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The Call of 2024 Overthrow the Disastrous Modi led BJP Regime!



2023 began with a bigger assembly of workers and called for waves and waves of struggles of workers. 2024 shall begin with a call to overthrow the disastrous BJP regime from the echelons of power in the forthcoming Lok Sabha elections.

The most significant development in 2023 is the realisation of the dream of unity of workers and farmers. The unity was best exemplified in the joint struggles of farmers and workers against the Modi regime and its disastrous anti-worker, anti-farmer policies, held in state capitals from 26 to 28 November 2023. Lakhs of farmers and workers joined hands to display the struggling solidarity of the toiling masses of the country.

The slogan of "Modi and BJP, Quit India" reverberated, in every nook and corners, across the country, on Aug 9, 2023, the day of the movement that called for Britishers to "Quit India" in 1942.

Right from Bank, LIC and financial employees of organised sector to the scheme workers of unorganised sector went on a path of struggle against privatisation and

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for securing their right to livelihood and for better standard of living. The scheme workers in states like Bihar, Uttarakhand and Haryana went on frequent strikes for more than a month.

BJP government's bulldozers ploughed through and rampaged through a number of slums in Delhi, UP and various other states but none of them could escape the wrath and resistance of workers living in slums.

The demand for restoration of Old Pension Scheme, as a third benefit, and scrapping of New Pension Scheme witnessed huge mobilisations across the country and also in Delhi by various platforms of central and state government recognised associations and of unrecognised associations under various banners. The Front Against National Pension Scheme in Railways (FANPSR) led by Indian Railway Employees Federation and Bihar State Government Employees Maha Sangh (Gope Faction) in Bihar and Jharkhand, both affiliated to AICCTU, also played a major role in the mobilisations and in the movement.

The workers of public sector industries like steel, coal, oil, etc., also went on strikes against privatisation and for wage hike. ISRO workers in Ranchi, instrumental in successfully launching Chandrayaan 3, were denied wages and went on a struggle for the same.

Workers of gig and platform workers, including uber drivers and delivery workers, went on militant struggles in various parts of the country that forced the managements to heed to their demands and also forced the union government to bring in a law for their social security. It is another story that the social security only provides insurance schemes to be paid out of the pockets of workers themselves instead of making the corporate companies to be responsible towards its own workforce.

We also witnessed spontaneous outbursts and rasta rokos against the injustices meted out to the workers of private multinational corporate companies like Ford, Foxconn, etc., and the list endless. Workers of several states went on resistance struggles to withdraw the order for 12 hours workday and Tamil Nadu witnessed the most successful struggle that forced the government to take back the order.

Enraged workers were also instrumental in overthrowing the BJP regime in Karnataka that introduced anti-worker ordinances.

The farmers in the country were continuously on a campaign of struggles all through the year against the treachery and backstabbing of the Modi-BJP led union government. The year-long struggles of farmers in Delhi and the complete disillusionment of farmers also paved the way for a regime change in Punjab.

Overall, the year 2023 proved to be the year of waves and waves of struggles including powerful workers' struggles of various sectors.

Industry 4.0, technology driven growth and labour market, skilling, reskilling and upskilling are considered to be the mantras of the future and the workforce. Neither the G 20 summit nor the Indian government addressed the issue of the resultant displacement of workers from the labour market. Modi while addressing the GPAI summit on Artificial Intelligence also aired the same but maintained silence about the huge issue of unemployment.

While addressing G 20 Labour and Employment Ministers Meet at Indore, the Prime Minister Modi said that the special focus is being laid on industry 4.0 sectors like Artificial Intelligence, Robotics, Internet of Things and Drones. He was talking about proliferating digital platforms and technology driven growth but failed to utter a single word about people losing jobs and about generating employment. Even an international research organisation says that at least 2 percent jobs are lost every year which are not compensated with generation of employment.

The share of manufacturing in employment has remained stagnated at 16.4 percent in 2022-23. The share of manufacturing in the workforce declined from 12.6 percent in 2011-12 to 11.6 percent in 2021-22. The textile, apparel and leather which are traditionally acknowledged as labour intensive and employment generating industries have decelerated in their growth rates (-0.5, 1.2 and -1.8 respectively). The Index of Industrial Production has only grown at 2.9 percent on an average every year since 2013-14 to 2022-23.

