



# WORKERS RESISTANCE

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## Budget 2022-23 -

### AICCTU's response

*Nothing for the common people, just another way to dig deeper into the pockets of laypeople.*

*"Poison" for labourers-farmers, "Nectar" for corporates.*



**W**ith the Modi government's flashy words and misleading talks, central budget 2022-23 is another blow on the hardworking public of the country, facing drastic decline in economy due to unemployment, inflation and loss of income and wages during the corona pandemic. Instead of getting them out of this crisis and suffering, this budget has proven to dig deeper holes in their pockets. When the common people are actually being devastated in this "Vishkal", the Modi government is shamelessly calling it "Amrit Kaal" and mocking millions of victims. This budget must be "nectar" for corporate households and super-rich, for which corporate tax has been continuously reduced to a maximum of 15 percent. Meanwhile, the ongoing privatisation campaigns including railway privatisation has been accelerated. LIC has also been opened for corporate loot.

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The widespread sections of farmers-labourers' long-running demands and movements have been rejected in the budget. Frontline workers, including the most suffering unorganized sectors, migrant workers and Asha and other scheme workers' demands have also been completely ignored.

The Modi government, which started with the promise of providing two crore jobs every year, 8 years ago, has destroyed more than 20 crore jobs in the last few years. It is now talking

about giving only 60 lakh jobs through 'Gatishakti' scheme, and that too, we don't know till when. This budget, instead of being 'the dream of youth' is a nightmare for millions of unemployed young people. This budget is hardbound to mess with their future.

The promise of doubling the income of farmers in 2022 is far away, the matter of legal guarantee on MSP also is outside the horizon. In reality, the situation is just the opposite in the budget, the MSP has been weakened by reducing

the budget allocation.

'Vision budget for the next 25 years', as the Finance Minister addressed it, is about to increase inflation, unemployment, poverty and inequality. On the other hand, corporate loot of the nation's assets and resources is about to accelerate to plunder the country's economy.

The working class and the common people of the country will have to oppose this budget unequivocally. ■

## **All India Strike Action by the Working Class on 28-29 March 2022**

*The following statement was issued to the press by the joint platform of Central Trade Unions and Independent Sectoral Federations/Associations on 29th January 2022*

### **THE DATES FOR TWO DAYS COUNTRYWIDE STRIKE CHANGED**

**T**he online meeting of the Joint Platform of Central Trade Unions and Sectoral Federations/Associations held on 28.01.2022 has changed the dates for Two Days' Countrywide General Strike Against the Anti-worker, Anti-people, Anti-national Policies of the Government to 28-29 March, 2022 from the earlier dates of 23-24 February, 2022.

The meeting recalled the decision of the National Convention of Workers held on 11th November 2021 to organize two days countrywide General Strike during the Budget Session of Parliament in 2022 and accordingly the dates of the strike on 23-24 February 2022 were decided in the

joint meeting of the Platform held on 3rd December 2021.

The meeting noted that preparations for the strike have taken-off in several states and sectors, with joint state level conventions and even district level conventions having taken place in some states.

However, several states have also reported severe constraints placed on strike preparations



due to rising third wave of Omicron pandemic. Besides, several factors such as one phase of state assembly elections in UP falling on 23rd February, local body elections in Tamil Nādu, Odisha, West Bengal etc., close to 23-24 February were taken note of. Therefore, the Joint Platform of the CTUs and Sectoral Federations/ Associations have decided to defer the General Strike dates to 28-29 March, 2022, when the second phase of the Budget Session of Parliament will actually be in session.

The Joint Platform of CTUs calls upon the working people and their unions, irrespective of affiliations, to intensify the ongoing preparatory campaign and activities to make the Two Days Countrywide General Strike on 28-29 March

2022 a massive success to assert their pledge to Save the People and Save the Nation from the destructive, anti-national policy regime.

The Joint Platform also calls upon the workers and their trade unions in the election-bound states to vigorously campaign for defeating the BJP Government whose policies have forced the National Convention of Workers to give a call for two days countrywide strike.

*INTUC AITUC HMS CITU AIUTUC*

*TUCC SEWA AICCTU LPF UTUC*

*And Independent Sectoral Federations/ Associations ■*

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## ***e-SHRAM portal: Dismantling Workers' Welfare and Boards***

★ SHANKAR V

**I**n the early months of 2020, when the Modi government announced a national lockdown with no preparation whatsoever, thousands of migrant workers were forced to walk hundreds of kilometres to their homes in desperation. When the government was subsequently asked details of these workers, it claimed to have no information. The outrage generated by this callous response led the Modi government to announce the formation of the E-shram portal, officially a database of unorganised workers in India. It is however now clear that its setting up is an initial step towards dismantling all welfare boards, which is the objective of the Modi-led BJP government.

As of now, workers registered under e-shram can avail of schemes which award them Rs 2 lakhs in case of death or permanent disability and Rs 1 lakh in case of partial disability. As opposed to this reality, various kinds of blatant

lies about the portal have been spread by the representatives of the government and officials of the Labour Ministry. For instance, we have been told that the e-shram portal will 'offer employment opportunity', 'deliver everything under the sky if registered', and is 'an entry into Modi's dream world'. The e-shram portal is designed to give a patently false picture that it facilitates the implementation of various social security schemes - such as PDS (ration system) and Ayushman Bharat (health insurance) - that are already in force. It also tries to give the impression that it controls employment schemes such as MGNREGA (rural employment scheme) and PMEGP (for encouraging entrepreneurship).

The brochure issued by the Ministry of Labour and Employment has clearly revealed its real intentions. It clearly states that the e-shram portal will be a database of all unorganised

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workers, including construction workers, migrant workers, gig and platform workers, street vendors, domestic workers, agricultural workers, MGNREGA workers, ASHA workers, Anganwadi workers and Mid-day meal workers. Subsequently, it has expanded the list to cover unorganised workers of around 126 occupations (List of professions/ occupations covered | Ministry of Labour & Employment). Any other hitherto uncovered occupation within the unorganised sector is also included under the umbrella of the e-shram portal. What is interesting is that even the data currently available with existing labour welfare boards is being collected yet again, thus indicating the irrelevance of not only the data but also the boards.

Any unorganised worker, aged between 16 to 59, not entitled to ESI, PF or any government funded pension scheme is entitled to become a member of the e-shram portal. Any worker who is a home-based worker, self-employed or a wage worker in the unorganised sector can register. Unorganised sector worker is also interpreted as a worker in the 'organised sector' but not enjoying the facility of ESI, PF or pension. The definition of 'unorganised worker' in the portal itself makes it obvious that the employer is completely relieved of the responsibility of providing social security for their own workers, including contract workers, because the portal also says it functions under

the authority of the CLARA (Contract Labour Regulation and Abolition Act, 1970 and the new Codes). Unfortunately, the portal also keeps the option open to dissociate from such acts and rules conveniently anytime, by not directly claiming any link with the regulatory framework. The purpose is also made clear when the portal does not collect any information about the employer but only of workers. The database of workers itself suffers from several problems. The documents needed for registration are only Aadhaar number, mobile number linked with Aadhaar and savings bank account with IFSC code. Most of the unorganised workers do not have the same mobile number that they had linked with Aadhaar. This has become a major impediment in enrolment and the government is suggesting registration with biometrics, which also possibly changed over a period of time and has not been updated.

Secondly, the portal emphasises that social security schemes meant for unorganised workers, administered by Labour Ministry (MoLE) and subsequently by other ministries as well, will be integrated with e-shram portal. Thus, we now know that the e-shram portal will effectively be the only portal to disburse all social security benefits to unorganised workers, irrespective of whether an exclusive board exists for them or not. This effectively means that all other boards will be made irrelevant in this process. The brochure says that all social



security benefits will be delivered through this portal in future, including assistance during pandemics and natural disasters. While it does not explicitly mention that ruling parties could use this portal for delivering benefits during elections and reaping electoral benefits, we have evidence of this. There are speculations that the Yogi led UP government has already begun disbursement of Rs 500 through the portal. Interestingly, UP is one of the states that tops the list of highest enrolments in the portal.

Thirdly, neither the welfare schemes and boards nor the Social Security Code mentions clearly about the fate of the crores and crores of funds lying with various welfare boards. It is amply clear that e-shram portal can also lead to total loot of all the money lying with various boards. Apprehensions are that even funds to the tune of lakhs and lakhs of crores lying with ESI and PF also may not be spared in due course. It is another matter that the government is now planning to use the rationale of 'fund management' to hand over public money deposited with boards to private insurance companies.

Another major issue is that the e-shram may also be a route to downsize benefits being offered by various boards. We are well aware that all benefits disbursed under Beedi Workers Welfare Act, one of the better Acts with relatively better schemes including housing, have already been suspended for the last four years under the Modi regime. Funds with the Construction Workers Welfare Board are being squandered away; these funds are being diverted to various other political purposes of the ruling party in power in the state. In Karnataka, it is alleged that all labour department officials have been presented with an Innova car by the state Labour Commissioner. This was facilitated by swindling crores of the funds under the Construction Labour Welfare Board. Yet another example is the reduction in collection of cess, through new regulations wherein buildings worth 50 lakhs or less are exempted from paying any cess.

The new concept of social security advocated

by the SSS Code is relieving employers and the government of any responsibility for health insurance (ESI), retirement benefits (PF), gratuity, housing and education of children. Welfare boards, according to the new Codes, are nothing more than mediators between insurance companies and unorganised workers. An unorganised worker can get benefits directly proportional to the amount they are willing to part with as premium to insurance schemes they opt for. Hence, the responsibility for social security benefits is effectively being shifted onto the shoulders of workers from the employers and the government. The e-shram portal is only a first step in that direction.

While the politics of the e-shram portal is now clear, it is not advisable to stop workers from getting whatever meagre and petty benefits they can secure from the government - whether from the e-shram portal or from any welfare board. In many states, we have our work among sections of unorganized workers which do not enjoy any benefits provided by welfare boards. In case of such sections of workers, we should definitely help them to enrol in the e-shram portal. But, this cannot deter us from our critique of the state and the employer shedding their responsibility of providing social security. If the e-shram portal emerges as an additional portal to disburse additional benefits directly to workers, there is no quarrel over it, but certainly not at the cost of existing boards, schemes and benefits.

The consistent demand of workers and all trade unions is to make social security a responsibility of the employers and the state. Social security is not a charity but a recognition of the toil and sweat and the many hours that workers sacrifice for the company, the state and society. Another vital demand is to preserve existing benefits and expand them to all workers, so that all welfare issues, including issues of health, education, provident fund, gratuity, pension, retirement benefits and housing, are covered by social security schemes. ■

## e-Shram Portal

More than 22.83 crores out of a total of 38 crores, around 60 per cent of unorganised workers, are already registered in the portal as on 18 Jan 2022.

Around 15-20 lakh workers register almost every day.

UP, West Bengal, Bihar, Odisha and Madhya Pradesh are the top 5 states in enrolment. Jharkhand comes as immediate next, competing with MP. It appears that the states with maximum migrant workers have enrolled in large numbers. The fact that more than 3.5 crores of workers from UP self-enrolled themselves is an obvious example.



Almost 8 crores of workers are registered from UP. This is more than the estimated total eligible unorganised workforce in the state, and points to the possible political manipulation of the portal with the upcoming elections in mind.

People employed in agriculture, domestic and household work, construction and garments top the list of occupations covered in the portal. According to the portal, 11.5 crores of people are engaged in agriculture, 2.46 crores of workers are engaged in domestic and household work, 2.2 crores are engaged in construction work and another 1.5 crores are engaged in the garments and apparel sector.

More than 52.7 per cent of registered workers are women. Men lag behind by 5 percent.

More than 61.87 per cent registered are from the age category of 18-40 while 21.93 per cent are in 40-50 years category. Another 13.22 per cent of those registered are aged above 50 years.

