through differently. Is our fight about defending the constitution as it was written? Or is it about substantively realizing the aspirations which produced the constitution? Aspirations which, though partially realized in the earlier decades, were still far from being fulfilled at the dawn of the Modi Raj.

A key aspect of these aspirations is the striving for equality in all its forms – social, economic, and political. It is obvious that such equality cannot be achieved without a conscious and well-organized struggle against the key axes of inequality – income, caste, class, gender, race and so on. India is now witnessing a tremendous ascendancy of corporate capitalism. Exploitation and inequality in terms of work, labour and livelihoods is reaching massive proportions. India is also urbanizing rapidly, and the non-farm sectors are coming to occupy an increasingly important space in the economy. The struggles of the working classes are therefore going to be crucial in the

fight against inequality.

To learn that the key architect of the constitution was a proponent of working-class movements – not only its demands but also its modes such as strikes, sit-ins, and so on – and of struggles against capitalism, is really enlightening. Ambedkar may have theorized primarily about caste/class intersections in the rural setting, but his work is important for understanding and fighting against the entanglements of caste and class in the industrial and urban settings as well.

Does our constitution give enough space for militant working class struggles to thrive and to take their demands to a meaningful resolution? For Ambedkar, the constitution-as-document was only a part of India’s democratic journey. Whether the constitution will work or not, depended on its implementation, Babasaheb repeatedly warned. Besides, the vision outlined in the “Constitution of the United States of India” suggests that for him the aspirations that produced the constitution mattered as much as the constitution itself. Hence it would be wrong to freeze Ambedkar into a mere writer of the constitution-as-document. His was a prolonged critical engagement with the idea of liberal democracy on the one hand, and the needs and challenges of building an equal society on the other. The outcome, for him, was open-ended.

India’s progressive forces are right now working through the limitations and possibilities of liberal democracy from the vantage point of building an equal society. Militant struggles against casteism, patriarchy and capitalism might even put the constitution to test in the times to come. Even if that happens though, Ambedkar’s life and work, and his evolving engagement with liberal democracy – before, during and after the writing of the constitution, will be a vital point of reference. ■

[7] Interview to the BBC in 1952, accessed here: <https://www.youtube.com/watch?v=UbcGVsms6VU>

THE PLIGHT OF I.T. WORKERS

★ UDAY KIRAN

Beneath the Glitz

For cadres of the working-class movement, it is natural to be curious about the class location of every working person. When it comes to workers, men and women, in the Information Technology (IT) Industry, questions are being raised about their “working class” identities. There are also very profound and convincing formulations like ‘key-board slaves’, ‘knowledge workers’, ‘modern working class in new economics’ in the era of technological advancements, etc. The essay seeks to appraise the positive and negative aspects of those questions.

Vast majority of IT workers often live with the illusory belief that their well-being justifies pro-capital economic reforms. Hence, they are often in favor of maintaining the status-quoism. This stratum of people can never quite relate themselves to the working men and women and cannot understand how privileged they are at the current level of development of science and technology and the significance of the IT sector in the operations of capital. They cannot fully grasp the degree of exploitation through capital’s appropriation of the surplus value.

Job Insecurity

The estimated work force in IT and Information Technology Enabled Services (ITES) is around 55-60 lakhs. All the glory these sections of working people see is limited to a few states within India which are relatively better in terms of capital inflows. It is usually in these states that people pick up technical skills and also some knowledge of English language which are necessary for employment in this sector.

Besides, we are witnessing a situation where there is an abundant supply of skilled IT workers on the one hand, and there is a rapid deskilling of IT work on the other. The media-hyped success stories of entrepreneurship is hardly a phenomenon in itself.

The corporate management model makes IT sector jobs more insecure than they sometimes appear. The question of financial crisis of IT workers arises from the job insecurities inherent in the management model. Right from recruitment, project billing models to performance appraisal models, the structure is designed in such a way that the employees remain disunited and utmost individualism is encouraged at the workplace in spite of tall talks of promoting team work, collective model, etc.

Be it the fixed price model, the time and material model, or any other project bidding model, managers always look to maximize their profits and minimize their costs. Managers are offered percentages of the cost saved in the execution of a project. Obviously, the interest of a manager lies in maximizing his/her own earnings by saving the cost to the company. While any other expenditure is constant, the only variable component is the investment on resources, including human resources. Hence, the formula “more output brought out with less human resources” is one of the key aspects to ensure a higher and more consistent rate of profit in the IT sector. This is like all other sectors of the economy. The amount of pressure exerted on the employees, in the process, results in causing damage to their work life balance and creates huge distress in their lives.