In terms of caste, OBCs top the registrations with 45.64%, followed by SC-STs at 28.7% and the general category at 25.79%.

Interestingly, more than 8 crores of registrations are self-registrations, which is higher than those registered through State Seva Kendras (around 23 lakhs). CSCs (Common Service Centres) have taken the lead by enrolling more than 14.4 crores.

### List of Occupations Covered

[List of professions/ occupations covered | Ministry of Labour & Employment](#)

### Social Security Schemes

<https://eshram.gov.in/social-security-welfare-schemes>

### Employment Schemes

<https://eshram.gov.in/employment-schemes>



## ***AICCTU Extends Solidarity to the Ongoing Protest by the AP State Government employees***



***Resist the regressive PRC (Pay Revision Commission) announced by the Jagan-led AP State Government.***

*New Delhi, 3rd Feb 2022*

**T**he All India Central Council of Trade Unions (AICCTU) extends solidarity to the ongoing unprecedented, massive protest action by the state government employees of Andhra Pradesh against the regressive PRC announced by the state government. The NGO's (Non-Gazetted Officers), teachers and employees of all government departments are fighting for the repeal of the GOs released by the Andhra Pradesh state government which is nothing but a cruel pay cut. The government announced

23% fitment, cancellation of the existing state PRC, aligning with the central PRC and also a Contributory New Pension scheme.

The Andhra Pradesh state government has announced a regressive PRC which is less than the Interim relief of 27% announced in 2019. The Dearness Allowance that was supposed to have been hiked every six months is already delayed for the past 5 terms (I.e two and half years) and the percentage of DA has been cut down from more than 30% of basic pay to below 10%. The HRA has been cut down from 30% to 8%, 12% and 20% of basic pay in urban, semi urban and rural areas respectively. Now, the state government has announced a PRC by adding the delayed DA's for the past five terms



to the basic pay in order to cunningly show it as a pay hike. This move of the state government is to drastically cut down the existing salary significantly and to deceive and deny the employees of any real pay hike frustrating the expectations of improvement in their salary to mitigate the sufferings induced by the Covid.

Now, with the announcement of 23% fitment, the state govt employees are about to lose 4% of the already announced interim relief of 27% in 2019. Worse still is that the difference in fitment is also to be recovered from the pay announced now which is nothing but the actual and rightful DA of employees that was denied for the past five terms. This is absolutely a cruel and cunning tactic on the part of the Jagan-led state government.

As far as wages are concerned, it is only the govt employees who are receiving the pay at the minimum standards decided by the pro corporate governments. All other employees/workers in various other sectors are receiving a pay even at a much lower level which is far below the standards set for leading a decent life of the family of an employee. Now, the system for pay revision is being adversely changed against the employees. Ever rising Inflation is making the prices dearer day by day. In such a situation, the employees have no other option but to take to the streets demanding implementation of the PRC recommended by the Asuthosh Mishra Commission. Unfortunately, the Jagan government has kept the commission's report a secret and one sidedly announced the regressive PRC which is far below the recommendations made by the commission. This is nothing but denial of wages and denial of any democracy in employee relations.

The AP govt follows the PRC guidelines that is appointed every five years so far. Now, with the announcement of the GOs, the existing PRC system is cancelled in the state and the pay revision is aligned with central PRC that will be commissioned every 10 years. Clearly, the State govt is evading from its responsibility.

A new, contributory, pension scheme is

being introduced in recent years by the union government. Moreover, the hard-earned Provident Fund accrued for decades in each employees' account is being invested in share market and thus an element of vulnerability and uncertainty is introduced in PF savings. The government is not willing to provide any guarantee and the employees and their funds are thrown open to the vagaries of the market. Corporate companies and the rich are being fed by the sweat and toil of the poor employees. They are allowed to loot the coffers of the PF. This is an obvious case of handing over the employees' hard earned money to the hands of the private corporates. The government has absolutely no right to play any gamble with the employees hard earned money and their lives and livelihood. The NGO's of AP are also demanding scrapping of NPS which is contributory in nature and are demanding restoration of Old Pension Scheme (OPS).

Such demands are on debate for more than a month now and the protest action now is being resorted to after a series of consultation process. Now, on 3rd February, tens of thousands of employees are on the streets demanding justice.

*AICCTU supports the demands of employees and extends solidarity to the movement of the teachers, NGO's and the employees of different sectors of the Andhra Pradesh state government.*

*AICCTU demands Jagan led Andhra state government to scrap GOs associated with drastic reduction in pay and allowances and to restore existing PRC and OPS.*

*AICCTU demands bringing in Ashutosh Mishra Commission Report to the public domain.*

Long Live workers Unity! ■



# Mining Accident at Nirsa, Dhanbad



**N**irsa, the coal capital of Dhanbad, bore witness to the deaths of a dozen women and men on 1st February, 2022, in a mining accident. CPI-ML General Secretary comrade Dipankar Bhattacharya, the state secretary Com. Manoj Bhakt and MCC (Marxist Coordination Committee) ex MLA Arup Chatterjee, visited the accident site of collieries at Nirsa on 3rd February along with several activists.

They collected accounts of the accident and associated developments. They also visited injured people in the hospital. Com. Dipankar Bhattacharya said that coal mining is the biggest sector in Jharkhand. But, privatization of public sector by the union government and the unjustified system of large-scale outsourcing has resulted in continuation of mining of coal in the closed and abandoned collieries and has turned the parallel, irregular or unsafe operations into a sector in itself. Calling such mining operations as “illegal” only helps the police and administration to terrorise the people, workers and the families involved. It is not justified to call them illegal but for calling them as “Unsafe Mines”. No one else but the union and the state governments are responsible for this. The “Unsafe” mining is going on unabated in connivance with the nexus of police, coal mine administrations and politicians and thus making it no more “illegal”.

As it is happening unabated, year-long and in such a large scale and for decades together, \*it is better to regularise such unsafe mines and the union government should be held responsible for such unsafe mines and their operations. It is better to streamline such parallel mining operations so as to streamline them and to

provide safety and security to the workforce involved.\* Bringing such mining operations under Coal India can help in streamlining the sector. He also said that the union government should be held responsible for all mining accidents, disasters and other issues in whatever category the mines belong to.

Comrade Dipankar Bhattacharya pointed out the paradox that officials denied any accident and death while accidents and deaths are the hard reality that keeps recurring and are an irrefutable fact. He demanded that the government and the higher officials of the Coal India should investigate the accident by instituting a high-level inquiry and to take action against the guilty responsible for the unfortunate incident. He also demanded a compensation of Rs 15 lakh each to the workers killed in the accident and also demanded providing better and free treatment to the injured people and sufficient compensation to them. He said that proper treatment arrangements should be made immediately. *AICCTU demands that the Modi-led BJP government should -*

- *Recognise and streamline the unsafe mining operations!*
- *Bring them under Coal India, streamline their operations and make them safer!*
- *Own up responsibility for the disaster and other safety issues of the workforce involved*
- *Pay Rs 15 lakhs as compensation for the loss of lives and Rs 5 lakhs to the injured!*

Comrades Agam Ram, Kartik Dutta of the MCC, Ramashray Singh of DVC Rehabilitation Movement, Kartik Prasad, the district secretary of the CPIML Liberation, State Committee members Puran Mahto and also dozens of activists including Pawan Mahto, Nagendra Kumar, Krishna Singh, Nakuldev Singh, Manoranjan Malik, Harendra Singh, Shriram Vishwakarma, Ganesh Mahto joined the investigation. ■





## ITI Workers' Struggle Continues

★ MAITREYI KRISHNAN

**T**he struggle of ITI Workers in Bengaluru who were refused employment on 1 December 2021 has entered into its 50th day. These workers who have worked with ITI Ltd. for long periods ranging from 3 to 35 years were refused employment for the sole reason that they unionized and sought their legitimate rights. Despite working for such long periods, these workers who are predominately women and Dalit workers, are termed contract workers and denied their rights.

The struggle of the ITI workers is setting an example for working class struggles against the slavery of workers through the contract labour system being perpetuated by the Government. The struggle has received support from workers across industries,

who despite working for decades have been deprived of their rights through the use of the baneful contract labour system – the hospital workers of Victoria Hospital and NIMHANS, “contract” workers of HAL, among others. Sanitation workers in Bengaluru, who fought against and defeated the contractor mafia to be recognized as employees under the direct payment system, are not only a source of great support, but also of inspiration to these workers. The struggle has received support from various unions including the Domestic Worker Union, womens’ organizations including Gamana Mahila Sangha, Mahila Dourjanya Virodhi Vokkutta (a coalition of womens’ organizations), organizations working in slums including Slum Janara Sanghatane, Mahila Slum

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Janara Sanghathane, Dalit Organizations and Student organizations, among others.

The struggle of ITI workers has also received support from across the country. An online campaign organised for their support began with an online protest on 2 January 2022. AICCTU units across the country held protests in support of the workers - across Karnataka, West Bengal, Tamil Nadu, Andhra Pradesh, Uttar Pradesh, Orissa, Uttarakhand, Jharkhand, Bihar and Delhi. Messages of solidarity with ITI workers were sent from students, army veterans and peoples' movements.

This was followed by a Twitter Storm on 4 January 2022. The campaign used the hashtag #Justice4ITIWorkers highlighting the struggles of the ITI Workers. The online campaign witnessed participation of a large number of members of peoples' movements and civil society, who univocally demanded that ITI Ltd should end its anti-labour activities and reinstate all workers. The campaign also garnered global solidarity, with trade unions from Greece, Maldives, Bangladesh, Morocco, Palestine and many European countries expressing their support to the struggle of ITI workers.

The ITI workers struggle has also seen the coming together of class solidarity against communalism and patriarchy. On 29 December 2021, the ITI workers observed Vishwamanava Dhina (Day of the Universal Citizen) on the occasion of the birth anniversary of the poet Kuvempu. Writer and activist Dr. Du Saraswathi and activist Dr. Manjunath spoke of the values of Kuvempu, especially in light of increasing communalization in today's times. The workers vowed to fight against communalization and to stand together in class solidarity. The words of Bhagat Singh rang strong - "class consciousness is the main tool which can help in preventing riots".

On 3 January 2022, the struggle brought

in the new year by remembering Savitribai Phule and Fatima Sheikh, the first women teachers in modern India. Discussions took place on how patriarchy could be addressed, at home, in the workplace and in the public and political sphere. Dr L. Hanumanthaiah, Rajya Sabha MP visited the protest site and assured the workers of his support. He has also written to the Minister of Labour and Minister of Communication seeking intervention.

On 14 January 2022, social activist Medha Patkar visited the protest site and expressed her strong solidarity with the struggle. Speaking of the fundamental right to unionize, she said that the National Alliance of People's Movements fully supports the ITI workers' struggle and will launch agitations in various parts of the country in support.

The issue of ITI workers has also been raised in the Parliamentary Standing Committee for Public Sector Undertakings and a response has been sought for from the Ministry of Telecommunications, Government of India. The Central Chief Labour Commissioner, New Delhi has taken cognizance of this issue, and organised a meeting between the Union and ITI management on 7 January 2022.

The struggle of the ITI workers is not merely about these 80 workers, but poses a strong challenge to the current dispensation that believes that workers are dispensable. Workers are the producers of wealth and they are entitled to be treated as such. The ITI Workers are determined to continue their struggle against the illegalities of the Management of ITI and a clear message is sent out against the baneful and highly unjust practice of "contract labour". ■





# ***India Among Most Unequal Countries in the World***

★ SAURABH NARUKA

## **The World Inequality Report**

**T**he World Inequality Report (WIR) 2022, coordinated by Lucas Chancel, Thomas Piketty and others, and published by the World Inequality Lab, holds up an important mirror to the world. It shows the deeply unequal times that we are living through.

Examining vast amounts of data from multiple countries and over a long period of time, the report traces the rise of inequality

through different phases of policy making. It demonstrates the role of multiple factors and processes, viz., neo-liberalism, state withdrawal from resource redistribution, deregulation, in widening global inequalities.

The report says that the bottom 50% of the world's population has a share of 2% in total global wealth, while the richest 10% have 76% share of the global wealth. These levels of inequality match the early 20th century levels when the Western countries

had colonies all over the world.

## **The Billionaires and the Rest of India**

India, according to the WIR, is ‘poor and very unequal country, with an affluent elite’. As of 2021, the richest 10% holds 57% of the total national income - 22% being held by the top 1% - while the bottom 50% owns merely 13%. India also shows a dismal gender disparity in wages. The total wage earned by the women in the country is only 18% of the salary earned by the men. This is significantly lower than the average in Asia.

This report draws upon the income ratio between the richest 10% of the population and the poorest 50% to show that the wealth owned by the wealthiest 10% is 22 times that of the wealth possessed by the poorest 50% of the population. The situation of inequality in India is higher than other South Asian countries. In European countries like Germany, France, Denmark and the UK, this ratio is between 7 to 10, while for the US, this ratio is 17.

The report also looks at the genealogy of income inequality in India. Income inequality was very high under British colonial rule (1858-1947). After independence, the state-controlled planned economy reduced inequality, when the share of the wealthiest 10% came down to 35-40%. But this trend has got reversed since the 1980s, with the advent of economic deregulation.

This study also busts the myth of an expanding middle class in New India. The average per household wealth occupied by this class is INR 7.23 Lakh. The average wealth per household owned by top 10% and 1% respectively is INR 63.54 Lakh and INR 3.24 crore.

## **The Oxfam Report**

The Oxfam Report, released in 2021 also reveals a similar pattern. The report makes some startling revelations.

The money earned by the wealthiest person in India during the pandemic was sufficient to keep the 40 crore informal workers at the risk of slipping into poverty due to COVID-19, above the poverty line for at least five months.

The increase in the wealth of the top 11 billionaires of India during the pandemic was sufficient to sustain the National Rural Employment Guarantee Scheme for ten years, or the health ministry for ten years.

It would take 941 years for a minimum wage worker in rural India to earn what the top paid executive at a leading Indian garment company earns in a year.

## **An Absent Political Will**

Since the 1991 liberalization of the economy, the state has been systematically withdrawn from economic regulation, and the country's resources have been steadily handed over to private companies. This has led to the pauperization of the masses and concentrated skyrocketing wealth in the hands of few individuals.

Labour rights have been systematically diluted, with lesser bargaining power for workers and more powers to the owners. The erasing of the existing (forty-four) labour laws and the framing of four new labour codes, is the latest severe blow on the rights of workers.

The question of redistribution must become a central question in policies and a critical appraisal of the policies of deregulation and rampant privatization is the need of the hour. At a global level as well, a political will is needed to challenge the path so far taken. ■



## AICCTU - CITU

# Jointly Declared an Indefinite Strike of ASHAs in Bihar

★ SHASHI YADAV

**T**he Bihar Rajya ASHA Karyakarta Sangh (affiliated to AICCTU) and Maha sangh (Gope Gut) and ASHA Sangharsh Samiti (affiliated to CITU), jointly under the banner of ASHA Samyukt Sangharsh Manch, have declared indefinite strike of ASHA workers in Bihar from 17th February 2022.

Shashi Yadav (AICCTU) and Vishwanath Singh (CITU), leaders of two major unions, declared strike on 18th January 2022 in Patna. They say that workers are preparing to go on strike against constant denial of their rights and non-fulfillment of demands by the state government as agreed earlier with ASHA workers. The ASHA workers are working relentlessly even during the

third wave, but their rights are being constantly denied.

ASHA workers are demanding that the term 'incentive' meant for payment to ASHA workers must be changed to 'wages' or at least, to 'honorarium' in terms of its name as well as its content. They are also demanding that monthly wages/honorarium should be increased to ten thousand rupees from the present one thousand rupees. ASHAs have still not been paid their dues since 2019 and they are demanding immediate payment of the same. Another major demand is the payment of ten thousand rupees as corona allowance to ASHAs and facilitators. The Bihar state government has still not fulfilled 10 demands that they agreed through an agreement

with ASHA workers in 2019. This issue is also being raised by the ASHA workers through their strike.

The ASHA unions called it as a 'betrayal' by the JDU-BJP led Bihar state government. The ASHA workers of Bihar are being made to work without payment. They are playing a very crucial role in fighting the corona pandemic. They are risking their lives by being on duty when the infection is at its peak. Yet, the government is denying to treat them with dignity and pay them their due wages. The ASHA workers are also determined to observe the national call for Strike by the central trade unions on 23rd and 24th February 2022 with full vigour. ■





# ***Railway Accident in North Bengal: Profit Gets Precedence Over Safety***

★ NN BANERJEE



**O**n 13th January 2022 at around 5P.M, the Bikaner Express, running from Bikaner to Guwahati via Patna, derailed between the New Domohani and New Maynaguri stations in North Bengal, killing 9 passengers and injuring 40 which include critically wounded passengers. The gruesome pictures of 12 mangled coaches mounting on top of each other indicate complete failure of safety ecosystem in railways.

The fatal accident took place in the jurisdiction of Alipurduar division of North-east Frontier Railway where a new double line was very recently laid in order to facilitate the movement of freight traffic as well as passenger services, keeping in view the Tea, Oil and Coal industries in upper Assam. The needle of suspicion points to the track geometry of new track laid in 2019. However, there was much debate and discussion in the media to locate the cause of derailment. It does not stand to reason to make the driver of the train as a scapegoat with allegation of criminal offences, suppressing the root cause of poor maintenance of track and locomotive, due to perennial shortage of staff. Huge vacancies in the category of ALP (Assistant Loco Pilot), Technicians and Trackmen, to the tune of

approx. 30,000, exist in N.F. Railway only, putting not only extra load on workers but also compromising standard safety norms of maintenance schedule. Modi Government is bent upon corporatising the railways and handing over the profitable sections to the corporates. All powers are centralised in the PMO/NITI AYOJ and the Railway Ministry has hardly any independent role in allocating necessary fund for the upkeep of the unprofitable railway zone. Here, profit gets precedence over safety, that is opposed to the concept of operating Mass Transport System on a no profit-no loss basis which is very much an integral part of social obligations of the government. Moreover, this government is very much reluctant to fully implement the recommendations and practical suggestions of the High Level Railway Safety Review Committee headed by Dr. Anil Kakodkar. According to this committee's report, old ICF Coaches which are accident prone are to be replaced by the new LHB coaches of German technology now transferred to Kapurthala Coach Factory. The 12 coaches involved in the accident happened to be that of ICF's poorly maintained old coaches, having no anti-climbing features resulting in coaches mounting on top of each other.

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The railway minister was deputed by the Prime minister to conduct an enquiry, on the spot, into the causes of the accident. He rushed to the spot on the next day and pinpointed the equipment failure of the engine as a prima-facie cause for derailment whereas the driver disputed and said that the defect lies in the track, not in the engine, as alleged. The traction Motors that were seen hanging were supposed to be the repercussion of the derailment, caused by the defective track parameters, as opined by the locomotive engineers of Chittaranjan Locomotive Works where the WAP 4 engine was manufactured. Therefore, it is established beyond doubt that rail fracture or weld failure to be the primary cause for derailment and consequently dislodging the traction motor fitted undercarriage, only as an after effect. It is now abundantly clear that due to shortage of staff, winter patrolling and USFD (Ultrasound Flaw Detection) testing to detect rail/weld failure (fracture) had been highly irregular in that section of the NF railway. Moreover, laymen and unskilled cheap labourers were engaged by contractors for such a work of immense safety. Around a lakh of safety related posts, including Trackmen posts, are still lying vacant in railways. Many a safety posts have been outsourced to outside agencies having no knowledge of any

safe working conditions in railways.

The North East region is being propped up by the BJP/RSS as an hinterland for unhindered entry of the corporate capital and corporate honchos like Tata Projects Ltd, L&T, KEC International, etc., bagged lucrative contracts. A huge amount of fund was allocated for several railway projects in that region. A double line was laid in 2019 in the section on the newly constructed Up line at Domohani in Alipurduar Division where the accident took place. The electrification Project for a total distance of 649 route KM (RKM), from Katihar to Guwahati, the gateway to the North East region was completed in 2021. It was done in a hurry to win elections in various states in the region and consequently, corresponding infrastructure for the maintenance of electric locomotives was not completed. Only a make-shift arrangement was made in the already existing Diesel Shed. In the event of non-functioning of any locomotive, it could have very well been attended and rectified, had there been a full-fledged electric locomotive maintenance shed.

With the abolition of an exclusive budget for railways, every financial aspect and fund allocation for railways is being monitored only by the General Budget mechanism and the provision of funds for railways is vetted by the PMO and the

NITI Aayog. Therefore, the fund for railways is allocated on the basis of political considerations alone sans the legitimate requirements of the sector. Thus, such a poor fund allocation for railway maintenance and safety is bound to make the railway journey much more hazardous in the days to come.

The fatal accident points to the inherent weaknesses and imbalances in the system generated by the macro policies being pursued by the Railway Ministry from time to time. The Modi led BJP government cannot disown the responsibility for jeopardizing the lives of millions of rail-users, particularly the low paid workers, who are constrained to travel extensively across the country to earn their bread and butter. In the abovesaid accident too, 70% of victims belong to the category of low paid workers. Only by ending the cruel corporate loot being resorted to in the form of mega contracts, outsourcing and contractorization, only by providing adequate investment for building and strengthening safety infrastructure, only by filling up more than a lakh of safety related posts that are lying vacant, one can think of saving the most important public transport system like Indian Railways from an imminent collapse and certainly not through privatisation and corporatisation. ■

# Weakening the Rights of Working Journalists Under the Labour Codes

★ AVANI CHOKSHI

Over the last several years, there has been a steep decline in the security of tenure of working journalists in India. The large number of journalists getting retrenched by major newspaper managements have been widely reported. In an important report on attacks on journalists during 2014-19, it was noticed that “With the increasing corporatisation of the media, journalists on the frontlines of newsgathering are dogged by acute and increasing precarity, i.e. lack of job-security and increasing job losses. There has been almost a wholesale contractualisation and casualisation of journalistic work over the past two decades.”

This goes hand-in-hand with the fact that it has become dangerous to reject the official narrative of incidents, which is what free journalism often must entail. The repercussions for independent journalism in our country range from physical attacks to criminal action under sedition laws. For our purposes, one of the important repercussions of the erosion of press freedom, together with the corporatization of media, is the victimisation of journalists who speak out. Just remember senior journalist Rajdeep Sardesai with India Today, whose pay for an entire

month was docked, while also being taken off air, due to a so-called “incorrect” tweet on Twitter and announcement on TV regarding the death of a farmer.

The role of independent media in a democracy cannot be understated. The media enables the often-unheard twin of the fundamental right to Freedom of Speech and Expression, which is the right of the public to know and to be informed. This is crucially required, to enable the public participation in a democracy. In fact, the Supreme Court of India in *Express Newspapers (Pvt) Ltd. v. Union of India* [(1959) SCR 12] wrote that “Working journalists are but the vocal organs and the necessary agencies for the exercise of the right of free speech and expression..”.

While the amelioration of conditions of journalists is no doubt important per se, it is this context that gives a deeper significance to the protection of labour rights of working journalists. It may not be wrong to say that diluting the rights of journalists today will enable victimisation, and will effectively contribute to controlled and censored media narrative as journalists are fired for speaking out, or perhaps even more dangerously, will

push towards self-censorship.