If the billing to the project has come to an end, the employee who was once an asset to the project will suddenly become a liability to the company, no matter how much skillful the person was. The amount of pressure exerted on individuals due to this perpetual job insecurity counterbalances the privileges they hold by virtue of relatively higher wages when they entered the company. Thus, arises an objective need for unionization and for a concerted and united fight against such cruel and rampant exploitation. But the corporate world has

CLICK HERE TO READ THIS ARTICLE IN BROWSER



its mitigation plan to curb this thought of unionization. Recruitment and performance appraisal models are put in place as institutional bulwarks against workers' collectivization.

Exploitation and the Bell Curve Model

There is seldom a uniform standard that a company follows about pay scales, either at the time of recruitment or of performance appraisal. In the course of recruitment, two skilled workers possessing equal skills and interviewed for the same position, for the same nature of work and job requirements are never offered the same wage packages. Differences in salaries are very consciously and systematically created to sow the seeds of disunity at workplace. In some cases, even a nominal difference is maintained, merely to engineer disunity and to secure an unquestionable loyalty from the other person with a marginal hike in salary.

Performance appraisal usually follows the Bell Curve model. According to this model, 10% of the team members should be rated as extra ordinary performers. 20% of team should be rated as good performers. 60% of team should be rated as performers who met the expectations and rest 10% should be rated as under performers. The difference in salaries between one category and the other may not be huge, but it helps to segmentise workers.

The top 10% workers' egos are boosted, and they often become willful loyalists of the management. The following 20% become the competitors of the first 10%. The next 60% also become willful loyalists out of the fear of insecurity as they feel that they have just escaped the 'under performer' tag and also because they have the option to crave for the earnings of the top 20%. The last 10% are forced to suffer a sense of guilt and insecurity. The 10% rated as under performers are forced to leave whenever the company wanted to restructure or to shed its workforce. This is usually done not by termination but by resignation. The workers

are forced to resign voluntarily, which they do either out of guilt or compulsion.

Thus, the workforce is segmented, and the employees are set against each other despite possessing same set of skills. Whichever be the organization, and whatever be the performance appraisal model in use, the Bell Curve has become a preferred model for IT companies. This is how a sense of disunity is created and individualism is promoted among the employees. The employees are trapped in a rat race.

Simmering Resistance

Dissent and distress among IT workers may not always be evident. Discrimination along caste, religion, class, and gender are becoming more and more evident in recent times. The corporate capital, instead of destroying these divisions, often reconstitutes them.

Some employees find temporary relief, following abrupt terminations, by joining a new company with a better package. This happens because there is still a shortage of skilled labour in some areas within the IT sector. This situation, however, may change soon, given the evolving needs of capital. There are many who do not find a respite but hold back from struggling for their rights because they lack awareness of the labour laws and of the benefits of unionization. IT employees were not recognized as workmen for a pretty long time. Later, there were judgements that recognized IT workers as workmen and supported the rights of IT employees. Still, the awareness has not spread much. Many states have provided exemption to IT industries from the coverage of Standing Orders Act.

Now, in the changed circumstances and in the backdrop of new Labour Codes, IT employees are in for more troubles. Thus, the changing circumstances are paving the way for IT workers to join hands with working people of other sectors. Resistance by IT workers is simmering all the way. ■

L&T WORKERS STRIKE AT PUDUCHERRY

★ MOTHILAL

Larsen and Toubro workers in Puducherry are on war path demanding equal wages for equal work and abolition of contract labour system in production. All four units in Puducherry are on total strike since 15 March 2022. The strike is on for more than 16 days (as on 31 Mar 2022) is still continuing. The strike is backed by all categories of workers, including 150 regular employees led by other unions.

Larsen and Toubro Ltd has four construction material production units in Puducherry which employs more than 1000 workers in production who are basically guised contract labourers. In strict legal terms, they are all de facto regular employees as there are no licensed contractors in production activities and the said workers are employed for more than 5 - 25 years.

These guised contract labourers have been demanding equal wages for equal work, double wages for overtime work, proper deduction of ESI & EPF contributions and remittance of the same to concerned authorities without any default, regularisation of workers who have completed more than 2 years of service, etc., for the last several years and their demands were never heeded by the management.

Neither the L&T management posses any valid registration certificate nor the sham (camouflage) contractors hold any valid license.