The rights of working journalists trace to the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, which is now to be repealed by the Occupational Safety, Health and Working Conditions Code, 2020 [‘the OSH Code’]. The OSH Code is one of 4 Labour Codes being sought to be brought in by the Central Government in the interest of ‘ease of doing business’, which collectively repeal 44 existing enactments. The Codes are far from benign; they remove significant protections of workers across the board in the name of streamlining.

Insofar as working journalists are concerned, the Labour Codes maintain only a few of their specific existing protections while largely clubbing journalists under the ambit of “worker”, in a manner that will reduce statutory entitlements.

One of the important provisions that continues to exist is the limitation of working hours of journalists to 144 hours in 4 weeks, or effectively 6 hours a day in a 6-day working week. Moreover, mandates for paid leave are retained. The Codes

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also expand the definition of ‘working journalists’ to cover electronic/digital media.

Regrettably, if predictably, the Codes otherwise are adverse to the interests of journalists in a number of ways. Firstly, the prerequisites of retrenchment under the Industrial Disputes Act, 1947, which applies to industrial workers, are prior one months’ notice (or payment in lieu of notice for the period), retrenchment compensation and notice upon the Government. The 1955 Act extended these prerequisites to working journalists, while modifying the notice period to six months in the case of an editor and three months in the case of any other working journalist. However, this modification is done away with and working journalists are clubbed with industrial workers in the Code. This means that working journalists would only be entitled to one months’ notice in establishment with upto 300 workers or 3 months’ notice in establishments with 300+ workers. There is no special provision for editors.

Secondly, journalists employed mainly in a supervisory position are now wholly excluded from entitlements as workers under the OSH Code. Previously, the 1955 Act only excluded workers employed in supervisory capacity if he performed functions mainly of managerial nature.

Thirdly, the mandate for a

wage board that would fix and revise rates of wages for working journalists under the Act is done away with. The wages fixed by the Wage Boards were not analogous to minimum wages, but were decided while considering “cost of living, the prevalent rates of wages for comparable employment, the circumstances relating to the newspaper industry in different regions of the country”

etc. Now, there will be no wage board, and journalists are treated as other workers entitled in law only to minimum wages. Therefore, even a profitable corporate media conglomeration would be statutorily mandated to only pay minimum wages.

Fourthly, a consequence of the removal of the Wage Boards is the deletion of an important protection in the 1955 Act. This was a protection against dismissal, discharge or retrenchment due to the Managements liability to pay wages at the rate specified by the wage board. Now, there is not even a mandate to pay rates higher than minimum wages.

Fifthly, a provision of the 1955 Act, enabling the working journalist to apply to the government for recovery of the money due under the Act, has been deleted and replaced with the standard recovery proceedings applicable for industrial workers. Those recovery proceedings pertain only to money due under a

settlement or an award or under the provisions of Chapters of the IR Code pertaining to layoff, retrenchment, closure etc. So, non-payment of wages is no longer recoverable through the government, but would be recoverable as non-payment of wages under Wage Code.

Sixthly, the 1955 Act mandated provision of gratuity amount to all working journalists regardless of the size of the establishment, though the gratuity amount would be less in case of establishments with 6 or fewer employees. Now, the gratuity amount would be limited in the SS Code to establishments with ten or more workers. Journalists working in smaller establishments would have no statutory entitlement to gratuity.

As recently as 2014, a Full Bench of the Supreme Court in *ABP Pvt. Ltd. v. Union of India* [AIR 2014 SC 1228] rejected the constitutional challenge to the validity of the 1955 Act where it was argued that with the passage of time, the Act had become obsolete. It must be acknowledged that the repercussions of the dilution of rights of journalists will be substantial. This will not only affect journalists in their individual capacity but, on a larger scale, will be used as part of the capitalist model of growing economic precarity that may have unexpected implications on the right to know of the public. ■

# Crisis in Jute Industry Looms Large

★ NABENDU DASGUPTA



**J**ute Industry is again hogging the limelight in West Bengal, albeit, for all the wrong reasons. Despite a bumper crop of raw jute, the owners of jute mills are closing down mills one after another on the plea of a raw jute crisis. At a time when the third wave of COVID is ravaging the state in particular, more than 12 jute mills have shut down their operations, rendering thousands and thousands of workers jobless. Many more are operating with shorter and fewer shifts and reduced workforce.

The Jute Corporation of India (JCI), under the Ministry of Textiles, asked the jute industry to supply a huge amount of jute bags for packing paddy, wheat and sugar in due time, failing which, they were told that the existing 'Mandatory packaging Act of Jute Materials' would be diluted, giving way for synthetic packaging of these essential commodities. Whopping dues of PF-ESI-Gratuity default has already been plaguing this

industry for the last couple of decades. At present, apart from a dearth of raw jute, scarcity of skilled workers has become an added problem because unattractive and very low wages is repulsing new workforce from joining this industry. A leading newspaper of the state carried a news item, with the title, "plenty of work in the Jute mills, but dearth of workers", in which this problem was highlighted.

The JCI declared and fixed the price of raw jute at Rs 6,500 per quintal. But according to the India Jute Mills Association (IJMA), the price of raw jute in the open market is Rs 7,500. The jute owners allege, hoarding of raw jute, artificial scarcity has a telling effect on the price of raw jute and it is beyond the capacity of jute mill owners to continue the production. In a written submission to the union government, IJMA appealed to policymakers to increase the price of raw jute, which was turned down

by the government. All trade unions operating in jute mills have been continuously demanding that the state government should initiate a 'de-hoarding' drive and seize all raw jute held illegally with active co-operation from the JCI. Though some steps were taken to unearth such hoardings, it has failed to stem the rot. The fact is that many jute mill owners are also jute traders simultaneously and to extract a huge profit within a short period, they resort to all sorts of unscrupulous activities. Hoarding raw jute and extracting surplus premium is an age-old practice.

Engaging temporary and contract workers in perennial jobs sans PF-ESI and other statutory benefits, and dismissing workers summarily at the drop of a hat has become a major trend in this industry. Number of permanent workers is fast dwindling. Total anarchy in production process and medieval production relations has become a constant source of industrial unrest in this labour-intensive industry.

Trade unions have prepared a charter of demands to be placed before the IJMA and the state government and are planning to organise protest movements amid COVID restrictions. Preparations are on towards major struggles. ■

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# ***“Namma” Metro- A Project Built Upon the Illegal Wage Theft of Migrant Workers***

★ ARINDAM ROY



## **Open configuration options**

**B**engaluru Metro Rail Corporation Limited (BMRCL), a joint venture of Government of India and the State Government of Karnataka, is the agency for building, operating and expanding the “Namma Metro” (“Our Metro” in Kannada) network. The BMRCL started constructing Bangalore Metro Rail in April 2015 and after completion of first phase it had planned for the second phase, there are 6 routes that are being constructed with huge investments from foreign banks. Although there is no source which gives aggregated information regarding the total percentage of foreign bank investments in Bengaluru metro, some instances regarding this is as follows. A 2013 figure says Japan International Cooperation Agency (JICA) was funding 45% of the budget. To implement the almost 23 km long Gottigere to Nagavara reach (Line - 6), BMRCL got a loan from European Investment Bank (EIB) which approved a multi tranche loan of Euro 500 million and Asian Infrastructure Investment Bank (AIIB) approved a loan of USD 335 million. That is 52% from foreign banks out of the total

budget of USD 1,785.00 million for this line. In 2021, BMRCL secured a \$318 million loan from JICA, and a \$500 million loan from the Asian Development Bank (ADB) to fund construction of the Outer Ring Road- Airport metro. The State and Union governments will contribute US\$530 million, and the Karnataka Government will pay an additional US\$370 million for land acquisition. That is, 47% of the budget is coming from foreign banks for this line.

With an objective to understand the conditions of the workers constructing this heavily foreign funded project, AICCTU started visiting the worker camps and interacting with them in the construction sites. We will point out some important insights and conversations that came out of these visits.

By neoliberal design, the lowest ranks of the workers, who constitute the majority, are mostly inter-state migrant workers from West Bengal, Bihar, Jharkhand, Rajasthan, MP, Uttarakhand etc. There exists a hierarchy of contractors. For example, companies like Starworth, Texmaco or L&T being at the top and sub-contractors

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(thekedars) with local connections with teams of migrant workers hailing from a given village, being at the bottom. None of the workers have been signed up with a formal contract.

Most workers work for 12 hrs for 6 days. But there is no paid weekly off-day. So, some workers also work for 7 days a week. Overtime wage for work exceeding 8 hrs a day is not paid. Idea of PF and ESI is alien to most of the workers. Majority of the workers do not have registration under BOCW or inter-state migrant workers or any other governmental scheme.

Depending on the skillset of the workers the salary varies. The lowest rank of the workers are paid from Rs 9,000 to Rs 15,000 per month. That is at best around Rs 500-550 per day for 12 hours of work (Considering Rs 12,000 as the monthly salary, some workers have also reported Rs 400 per day figure). However, the minimum wage guideline says that even for an unskilled worker, Rs 639 has to be paid for 8 hours work in a day. Considering the rule that double payment has to be made for the extra 4 hours work that they do, the payment according to the law has to be Rs 1278 per day. That is, most of the workers are not even paid half the salary they should have been paid by law. Here, we are not even considering the allowances that they are supposed to get if they work at a height or in a tunnel, as most of them do.

For some jobs requiring special skills, there is a stark division of labour, according to where they come from. Workers from West Bengal are mostly involved in laying tracks, workers from Bihar are mostly involved in painting, workers from Rajasthan are mostly involved with marble works etc.

On how cost of labour-power is determined, Karl Marx observed in Wage Labor and Capital - “It is the cost required for the maintenance of the labourer as a labourer, and for his education and training as a labourer. Therefore, shorter the time required for training up to a particular sort of work, the smaller is the cost of production of the worker, the lower is the

price of his labour-power, his wages. In those branches of industry in which hardly any period of apprenticeship is necessary and the mere bodily existence of the worker is sufficient, the cost of his production is limited almost exclusively to the commodities necessary for keeping him in working condition.”

Thus, this division of labour according to where they come from, helps the corporates to keep the wages low by avoiding the cost to train the workers separately in these special skills, as the workers are already trained due to the skill being part of their family occupation.

Delayed wage payment is common and the wages are usually paid in cash, although there we found some mentions of bank transfers. The wage is paid by the sub-contractor (thekedar, who is the lowest layer of contractor most of the time having no official licence), however, the guideline says that the payment has to be made directly by the company who is having official contract.

Non-payment of wages is very common. For instance, in the Reach 6 site of the project, after some dispute between Simplex (the contractor) and BMRCL, more than 30 thekedars and 500 workers had not been paid for five months (September 2020 to January 2021). The workers stayed in the city for a few months waiting for their wages; however, because they are forced to live from hand to mouth, they had to go back to their villages. After number of representations to the Central Labour Department with details of workers from AICCTU and protests by the thekedars, the workers, as of now, have only got a month of the pending pay.

## Conditions in the labour camps

Usually 8-12 workers share single temporary rooms made of tin walls and sheds. Many times no ceiling fan or proper ventilation exists in these rooms. Numbers of toilets are low in comparison with number of workers resident in the camps. For example, in the Kenchenahalli camp, there are about 14 toilets for 450 workers

of which the majority lie defunct. There are open common bathing spaces that get filled by tankers. The bathing water was extremely dirty in all places and was seen to have floating chunk of dirt and algae in it. The workers in a lot of camps complained that there is lack of water supply, also there is no water supply in the lavatories and there is no provision of cleaning them periodically. Lots of garbage dumps could be seen around in all the camps and the surrounding is extremely unhygienic. Many workers complained of bed bugs filling their rooms. The workers have formed groups and each group runs a small mess the expenses for which are managed by the workers themselves.

A committee to monitor the conditions of the workers in these camps were formed after an order given by the Karnataka High Court in Samuel Sathyasheelan vs Union Of India case represented by Comrade Clifton D' Rozario (National Secretary of AICCTU). Although the order was passed in 2014, the committee was inactive. It was reinitiated during the COVID times after repeated representations from AICCTU, and we too became part of it. Even then, it was really difficult to carry out this exercise. We were not allowed inside the worker camps and the site most of the time. The reason might have been that our reports from these camp visits used to make the committee really uncomfortable.

To the workers we have spoken, many from their families migrate to different cities including Bangalore for some work in unorganized sector time to time. Almost all the workers are from peasant family, and most of them go back during crop season. On asking why they left their villages, unanimously they said because farming has become unprofitable for them, livelihood is difficult in villages. However, most of them said, if those are from rural area are given a chance with profitable farming they would surely like to move back

to their native place.

### **Some selected conversations with workers are as follows**

A worker from Assam in a labour camp said that he owns around 6 acres of land, of which a large part is used for tea cultivation. But now they don't earn much from it and also since his family has grown bigger that he has to take care. He said - "My mother used to say that Farming is Supreme, Business is in the Middle, while Slavery (wage slavery) is the Worst work to do. But now conditions are different, Slavery has become Supreme while Farming is being sidelined. Farming is the noblest occupation, farmers feed everyone, but now one can't buy anything from the earnings through farming."

We spoke to a migrant security guard from West Bengal who is posted in Dairy Circle and Lakkasandra (Metro line and station construction site). He recently came to Bangalore from Haryana. He said they are given Rs 15,500 salary for 12hrs daily shift for 30 days. There is no weekly off and no OT is paid. They sometimes work for 36 hours long (3 continuous shifts) to earn some extra money to meet their need. He said the farming in his village (Gopiballabpur, Paschim Medinipur district) has become so unprofitable that he has spent 11 months in cities to run his family. He said, "We (security guards) still get ESI and PF but the labours working do not get it." A huge number of them are not registered under any welfare board like BOCW. He himself said that if he filed a complaint his job will be lost if they all do it together there can be some effect.

We met a worker Ajay who is from Bihar outside the labor camp. He said that he did not get salary for the last two months, so did not go for work that day. He demanded his pending salary from the contractor and had declared that he'll not go to work if not paid. He was working under the contractor for more than 2 years and was working in RV collage metro site for the last 5-6months. Rs 400/day is the wage. No question of ESI or PF. He said that

their family owns very small piece of land in the village (he said 1 katha) and also he is not getting farm work in the village so had to migrate to Bangalore. He memorized my number and later gave a call from his phone which was inside the camp.

We met two other workers on a site who were from West Bengal. They came to Bangalore 3 months back and said they have only 1-2 bigha of land. The situation is such that after they send money home from the city, only then seeds can be sown in their fields. Wages were the same. I could not talk further as they were busy in work. They wrote my number on a block of concrete with a broken piece of brick as they did not have a phone.

We noted that most of the workers cannot afford to bring their families in Bangalore. However, in one labor camp some workers from Bengal stayed with their wives, these ladies are employed in low-paid work like cleaning the sites after work. Some workers like security guards and other skilled ones like driver, electrician etc, are enrolled in ESI. However, they said they do not have cards to avail the facilities. Other workers (with Rs 400 - 550 per day wage) are not enrolled in any scheme. They said, if something happens the thekedars take care.

Workers are extremely dependent on these thekedars regarding a lot of matters like payments, getting new jobs when one is over, medical assistance in case of accident and illness, travel etc. Thekedars are most of the time from the same village or from a nearby village of the respective workers. So, in this alien city, without any official agreement of work, without any guarantee of pay, without any safety or security of work, the workers only have their thekedars to depend upon. They cannot, most of time, express their grudges to them in the fear of losing the relationship, and thus, losing the contact to work in the city. They also cannot express their grudges to the company (the contractor under BMRCL) directly, as this would result in further worsening of their

relationship with the thekedars, without whose support neither they can get work nor their payments. So, in this precarious and vulnerable situation the workers are forced into a semi-bonded feudalistic relationship with their thekedars. This relationship is used by the big corporates like L&T, Simplex, ITD etc, who a government entity BMRCL has hired. In line with the neoliberal design, this relationship is used specifically to keep their salary lesser than half they deserve by law, keep them in inhumane living conditions and refrain them from bargaining their rights specified in law by getting unionized.

Another aspect of this neoliberal design is to keep the unorganised workers undocumented. By making them anonymous, it becomes easy for the state to dodge their responsibility and not to adhere to the laws and guidelines formulated by them to wear the mask of a "Welfare State". Under this mask, it keeps on facilitating super profits for the domestic and foreign corporates through super exploitation. There are some social welfare schemes like BOCW and e-Shram which has some benefits like compensation in case of accidental death and injury, ensuring occupational safety and health etc. The onus of registering in these schemes is on workers and no responsibility is imposed upon the employers. Due to lack of information, lack of access to internet and lack of proficiency to use digital means the metro construction workers have to depend on funded NGOs or middlemen for their registration. As mentioned earlier, most of these workers are not registered and thus, do not even get these meagre benefits. Because the employers reap the superprofits from the labour of these workers, they should thus be held accountable to labour laws. However, these social welfare schemes help the corporates to refrain from such a responsibility and make it an affair solely between the state and workers. Moreover, by only offering social welfare schemes, the state makes the individual's identity as a worker secondary and that of beneficiary in a social welfare scheme primary. Thus, pushing the



question of labour rights into the background.

### **The Non-Inclusive “Namma”-**

It should be clear by now that Namma Metro’s “namma” is not inclusive of the workers who are building it. However, will the great majority of the people of Bengaluru be benefited by this project built upon illegal theft of labour of these migrant workers? Will this project bring the BMRCL’s vision of “Garden City’s travel partner to all sections of commuters in Bengaluru” into reality? The answer is a clear NO. Research by Gitam Tiwari of IIT Delhi, published in EPW, shows with overwhelming evidence that capital-intensive metro rail systems serve only a small proportion of the total trips in cities in developing countries such as India. Other forms of public transport (like buses and suburban railways) are fairly inexpensive and thus covers most of the trips. The increasing amount of private and foreign capital being invested in these projects have made these metro services unaffordable for the majority. Further, metro generally enjoys numerous tax benefits in India which are not offered to the bus system, which carries at least five times more trips. Thus, BMRCL’s “Namma” is not even inclusive of the majority of Bengalurians. Working class and lower middle class section of the city will not be able to afford this service, rather, a section of middle class and upper middle class would be its market. To capture this market, Namma Metro, which is built upon the sweat and blood of migrant workers, is a venture to make massive profits for the foreign investments.

Moreover, according to the EIA Report (August 2017), a total of 838 households will be affected by Namma Metro project. Based on the average household size of city it is estimated that about 3890 persons will be affected by the Project. The loss of livelihood estimated under the project is 1045. A study published in EPW shows that out of 223 households of Basaveshwara Nagar and Jai Bheema Nagar slums, who were displaced by this project in 2007-08, 151 households got the “rehabilitation package”.

For the displaced households, the access to multiple employment opportunities they had in the city were lost due to forced relocation. The paper states that: “access to facilities such as education, healthcare, and markets became difficult due to relocation, forcing women to spend more to avail these, thereby impoverishing them further. Hence, one can state that spatial relocation only reinforces the economic and social marginalisation of poor urban women by curtailing their economic mobility. Moreover, any changes in the location caused by developmental activities, such as the metro project (infrastructure), perpetuates spatial inequality.”

To sum-up, this non-inclusive “Namma” metro project on one hand excludes the majority of the people staying in Bengaluru and on the other hand creates a playground for super-exploitation of the migrant workers constructing it. Because of a conscious effort by the neoliberal regime to break the backbone of agriculture, farmers are forced to migrate to cities in order to sustain themselves. Rural unemployed farmers are transformed into “reserve army” of cheap labour in the cities to be conveniently super-exploited by the foreign and domestic capital. Hopping from cities to cities in search of work, they are left with a precarious and unstable environment which restricts them from getting organized under trade unions. Being strongly attached with farming and their villages possibly gives them some sense of security in their majorly uncertain occupation of construction work.

However, they spend most of their time in cities getting exploited by the corporates and thekedars. Therefore, there is a good possibility of organizing them in the cities. The demands of better living conditions, minimum wage, benefits like PF and ESI, safety measures from work related hazards, would constitute the core issues. In a long term, demand of providing the social welfare benefits under BOCW as a right and putting its onus on the employer should also be taken up. Movement has to be directed

against the companies (contractor) and BMRCL. Thekedars are another entity who act as the agents of exploitation for the corporates. These middle men eat up a section of earnings of the workers without putting in any labour. Movements in the demand of reducing their commission should also be thought of in long term. However, with all of this said, we will face two main challenges while organizing this section of construction workers, especially, workers working in such megaprojects. Firstly, the duration of stay in one location of these workers are extremely low. They tend to stay for 6-8 months in one labour camp and then mostly go back to their villages. While they come back to the cities, there is a high possibility of the change in the location of work and stay. The project he's working on might change, or the site of work might change, or, a lot of time they shift to a different city altogether. Thus, coordination with organizations in different cities and villages, to keep in touch with the workers might be helpful. Secondly, the workers are so much bonded with the thekedars, as described previously, that even though they are discontent, it becomes difficult for them to act on it at this stage. However, we have to think of ways to overcome these challenges and devise tactics to organize them. Also, with the impact of working class movements intensifying in other sectors, objective conditions of this section getting organized will become more favourable. ■



## ***Response of the CTUs to the Tea (Development and Promotion) Bill, 2022***



**T**he Ministry of Commerce and Industry has announced its intention to repeal the Tea Act, 1953 to enact Tea (Development and Promotion) Bill, 2022 in its place. It published the Bill on its website on 10 January 2022 and sought responses from the public before 21 January 2022.

We have decided to submit before the Government, through the concerned Ministry, following interim observations, after a brief review of the various provisions in the proposed Bill while demanding more time for submitting our detailed objections on various anti-worker and anti-industry provisions of the proposed Bill.

At the outset, it must be stated that neither the Ministry of Commerce and Industry nor the Tea Board of India has given sufficient time to carefully go through the Bill and give our comments. The Tea-plantation industry being a highly labour-intensive industry, the tea plantation workers or their unions are the major stakeholders, and their opinion on the issue

can and should no way be ignored; moreover, they cannot be expected to keep browsing websites of different ministries to be informed of their announcements. Further, the hurried way the comments are sought defeats the very purpose of informed democratic participation in the decision-making processes. Therefore, we urge the Ministry of Commerce and Industry to extend the date for receiving comments from the public and stakeholders and also the trade unions.

The note to the Bill 2022 indicates that it proposes gross changes in objectives, functions, and the powers of the Tea Board. The Bill 2022 proposes that the functions of the Tea Board will be to optimise the production, sale and consumption of tea as well as to promote economic, scientific and technical research. But Tea Board's role in workers' welfare has been omitted. Moreover, while the proposed objectives etc correspond to its existing functions as per the Tea Act, 1953, we understand that, in a major shift, the Bill 2022

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does not assign any regulatory powers to the Tea Board, leaving it almost completely unarmed. This has been justified by pointing out that regulating export quota in a competitive open international market is redundant and that growth of small tea growers has effectively made redundant the provisions of regulating land under tea cultivation. This argument is totally unjust and therefore unacceptable; India being a major producer of tea in global market, the Tea Board has got a definite and regulatory role to play in national interests and also in the interests of this highly labour-intensive as well as land-intensive industry, fetching huge foreign exchange earnings for the country.