The non permanent workers,(alleged contract labourers) formed L&T Jananayaka thozhilar sangam (AICCTU) some four years back and continue to demand statutory rights. The L&T management had not considered the just demands of the workers till now. Finally, the union was forced to issue indefinite tools down notice to the management. The indefinite



tools down had begun from 15th March and is continuing till date. All workers are on a stay-in strike.

Mean while, three rounds of negotiations were held before labour authorities. The management refused to concede the advise of labour authorities and continue to resort to unfair labour practices. The company, despite being a multinational company, is not abiding by the laws of the land and continue to violate all applicable labour laws. They don't even pay minimum wages. Moreover the workers are forced to work on a 12-hours shift.

The management has recently approached the High Court to evict striking workers from inside the factory while deceiving workers and labour authorities with false promises of resolving the problem soon.

The workers are firm and resolved to continue their struggle until their demands are met. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER



LONDON UNDERGROUND METRO WORKERS' STRIKE

★ V ARUN KUMAR



Thousands of workers of the London Tube (Underground Metro) embarked on two 24 hour strikes on March 3 and March 1 against the spending cuts and mass layoffs. The strike was called under the banner of the National Union of Rail, Maritime and Transport Workers (RMT) union. Picket lines were organised outside various metro stations in London by the striking workers.

The striking workers rejected the decision by Transport for London (TfL) to cut 600 jobs in the London Tube along with cuts in pensions and worsening working conditions. London Underground Limited (LUL), a subsidiary of TfL runs the underground rapid transit system serving Greater London and some parts of Buckinghamshire, Essex and Hertfordshire in the United Kingdom.

According to Tube workers, amid the COVID-19 pandemic, the cash strapped TfL is attempting to pass on the financial burden on to the workers by slashing the funding. Such moves will directly impact the Tube work force and their

jobs security and pensions. The workers also rejected the plans by TfL to force all underground workers to work night shifts.

On March 3, RMT general secretary Mick Lynch said that “the funding crisis at TfL which is at the heart of this dispute is not of our making and our members are not prepared to take a hammering to pay for it. This week we have seen workers fighting back across London against attacks on themselves and their colleagues from political machinations that are out of their control. They have sent out the clearest possible message that they expect the threats to jobs and pensions to be lifted and basic assurances to be given.”

According to reports, TfL has made plans to make fresh cuts worth £400 million (USD 533.52 million) on top of other cuts made earlier. The striking workers warned of further industrial actions if the TfL authorities and the London mayor refuse to give assurances on jobs, pensions and working conditions in the midst of a financial crisis. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER



SEVERE ECONOMIC CRISIS IN SRI LANKA

★ V ARUN KUMAR



Protests have erupted in Sri Lanka as country reels under severe economic crisis as prices of essential commodities and fuel are reaching sky high. The country is witnessing long queues at fuel stations and grocery shops, with the Gotabaya Rajapaksa government announcing deployment of military. According to reports more than three elderly people have dropped dead at fuel queues.

The current economic crisis has been fueled by rampant pursuit of neoliberal policies, along with severe repression of dissenting voices, and exacerbated by Coronavirus pandemic. Further the government had turned towards India and China for massive loans for its developmental projects making the country's economy highly debt ridden. The current financial crisis has led to critical shortfall of foreign currency, leaving traders unable to finance imports. The post war period in Sri Lanka witnessed a second wave of neoliberalism with the approval by the executive board of the International Monetary Fund (IMF) of US\$ 2.6 billion Stand-by Arrangement for Sri Lanka in 2009. This pushed the country's economy towards privatization and real estate and infrastructure development, requiring major flows of global finances and counted on returns from the tourism sector.

As the crisis deepens and unemployment rate reaching 5.2 %, many Sri Lankans attempted to venture into agriculture. But the lack of state support and sudden ban on importing of chemical fertilizers in 2021 broke the back of agricultural sector in the country. The state sponsored ambitious project of establishing 100 percent organic farming failed severely leaving millions of farmers with failed crops. The Sri Lanka government had to pay \$200 million in compensation to the farmers under the botched organic farming scheme.

Facing the biggest economic crisis in a decade, the Rajapaksa government is moving towards cutting down budget for social sector, which will further deteriorate the condition of millions of working-class Sri Lankans. The Rajapaksa government is now seeking a bailout from the International Monetary Fund (IMF), which says the government's foreign debt burden of \$51 billion is unsustainable.