The exclusion of Chapter 3 (Control over the extension of tea cultivation) and Chapter 4 (Control over the export of tea and tea seed) take away the regulatory powers of the Tea Board. Further, we are dismayed at the complete exclusion of Chapter 3A that deals with "management or control of 'tea undertakings' or 'tea units' by the Central government in certain circumstances". This tantamount to complete abdication of responsibility by the government for protecting the interests of the industry, the huge land-resources deployed in it and its huge workforce, and therefore, much detrimental to the national interests.

According to the information provided by the Tea Board of

India, there are 1569 estates cultivating tea on 4,20,670.63 hectares of land in tea growing states of India. More than 1.2 million workers are engaged by these estates. They are descendants of migrant workers who were brought to tea gardens. They live within tea estates but do not possess housing rights or land rights. They are completely dependent on plantations for food, sanitation, health, and education. Workers are not individuals but constitute a worker community.

While the exclusion of Chapter 3A opens, potentially, 4,20,670.63 hectares of land under tea plantation, for competitive commercial avenues of action, the Tea Bill 2022 is completely silent on the rights of workers and worker communities dependent exclusively on these tea plantations. We find this unacceptable and apprehend that it creates a situation for gross labour rights and human rights violations. The increasing instances of closure and abandonment of tea gardens and the miserable plight of the concerned workers in such units makes us to be extremely concerned as well as cautious in this matter.

We note with concern that the Tea Bill 2022 does not consider the impact of the opening of hundreds of thousands of tea land estates for commercial use without regulatory overseeing, which is going to

have disastrous consequence on the concerned workers and their families besides having extremely negative impact on the ecological balance. Tea estates have trees, forests, and water bodies.

We are surprised to find that despite the critical alignment of tea workers to the tea industry, the Tea Bill has not included the worker community as a stakeholder. This omission must be corrected, the worker and their trade unions must be included within the definitions of a stakeholder and be made equal partner in all consultations.

We are concerned that neither the Ministry of Commerce and Industry nor the Tea Board of India has so far invited the Trade Unions to hear their views on the Tea Bill 2022.

While we acknowledge the importance of a healthy industry, we are upset about the complete neglect of the interests of rights of tea workers and tea community while drafting Tea Bill 2022.

We strongly demand that the Ministry of Commerce and Industry must not take any unilateral move without appropriately addressing the above-mentioned opinions/ observations/ concerns and should give more time for receiving comments from the public and must organise meetings with sufficient notice to hear the voices of the stakeholders including the trade unions. ■

# Digital Technologies and the Future of Work

## A Post Human Job Market?

**‘Humans Need Not Apply’.** This was the title of a provocative video found floating around on YouTube in August 2014. It spoke of a future where new developments in digital technologies would push human labour out of the market in unprecedented ways.

The new technological leap – exemplified by artificial intelligence (AI) and machine learning (ML) – was fundamentally different from other major technological landmarks in history, the authors of the video postulated. Human beings will soon become the new horses, they argued, rendered unemployable for no fault of their own, due to the relentless juggernaut of technological development. Just as mechanical arms pushed horses into obsolescence, mechanical minds would make multiple kinds of human labour obsolete.

Since I watched this video back in 2014, reports indicating the potentially disastrous impact of AI on the job market have grown in number and size. A McKinsey report, published in 2017, predicted that by 2030, intelligent agents and robots could replace as much as 30 percent of the world’s current human labour. Of course, it all depended on various adoption scenarios, but automation could displace between 400 and 800 million jobs, requiring as many as 375 million people to switch job categories entirely and learn new skills. The National Association of Software and Service Companies (NASSCOM) similarly predicted that 5-10 percent of existing jobs could be lost to automation and another 60-70 percent of the existing workforce would have to re-skill themselves.

In other words, we are clearly looking at tectonic shifts in the job market, leading to massive job losses. The changes wrought by automation and digital technologies will not be

uniformly experienced across sectors. Entire jobs might not disappear en masse. Predictive roles and repetitive tasks that are part of current jobs are at maximum risk. An article in the Economic Times, claimed that 52-69 per cent of repetitive and predictive roles in sectors including IT, financial services, manufacturing, transportation, packaging and shipping are exposed to the threat of automation.

Yet another study points out that these changes are hardly far away; nearly 50 per cent of companies have implemented AI-based ‘solutions’ in their businesses in the name of improving ‘productivity’. Given these trends, according to the above-mentioned NASSCOM report, 9 percent of the workforce will be deployed in new jobs that do not exist today, while another 37 per cent will be deployed in jobs that require radically changed skill sets.

In the Indian employment landscape, 60 percent of our occupations have around 30 per cent automatable activities. 81 percent of predictable physical activities (such as manual loading of goods), 69 percent of data processing activities (such as working on excel sheets) and 64 percent of data collection activities (such as online surveys) are most likely to be automated. Less than 5 percent of jobs are, however, likely to be completely automated. This means that overall, around 51 per cent of total employment is likely to be automated. That is still a huge number.

## Old Technologies, New Technologies

From the 1970s onwards, developments in electronics spurred the growth of computer systems. The storage capacity as well as the computing speed grew by leaps and bounds. Developments in electronics allowed hundreds of computers to be connected to each other.

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The new digital revolution we are witnessing is, however, fundamentally different from previous technological revolutions.

Human history has experienced three major technological moments so far. We had the Industrial Revolution in the 18th century, which involved the use of steam and the subsequent mechanization of work. This created superior tools for people who worked with their hands. It transformed the manufacturing sector and pushed millions of people from agriculture into manufacturing.

Then came the Services Transformation in the 1970s. This was driven by the development of Information and Communication

Technology (ICTs). For the first time, we had machines that were controlled by a software program. These machines could be used to do several kinds of tasks by simply changing the software program. These developments created jobs for people who worked with their heads and destroyed jobs for those who worked with their hands. Basically, it created substitutes for people whose jobs involved manual tasks. This devastated blue-collar workers and oversaw a surge in economic inequality.

People with very low technical skills, or ‘unskilled’ workers, were however still needed on the shop floor. The production process needed some degree of manual labour. Most jobs were lost to technology in the middle of the skill range.

In the process, knowledge capital (design, patents, R&D, software, algorithms) finally overtook physical capital (machines, building tools) and human capital (education, skills, training). By the 1990s, knowledge owners (people who controlled knowledge capital) became the biggest beneficiaries of the technological system.

The latest technological transformation is by far the most radical, in terms of its potential to shape and alter societies and economies. In AI and ML, computers are ‘taught’ to ‘learn’ from huge sets of data. For example, a computer is taught to recognize patterns within massive amounts of data. For instance, a computer can be trained to identify a picture of a gun and identify it



as a gun whenever it sees it. So, when this computer is shown a cover page of a detective novel, it will be able to identify the gun and tell us that there is a gun drawn on the page.

## What the Digital Takeover Implies

The current digital turn is powered by the exponential growth of computer processing speeds (doubling every 18 months or so), driven by developments in the electronics industry. Concomitantly, data transmission rates are growing three times faster than computer power, driven by technologies such as fiber optic cables. Overall, massive computer networks are being built, creating huge computer-based systems, and encouraging greater digital networking and social media platforms.

A range of tasks are now being taken over by technology: speech recognition, language translation, identifying diseases through X-rays and scans, typewriting, transcriptions, translations, to name a few. We even have robo-lawyer programs - software programs that will listen to a client and give legal advice based on loads of legal information fed into it. These will not displace the human lawyer completely, but it will surely displace a section of the traditional legal office.

Unlike previous technological transformations which

primarily affected the manufacturing and agricultural sectors, this transformation is affecting the service sector which employs a large proportion of people today. The speed of this transformation certainly contributes to its overwhelming impact. World information flows have doubled every couple of years for decades. In contrast, world trade flows cannot possibly match this rate of growth.

The ongoing digital transformation is also reshaping competition. Human workers now have to compete with 'digital workers', another name for computer software. These digital workers form a new 'ideal type': they don't get paid wages, they work 24x7, they don't need any perks - holidays, lunch breaks, sick leave, they are not concerned about workplace regulations, they will never form a union.

Many jobs no longer need human beings to be physically present. Computers allow them to work from far away. So, companies can hire workers (from India, Bangladesh, Pakistan, Philippines) for much cheaper wages from across the globe. These 'tele migrants' do a lot of work but have lower bargaining power and demand a lot less (lesser wages, no severance packages, no maternity/paternity benefits, no paid holidays or pension contributions). This is leading to a battle amongst workers for the lowest wages, and the worst

working conditions.

Products are also becoming expensive. While there is a push towards cheaper digital components (large training data sets, computer servers storing data, internet) digital products themselves (made from processing/using digital components) are extremely costly and valuable. For example, self-driving cars are very expensive, though they are based on components such as GPS/Wi-fi/ sensors, anti-lock brakes which are cheap or even free.

This transformation is unlikely to see diminishing returns. Economists say that human capital (education, skills, training) as well as physical capital (machines, building tools) show diminishing returns. There is a limit to the increase in profits on investment one can get from increasing human and physical capital. But knowledge capital does not follow the rule of diminishing returns; the more one invests in it, the more the output per worker continues to increase.

Clearly, this digital turn requires the state to intervene, if we do not want a massive social, political, and economic upheaval and disruption. State-sponsored income support, retraining programs and tax-and-redistribute policies, are the needs of the hour. ■

# Labour Snippets - February 2021



## 1. Decision to Outsource Jobs Criticised by Calcutta HC

Taking to task the Indian Statistical Institute for arbitrarily terminating the services of their gardeners, the Calcutta High Court directed that the Petitioners, who were gardeners working in the institute since 2013, shall work under the ISI. The Court also stated that under no circumstances should their services be terminated without following the previous decisions of the institute in this matter, and that their services cannot be transferred to a contractor from the fold of the ISI.

The gardeners had started their services as contractual employees of ISI and were appointed through a recruitment procedure. However, it was noted that the institute was giving artificial breaks between 2013 and 2021 in their services to show before the law that their services

are perpetually of a contractual type, when their duty is actually perennial in nature.

Shri Alope Singh & Ors. v. Indian Statistical Institute & Ors., High Court of Calcutta in WPA 692 of 2022

## 2. Case of Air India Pilots and the COVID Pandemic

Several pilots with Air India Ltd. put in their resignation papers on account of better livelihood opportunities with other commercial charters, and then had to withdraw the same when the COVID pandemic hit. As the businesses were under loss, the commercial charters were cutting costs and undergoing salary rationalisation. However, Air India did not adhere to a uniform policy or pattern in dealing with the request for withdrawal of resignations, and

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arbitrarily accepted resignations despite requests for its withdrawal.

Air India claimed that when a resignation is submitted, it operates in praesenti (at the present time), and therefore, the subsequent acts concerning acceptance of the resignation or acceptance of the withdrawal of resignation and the U-turns made thereafter in this case, would not impact the legal position. Air India claimed that the employer-employee relationship snapped insofar as the employee was concerned the moment the resignation was tendered.

However, the Court stated that – “The State and its instrumentalities are obliged to act as a model employer, and, therefore, cannot be seen to deprive the pilots of, the right to serve the organization [i.e., AIL, in this case], at a point in time when finding jobs in the private sector is a difficult proposition.” The Delhi High Court upheld the order of the Single Bench, whereby the letters accepting resignations of pilots were quashed, and also Air India was directed to pay back the wages to those pilots who were not seeking reinstatement into service.

Air India Limited V. Kanwardeep Singh Bamrah, High Court of Delhi in LPA 246/2021 & CM Nos. 26577-78/2021

### **3. ‘Maternity Leave Benefits to be Extended to Students in Universities As Well’**

A B.Tech student in Dr. APJ Abdul Kalam Technical University of Lucknow, Uttar Pradesh was not allowed to appear in the final chance for her qualifying exams on account of her pregnancy. The University was accused of not granting any relaxation or support to her, due to which she was unable to graduate, thus limiting her from competing equally with other students on par with her. This was in violation of her fundamental rights under Articles 14, 15 and 21 of the Indian Constitution. Upholding her rights,

the High Court of Allahabad, passed directions to the University to frame requisite regulations or appropriate legal instruments of grant of maternity benefits to students which embrace the pregnancy period and postnatal recovery time. The maternity benefits shall also include additional chances to clear the exams in an enlarged time frame, the Court directed.

Saumya Tiwari v. State Of U.P. And 3 Others, High Court of Allahabad in Writ C No. 20885/2021

### **4. Striking Transport Workers in Maharashtra**

The workers of Maharashtra State Road Transport Corporation (MSRTC) have been on a strike since October 27th, 2021, seeking that the MSRTC merge with the State Government so that their services can be regularized and they receive benefits of a government employee. As many as 250 bus depots across the State of Maharashtra have been shut down since November 9th, 2021 and the workers have been on an indefinite strike ever since. A majority of the total 92,666 workers of MSRTC have been participating in the strike which has crossed 75 days. Till date, the MSRTC suspended about 11,000 workers and terminated 1,333 of them for participating in the strike.

A news report stated that the MSRTC Management will employ those who are retired or have taken voluntary retirement and who have at least 6 months left to complete the age of 62 years. They will be hired by MSRTC and will be paid Rs. 769/- per day, i.e., Rs. 20,000/- per month in salary, but that they will not be entitled to benefits of provident fund, pension scheme, leave, uniform or any other allowances, including holiday pay. The report stated that the retired employees who will be re-hired on contractual basis will have to buy uniforms, get their driver's license and PSV at their own cost. Thus, the MSRTC is trying its level best to subvert



the workers' strike by employing unfair labour practices.

### **5. Delhi University Teachers Strike Work Seeking Payment of Salary**

Teaching and non-teaching staff of 28 colleges fully and partially funded by the Delhi Government went on a one-day strike seeking immediate payment of salaries on January 6th, 2022. The teachers were not paid for two months, and they stated that due to the pandemic, their lives were in a shamble. Some of the teachers rued that they had to borrow money from their friends and relatives to pay the tuition fee of their own children. Owing to the pandemic, the teachers were made to work overtime while taking online classes and now they were being asked to come to college for physical classes, while risking their lives as well as that of their families. The non-payment of salaries, unkempt college premises and infrastructure, unpaid water and electricity bills of the colleges are added to their woes.

### **6. Minimum Wage of Brick Kiln Workers Raised in Gujarat**

In a victory to the workers of Int Bhatta Majdur Union, the brick kiln workers have received a notification of their minimum wages after 13 long years of struggle! As per the notification dt. 05.10.2021 issued by the Department of Labour and Employment, Government of Gujarat, the minimum wages for 'brick moulders' now stands at Rs. 293 for 490 bricks, which was earlier the same for every 1,100 bricks. Their work involves digging earth, preparing mud mixture, mould bricks, drying them, arranging them in rows and cleaning the place of work. While statutory minimum wages are calculated on time-rate basis, which is normally for eight hours of work, for some occupations it is done for piece-rate as was the case of the Gujarat brick kiln workers. There was no scientific

basis for how the minimum wage was determined.

Brick kiln workers are involved in a labour-intensive manual process and they mostly consist of migrant workers, who are brought from their natives through contractors, and are effectively held as bonded labourers. These workers come with their family units to work at brick kilns, which include their children, thus making it a highly exploitative sector with very low statutory minimum wages. The consistent struggle of these workers for 13 long years has paid off with the workers receiving dignified wages for their hard labour.

### **7. HCL Forcing Employees to Return Bonus**

A complaint was registered by the Nascent Information Technology Employees Senate (NITES) to the Labour Ministry stating that HCL, the third biggest IT company in India is forcing those employees who have resigned and are serving their notice period in the company to return the advance variable pay that they were paid earlier. The company claimed that the offer letters of the employees' state that in case they leave the company before the completion of their performance review period, the advance variable pay, or the bonus can be recovered from them. In case the employee fails to pay the amount, their experience certificate, relieving letter and other documents and benefits can be withheld by the company. NITES stated that this clause for recovery of bonus is illegal and violates several labour laws. ■■

# Mahatma Gandhi National Rural Employment Guarantee Act: A Namesake Guarantee

★ SAURABH NARUKA

**T**he Bhartiya Janata Party (BJP) government at the centre has been making tall claims about expanding the budget allocation for the Mahatma Gandhi National Rural Employment Guarantee Scheme (Act) (MGNREGA), in order to provide relief to the rural poor during the covid pandemic. The situation is full of irony. Modi (in)famously mocked MGNREGA as a mark of the failure of previous governments to provide stable and quality employment. Previous governments compensated for their failure by paying people for filling empty pits with sand, he had said.

It didn't even take a single term for him to bite his own words. Faced with the harsh reality of highest unemployment in 45 years, he had to fall back upon MGNREGA. This happened even before the pandemic hit. In the wake of the pandemic, the finance minister fell back upon this scheme to provide relief to the rural poor, agricultural labourers, and migrant labourers.

The pandemic induced economic distress pushed up the demand for jobs under the MGNREGA. The government mathematically increased the NREGA budget allocation to meet the rural distress but that has been quite inadequate. Besides, much of it has remained on paper and the scheme has failed to meet the rural employment demands.

## Pre-Pandemic MGNREGA Allocations

Despite the fall back upon this scheme during the pre-pandemic employment crisis, the budget allocation for MGNREGA was quite low. We have here the relevant data for three years prior to the pandemic:<sup>1</sup>

	2017-18	2018-19	2019-20
MNREGA Expenditure by Central Govt. (Rs in Crore)	55,166	61,815	71,001
Work days per Worker (No of days per year in comparison to guaranteed 100 days per year)	45.69	50.88	48.4
Average Wage Rate (Rs/day)	169.44	179.13	182.09

Thus, the budget allocation was poor, and the wage rates paid were far lower than the prevailing market rate for unskilled manual work. Only half of the stipulated 100 days could be given to a worker on average.

For broad comparison, the figures of total allocation to MGNREGA during the United Progressive Alliance (UPA) government are useful. From 2008 to 2014, this was Rs 1.91 lakh crore, as compared to Rs 2.95 lakh crore under the BJP led government from 2014 to 2020.<sup>2</sup> The number suggests a mathematical increase but taking into consideration the inflation and lagging growth rate of the economy, this small increase was insufficient to address the question of rural employment. By 2019-20, only 40.60 lakh workers in the country were allocated a full quota of guaranteed 100 days' work. The situation worsened with the pandemic.

[1] Dainik Bhaskar, Udaipur Edition, 13/11/2001

[2] Economic Times, Dec 31, 2020



## Minor Budget Increase, Major Shortfalls

In the Union Budget of 2020-21, the government had originally allocated Rs 61,500 crore for the MGNREGA scheme, which was lower than 2019-20 revised estimates of Rs 71,001 crore by 13.4 per cent. In May 2020, after the lockdown in March 2020, as part of the celebrated 20 lakh Covid relief package, the Union finance minister Nirmala Sitharaman allocated an additional Rs 40,000 crore. But as an estimated 8 crore migrant workers marched back to their native villages, it pushed up the demand for work under the scheme. The workers required work and cash for their survival.

This additional allocation of Rs 40,000 crore failed to address the acute unemployment in rural areas during the pandemic. In 2020-21, the demand for work under the NREGA increased by 43% to 13.3 crore, as compared to 2019-20.<sup>3</sup> Even these figures do not fully reflect the reality. The full demand for work often does not get reflected in the official data, as the Panchayat Secretary and the Sarpanch (Pradhan) are unwilling to issue receipts of application to the NREGA workers. Their preferences, in the allocation of work, often depend on political and social considerations. This practice, one can surmise, would have increased in the pandemic year due to the extent of the distress.

The government data reflects both the increase in demand for work and the shortfall in opportunities. Only 71.99 lakh workers were able to get the guaranteed 100 days of work in 2020-21 – the first year of covid pandemic – despite the increased budget allocation. The average work-days allocated for 2020-21 remained at a paltry 51.52 days per worker. The effective wage rate increased marginally to Rs 200.72/day in 2020-21 from Rs 182.09/day in 2019-20.

Because migrant workers earn an average wage of Rs 400-600 for unskilled manual work in metro cities, this was only a token increase. It barely compensated for their loss of earnings

due to the lockdown induced forced migration, for which they are not responsible in any way. The meagre 50 days of work, on an average, available in the whole year for 2020-21, only pushed them further to a corner. Only a small proportion of the migrant workers were able to resume their normal work in the then prevailing situation.

## Continued Shortfalls During the Second Wave

During the second wave, the government failed to meaningfully expand the NREGA budget allocation. As stated earlier, the allocation for 2020-21 was Rs 61,500 crores. It was expanded to Rs 1,11,500 crore after additional allocation following the lockdown. In the 2021-22, this allocation was pegged at only Rs 73,000 Crore. This is 34% less than the revised estimates of 2020-21, and this reduction happened amidst the second wave.

With the budget allocation running out fast by the middle of the year, and many state government balances for the scheme running in red, the government has raised a supplementary allocation of Rs 47,039 crore. The revised estimate for 2021-22 for MGNREGA can be liberally estimated to be around Rs 1,20,000 crore. With this central allocation, and even after making an exaggerated and unrealistic assumption that all this allocation would be paid as labour expenses, per worker allocation for 15 crore active workers shown on the website comes to be around Rs. 8000 per worker.

At the central government announced wage rate of Rs 202 per day, only 39 days of average work can be granted per worker for the year with this allocation. This is once again assuming that all the allocation would be utilized as labour expenses, which is far away from the reality. The reality is that only two-thirds of the allocation will count towards labour expenses.

It is no surprise that the state governments are complaining that the share of the central

[3] Business Standard, Sep 5, 2021



government in supposedly central sponsored schemes is regularly coming down, and it is they who must foot the bill to keep the schemes afloat. Under the pandemic situation, when the state government finances are already stretched, this becomes even more difficult, and it is the schemes that suffer.

## Conclusion

It is no surprise that there are multiple complaints at the ground level regarding the operation of the MGNREGA. Non acceptance of applications for work, non-allocation of work, non-payment of wages, and so on, are quite commonplace. It boils down to a great extent to faulty allocation. As per Reetika Khera, economist and associate professor, Indian Institute of Technology, Delhi, an allocation of at least 3 lakh crores is needed to guarantee 100 days of work in meaningful way.<sup>4</sup>

Guaranteeing work is clearly not one of the priorities of the government. It is busy pursuing privatization, pushing anti-worker labour codes, and farm bills which had to be taken back due to the sustained farmers' movement. NREGA workers continue to earn a pittance. Just to add to the irony of the situation, the Minimum Wages Act, 1948, is being thrown to the dustbin of history with the new labour codes.

The covid pandemic has only exposed the limited budget allocation and structural deficiency of MGNREGA. Exaggerated claims of BJP government about providing relief through it during the pandemic are rather far-fetched and quite distant from factual and ground realities. ■

[4] *Business Standard*, Sep 5, 2021



## ***The Powrakarmika Protest: A demand for minimum Wages, A demand for dignified living***

★ MAITREYI KRISHNAN



**P**owrakarmikas (Sanitation Workers) perform the obligatory duties of the local bodies, keeping the cities and towns clean and safeguarding the health of every person. The workers are predominantly Dalit pre-ordained by the caste system to perform these jobs generationally, and structurally oppressed and deprived of social dignity, education, proper housing and the fundamental choice of opting for other occupations.

Owing to the extremely low wages received by them, their social and economic conditions are extremely vulnerable. Despite the essential and life-saving work done by them, they do not have proper housing, are unable to provide proper education for their children, and are unable to access proper health services, forcing them to live in a vicious circle of poverty and social/economic disempowerment. They are forced to live in slums having minimal or no access to basic services such as toilets, water, roads and

electricity. Their children are forced to drop out of school, due to their low wages and are thus pushed into this hereditary profession. Being largely women, they are subject to the triple oppression of caste, class and patriarchy.