With government approaching IMF, the international agency has called for urgent reforms to the island's economy. Such reforms will only exacerbate the current hardship faced by millions of Sri Lankans and further destroy the existing social security net for the people. ■

[CLICK HERE TO READ THIS ARTICLE IN BROWSER](#)



CONVERSATIONS FROM BHOIGUDA

UTTER VIOLATION OF SAFETY MEASURES AND DEATH OF 11 MIGRANT WORKERS

★ SAGRIKA RAJORA



Eleven migrant workers from Bihar were charred to death in a huge fire at a scrap godown in Bhoiguda, Hyderabad, on 23rd March. According to the Hyderabad Clues team, three reasons triggered the fire: a short circuit caused by poor wiring, a fire extinguisher falling on a trolley parked beside the spiral staircase, which went up in flames, and a gas leak. Whatever be the immediate reason for the fire, it would have been averted if safety measures were strictly put in place as per law. No one has been arrested so far despite a first information report registered under Section 304A (causing death by negligence) against the warehouse owner Sampath.

None of the safety precautions were in place as per applicable laws and the government machinery did not discharge its duty of ensuring

mandatory safety measures and of periodically inspecting such godowns and work places. It is obvious that negligence, lack of safety measures, gross violation of laws related to safety at work places and complete violation of implementation of provisions of Factories Act or Shops and Establishments Act are the reasons for the tragic incident in which eleven migrant workers lost their life.

One of the policemen guarding the location said the nameplate of the warehouse was immediately taken down and it was subsequently demolished. According to the police, Bharatiya Janata Party (BJP) Minister G. Kishan Reddy was visiting the site, which was heavily guarded by the police and inaccessible to the public.

The team that visited the site, including the author of this report, noticed the small spiral staircase leading to the small suffocating room on the first floor where the workers were sleeping when the fire broke out. There were no way workers could have escaped the fire but for the way of jumping from terrace to the ground by one worker risking his life. The warehouse, littered with fragments of glass, paper, metal and wood, indicated the dismal living conditions of the migrant workers.

The owner of Golden Cafe, situated at a distance from the warehouse, said “it was a scrap godown, not a timber depot” when asked how often such incidents occur, given that the area was dotted with timber depots. Another owner Lal alleged that similar fires had occurred in the warehouse, “no one had died”. Alleging negligence by Sampath, he said, “This was the fourth or fifth such accident in the last 10-15 years. But these people never learn.”

CLICK HERE TO READ THIS ARTICLE IN BROWSER





Urmila, who irons clothes at her shop situated near the warehouse, said she had heard “several rumors” about how accident occurred. It is rumored that a cigarette caused the fire, she said, adding that “migrant workers smoke a lot”. The other rumors she listed were that the fire was caused by a gas cylinder burst or a short circuit. Her mother, Mallamma, who used to iron the clothes of Sampath’s father, said that previous owners were poor and “worked hard to establish the warehouse”.

Both Urmila and Mallamma lamented the pathetic living conditions of workers. Urmila described how it was common for 10-20 migrant workers to live in small rooms with one washroom in their workplaces as they could not afford rented accommodations. Mallamma said such a devastating accident had not occurred in the area in years though “small fires break out once in a while”.

There is another reason why migrant workers are forced to stay in suffocating and dirty rooms in the area. “The residents are worried about the safety of their daughters. they don’t want to rent rooms to these workers,” said Bhikshapati, sitting with a group of men in the neighboring alley. He was disturbed by the accident and lamented the poor living condition of migrant workers.”

It is normal for migrant workers to stay in depots and godowns and work for nominal wages, according to Madan Lal, the owner of

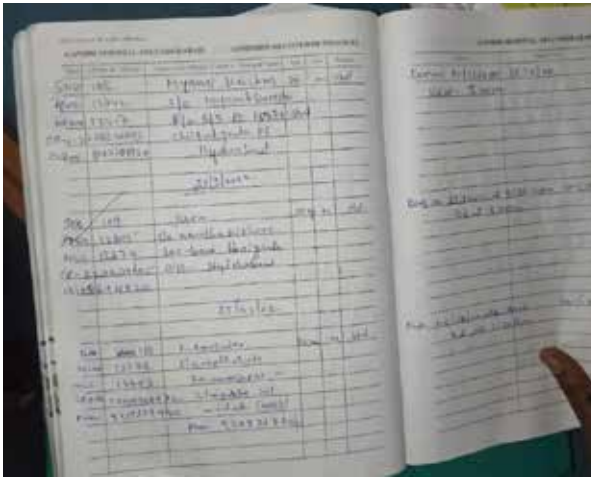
Vishwakarma and Himtaji industries. Lal said “The godown was built on leased land” he added that the owners of the godown “easily” pay about one lakh to the property owners. “The deceased workers ate and slept in the same room. The owners do not provide food to the workers. They have to walk to the local mandi and buy vegetables,” said Lal.