In Karnataka, a Jaatha was undertaken from 9 October 2021 demanding dignified working conditions, including the demand for increase in minimum wages. Minimum wages payable to powrakarmikas and other workers employed in solid waste management in Karnataka falls under the scheduled employment “Urban Local Bodies (ULBs) and Panchayat Raj Institutions (PRIs)”. The basic wages component in Minimum wages is mandated to be revised every 5 years. The failure to pay minimum wages amounts to workers working in conditions of forced labour prohibited under Article 23 of the Constitution. Similarly, the failure to revise minimum wages every 5 years amounts to workers being compelled to work in conditions of forced labour.

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The minimum wages was last revised for powrakarmikas on 05.08.2016, and was due on 05.08.2021.

Demanding that the minimum wages be increased to a minimum of Rs. 35,000/- and for dignified working conditions, the Jaatha that was launched on 9 October 2021 went around Bengaluru. On 15 December 2021, it culminated in a protest outside the Labour Department with over thousand powrakarmikas demanding that the wages be increased.

Comrade Nirmala, the President of the BBMP Powrkarmikara Sangha spoke of how it was impossible to live with the wages that were being paid and that the historic injustice done to powrakarmikas must be set right. By refusing to pay workers

proper wages and denying them permanent status, the Government is perpetuating the caste system. Our fight is for all our rightful dues - we will fight till the dream of Dr Ambedkar, Savitribai Phule and Bhagat Singh are fulfilled, she said. Revolutionary songs filled the air, as workers sang for equality and vowed to take their rights, that was being denied to them.

The powrakarmikas put forth the demand that minimum wages must be increased to a minimum of Rs. 35,000/- , below which it would be impossible to sustain oneself in the city of Bengaluru, taking into account, food, clothing, rent, education, medical expenses. Today workers have to depend on the open market for essential commodities and, given the rapid shrinking of the

welfare state from the spheres of health and education, the workers are at the mercy of private establishments for these basic services as well. The failure to increase minimum wages adequately would result in powrakarmikas and their families being deprived of nutritious food, proper housing and a dignified life and their children being deprived of education pushing them back into this caste ordained work.

The officials of the Labour Department assured the workers that the demands put forth by the Union would be placed before the Government.

Powrakarmikas have vowed to take this struggle forward - for dignity and equality. ■





# The Forward March of ASHA Workers of Uttar Pradesh

★ VIJAY VIDROHI

**T**he ASHA workers of Uttar Pradesh are in a continuous struggle for their rights under the leadership of the Uttar Pradesh ASHA Workers Union (affiliated to AICCTU) since the all India strike by scheme workers in September, 2021. The organisation has spread far and wide, across the state, since then.

The first challenge for the organisation was to face the NGOs (Non Governmental Organisations receiving funds from various sources including foreign sources) which have been working among ASHA workers in the name of ÒwelfareÓ. These NGOs have been working in tandem with the government, health officials and NHMs (National Health Mission). The relation between government institutions and these NGOs have been that of mutual benefits. These NGOs have never raised the issue of rights of ASHA workers.

The AICCTU took up the task of raising issues of rights of the ASHA workers and seriously questioned the exploitative terms of considering ASHA workers as volunteers and not workers. We started by preparing a Charter of Demand (CoD) of ASHA workers. The ASHA workers of UP held state level demonstrations on



13th December, 2021, which was followed by mass post card campaign to the Chief Minister of Uttar Pradesh. The campaign was named as 'Yogi ko mail bhejo' or 'Send mail to Yogi'. ASHA workers took out marches in different parts of the state raising their demands and posted the postcards addressed to the CM.

The state government was forced to declare a small rise in the honorarium of ASHA workers in the meantime. The NHMs were forced to issue circular declaring allowance for covid months for the last 2 years. But this allowance was declared at a rate of Rs 500 per month instead of the last declared Rs 1000 per month. The CM in the meantime gave false information inside the assembly about the allowance being given to the ASHA workers. The ASHA workers

union immediately held state level demonstration on 4th January, 2022 exposing the lies of the CM.

The AICCTU has been consistently organising the ASHA workers on the demands of recognition of ASHA workers as health workers, ensuring legal minimum wages and maternity leave, guaranteeing health insurance of 10 lakh rupees and a life insurance of 50 lakh rupees for each ASHA workers and also demanded fixed work hours.

The assembly elections for Uttar Pradesh have already been declared. The union of ASHA workers have decided to reach each ASHA worker of the state with the said Charter of Demands. The all India workers strike on 23rd and 24th February will be observed by the ASHA workers of UP with full spirit. ■

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# Stop the Illegal Eviction of Palestinian families in Sheikh Jarrah

★ V ARUN KUMAR



**O**n 19 January 2022, the Israeli occupation forces forcefully evicted two Palestinian families from Sheikh Jarrah in East Jerusalem and demolished their homes. The demolition and expulsion followed days of protests by the affected Salhiyeh family household. According to reports, Israeli forces broke into their home in the night and assaulted family members. Six of the family members were arrested, including the head of the household, Mahmoud Salhiyeh. Earlier, the Israeli forces arrested 25 people for protesting against the eviction drive on 17 January this year.

Israel had long been attempting to confiscate Palestinian lands in the Sheikh Jarrah neighbourhood, part of the East Jerusalem area which was occupied and annexed during

the 1967 war. The neighbourhood is home to around 2,800 Palestinian residents. More than 60 Palestinians, including 24 children, have been forcibly evicted from their homes in this area by Israeli authorities since late 2008. Israel claims the land will be allotted to build a special needs school, but Israel's real intent stands exposed as according to the Jerusalem municipality's own master plan, the school is not on the Salhiyeh family's land but adjacent to it.

During a similar eviction drive to remove around 100 families last year in May, Israel faced massive resistance across West Bank and Gaza leading to brutal Israeli military aggression against Palestinians. More than 260 Palestinians, including 66 children were killed during the 11-day long aggression. This

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is second eviction of the Salhiyeh family from their land. Earlier they were forcibly displaced from the Ein Karem village in West Jerusalem in 1948 during the Nakba. Nakba (also known as the Palestinian Catastrophe) refers to the massacre and forcible expulsion of Palestinians from their land in 1948 by Israel. More than 7,00,000 Palestinians were made refugees and more than 13,000 had been killed by the Israeli military during the Nakba.

Israel had been continuously expanding its annexation of Palestinian lands by expanding illegal Jewish settlements on Palestinian land. There are between 6,00,000-7,50,000 Israeli settlers living in at least 250 settlements (130 official, 120 unofficial) in occupied West Bank and East Jerusalem. Furthermore, Israel maintains an extensive apartheid style infrastructure all over the West Bank. Israel is also attempting to completely annex the Jordan Valley, which makes around 22 per cent of the West Bank. This move would mean that Palestinians would be physically cut off from the Jordan River. The on-going rapid annexation move by Israel was spearheaded by former Prime Minister Benjamin Netanyahu backed by the then United States President Donald Trump, under the disguise of a peace plan. ■

### **Palestinian Political Prisoner's Hunger Strike Ends in Victory**

The 141-day long hunger strike by Palestinian political prisoner Hisham Abu Hawash ended in victory after Israel agreed to release him. Abu Hawash went on hunger strike in protest at the occupation state's decision to hold him since 27 October 2020 without any trial. Such a protest is indicative of the determination and defiance of thousands of Palestinian political prisoners who are illegally incarcerated in jails. According to reports, there are around 4,600 Palestinian prisoners held in Israeli jails, many of them



being held with neither charge nor trial. Around 600 are cancer patients and more than 157 are Palestinian minors.

Israel uses an administrative detention policy against Palestinian activists and students to silence them from speaking against the brutal occupation. Administrative detention policy gives powers to Israeli authorities for indefinite detention of prisoners without trial or charge based on “secret evidence” that are neither available to the detainee nor his lawyer.

Inside Israeli prisons, Palestinian prisoners are forced to live in appalling conditions and are subjected to harsh treatment, including being subjected to various forms of physical and psychological abuse: arbitrary beatings, excessive use of solitary confinement and the denial of family visits.

According to Saleh Abu Laban, former Palestinian Prisoner, “the Israelis do this [imprison you] in order to turn you from a human being into a creature barely alive. Someone forgotten. Living only to eat and sleep.” ■

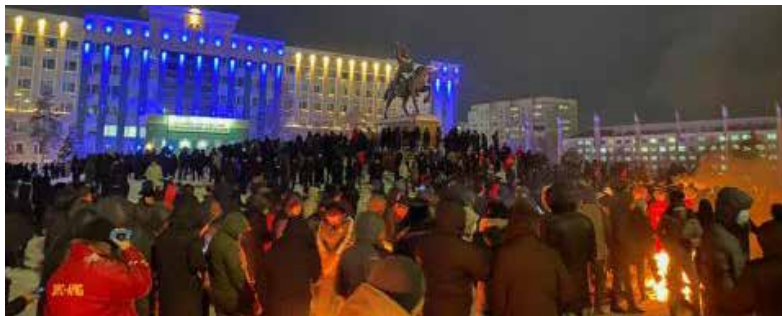


# People Uprising in Kazakhstan Against Inequality, Price Hike and Unemployment

★ V ARUN KUMAR

**O**n the morning of 2 January 2022, two days after the world entered into a new year, hundreds of people began gathering in the city square of Zhanaozen in the Central Asian country of Kazakhstan. Overnight more people began to gather in this oil-rich region and in other parts of the former Soviet republic of Kazakhstan, including in the capital city of Almaty. The main demand of the protesters was the reduction of fuel prices, which had been increased by around 100 per cent. The increasing fuel prices in recent years has further caused a steep increase in food prices and deepened the income inequality that has plagued the nation for decades.

Facing severe police repression and government silence, the protests soon enlarged into a peoples' uprising, with trade unions and workers embarking on general strikes demanding an end to rampant crony-capitalism, inequality and autocratic rule. More than 200 people were killed in the state repression that followed the protests. In a statement, Aynur Kurmanov, co-chairman of the Socialist Movement of Kazakhstan said that workers in the oil/natural gas, metallurgy, mining sectors, as well as from unemployed youth



constituted the main forces behind the protests and it was these groups who were leading the protests.

Since the dissolution of the Soviet Union, the country was ruled by Nursultan Nazarbayev from 1991 to 2019. After the breaking of the Soviet Union, Kazakhstan ventured into the path of privatisation and austerity, with oligarchs close to Nazarbayev profiteering immensely. Nazarbayev was forced to resign after the 2018-2019 protests that reflected the anger against appalling socio-economic conditions and the deteriorating human rights scenario. Nazarbayev was replaced by his ally Kassym-Jomart Tokayev, but Nazarbayev still holds a considerable hold over the affairs.

The persecution of workers, trade union activists and democratic activists are widespread in the country. Earlier in 2011, the Zhanaozen region had witnessed a massive

oil workers' strike demanding better working conditions. The Nazarbayev regime responded with violence, killing more than 16 workers in police firings. 37 oil workers were criminally charged for participating in the strike, and several thousands of strike participants were dismissed and never reinstated.

During the 2022 protests, President Tokayev portrayed the striking workers and protesters as terrorists and bandits, attempting to organise a coup. As the labour strikes intensified along with the protests, Tokayev called for troops from the Russia-led Collective Security Treaty Organization (CSTO) to protect the interests of wealthy oligarchs and foreign businesses. The Russian role in Kazakhstan seems to stem directly out of Russian President Vladimir Putin's playbook to protect the capitalists and oligarchs in the region, and weaken the working class movements. ■

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All India Central Council of Trade Unions

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