Expressing a strong dislike for Sampath, Lal said the workers didn’t return to their state even during the lockdown. “Migrant workers go home only once a year. Such rigid rules apply to workers hired by contractors.” Blaming Sampath for the accident, Lal alleged, “He is responsible for the tragedy. He is a notorious guy who considers the whole road as his property. He causes a lot of trouble in the area.”

The site has been barricaded because several MLAs and MPs from different parties, Telangana Rashtra Samithi, Bhartiya Janta Party and All India Majlis-e-Ittihadul Muslimeen, have been regularly visiting Bhoiguda. “This issue could be politicized. For property or for the elections. Anything is possible,” Lal said.

Lal explained the reason for so many timber factories in the area. “There are 26 factories in this location. Earlier, the timber depots were located in Raniganjh. After a major fire years





ago, the state government relocated the timber depots to Bhoiguda.”

The poor living conditions of the migrant workers was confirmed by Yash and his colleagues. Employed at P Balakrishnan Timber Depot, he had left his wife and children in Maharashtra to work in Hyderabad. He and the other workers in the depot, some of whom stay with their families, have been allotted small dingy rooms. Their kids play in the depot, amidst large machinery and thronged with sharp pieces of wood.

According to Lal and the workers, one Gopi is the union leader of the depot. However, Gopi chuckled when asked whether he represented the workers. “There is no union in Bhoiguda,” he said over the phone, adding that he was a “middleman who listens to the problems of the workers”.

The workers were stunned when they were told that Gopi was not their union leader. Sri, a young boy who supplies vegetables and works in the depot, said “Gopi is their union leader” as the workers agreed. He occasionally helps us, especially, when we are sick, they said. However, another worker disapprovingly pointed out that Gopi rarely addresses their issues. Sri quickly

agreed, “he does what the management says”.

When asked whether such accidents often occur in the area, one of the workers said that a “minor fire broke out behind the factory around two years ago”.

Gloria, who sells snacks, soft drinks and groceries at JMJ Store, located near the warehouse, expressed grief. “They [workers] were very young. Some of the deceased included children [of the age 19-20]. The workers would often work till 2 a.m. for extra wages. They would drink at times because of the work pressure. I feel terrible about how badly they were treated.”

One of the migrant workers survived the fire. Prem Kumar had jumped from the terrace before the fire engulfed the warehouse, around 3.50 a.m. Subsequently, he was admitted to Gandhi Hospital. A nurse said that Kumar was shifted to Apollo Hospital following the superintendent’s order. When asked for the reason he was shifted, the nurse shrugged “We don’t know. The police ordered for him to be shifted to the private hospital. He was eating well and talking. He was fine.”

The deaths reveal how migrant workers earn a precarious living in inhuman conditions. Left with no choice, the workers in the nearby depots in Bhoiguda have made peace with the situation.

A worker from Uttar Pradesh, hesitant to reveal his name said, “I am working in two different places. I work overtime to earn extra wages as well. I live so far away from my family without being able to see them from months only to ensure that my children study and live a better life. I earn a little despite the extra wages. I have to send some money home and save a little for me” showing his scarred hands he rhetorically asked “Do you think I can eat a little and work this hard? It is impossible. With this income how can I buy food that supports my health?” ■



All India Central Council of Trade Unions

Workers Resistance

Editorial Board

Editor

Shankar V

Assistant Editor

Sucheta De

Editorial Board

Rajiv Dimri

Clifton D' Rozario

Uday Bhat

Maitreyi Krishnan

V. Arun Kumar

Atanu Chakravarty

Saurabh Naruka

Radhika Krishnan

Poarkodi Natarajan

Correspondents

Abhishek

Desikan KG

Uday Kiran

NN Banerjee

Rambali Prasad

Web Management

VKS Gautam

Art, Design and Web

V. Arun Kumar

Published by

Rajiv Dimri, General Secretary

on behalf of

**All India Central Council of Trade Unions
(AICCTU)**

Head Office: U-90, Shakarpur, Delhi 110092.

Phone: +919205642035

Contact:

editor.workersresistance@gmail.com,

aicctu@gmail.com