The unemployment rate among young graduates is

42.5 percent. The number of employees in factories grew at 6.2% annually during the UPA regime. This growth fell to 2.8% under the Modi government. Similarly, wages to workers grew at 17.1% annually under the UPA, falling to 8.4% since 2014.

The OXFAM report states that despite India being one of the fastest developing economies in the world, the downside is that India is one of the countries with the fastest increasing inequalities. The inequality and disparities have increased very sharply in the last decade under the BJP's rule. The richest have cornered a huge wealth to the extent of competing with the wealthiest in the world while the number of the poorest and the inequality in the country keep increasing. The poor are unable to access even the mandatory minimum wages, quality education and affordable health care. They are denied of even bare minimum social security, leave alone regularisation of their jobs.

Under employment is so rampant that the Madras High Court has to advise the state government to formulate rules where the poorly qualified are not denied of their right to employment because of competition from the highly educated competing for the same unskilled job.

Job loss, Wage loss and unemployment are threatening the life of the people while Modi is talking about technology driven growth which is basically a Jobless growth. The need of the hour is to generate more jobs, but the union government is following policies that kills even existing jobs. Despite promising two crore jobs every year since it came to power in 2014, the Modi government has not really increased any opportunities or jobs.

Modi's Vision 2047 is to create an army of labour who cannot even stake a claim for any regularisation, wage security and social security, as per law. Modi's vision is to create a labour force similar to that of gig and platform workers where employer – employee relationship is blurred. Flexible working arrangements and flexible income sources being perceived in the model of gig and platform workers is nothing but an euphemism for dismantling the system workers' rights and the livelihood. The industrialists are being relieved of the burden of taking care of the necessities of their own

workforce while the workers are burdened to fend for themselves. Even ESI and PF that are mandatory under existing laws are being made optional through the Labour Codes.

In the Indore meet, Modi highlighted the skill and dedication of frontline health workers but called it a “culture and compassion” and refused to address the issue of denial of even minimum wages and the denial of the status of a worker to them. He was talking about globalising the development and sharing of skills but did not talk about paying global wages to workers in India or sharing of profits with workers. He was talking about globally mobile workforce, migration and mobility partnership, etc., but we never imagined that he would enter into an agreement with Israel to make our construction workers as renegades against Palestinian workers and would force them to risk their life in the war-torn country. The Modi government's decision to send around a lakh of construction workers to Israel, risking their lives, is widely condemned and protested by Indian workers.

Workers in the country are facing a very serious crisis of their livelihood because of low wages, skyrocketing price rise and lack of any security including job and social security. The four Labour Codes are waiting on the wings to destroy the system of rights and livelihoods of workers. Despite adoption of Labour Codes in both houses, they are not brought into force on the one hand because of stiff resistance from the trade unions in the country and also because of Modi's fear of losing impending Lok Sabha elections in 2024. BJP is in a jittery that implementing Labour Codes can spell a doom for BJP in the coming elections. Hence, it is put on hold, for now.

In the name of opening Ram temple in Ayodhya, the BJP is dreaming of generating heightened communal hatred in the country, camouflaging real issues of the people, to win the elections. 26 January republic day is being relegated to the background while a fury is being created around 22 January, the day of opening ceremony of Ram temple. The BJP and RSS are aiming at transforming India into a Hindu Rashtra. The “Hindu Rashtra” perceived by the BJP-RSS is nothing but a “Corporate, Communal

Rashtra” of Adanis, Ambanis and the Sangh Brigade against the rights and wellbeing of the working class. The BJP is hell bent on replacing India’s “sovereign, socialist, secular, democratic” constitution of the Modern India with the Manu Smriti of barbarian times.

AICCTU is joining the “Peoples’ Pledge Campaign (Jan Sankalp Abhiyan)” to save democracy and to save the constitution from 26 January, the day the Indian republic was born, to 30 January 2024, the day Gandhi who stood for the Hindu-Muslim unity, was killed by the communal fanatic Godse.

AICCTU is also joining the mass action jointly called by the platform of central trade unions and the Samyukta Kisan Morcha on 16 January.

The working class cannot allow the disastrous BJP regime to make a comeback because it will be a major disaster in the lives of the toiling masses of the country. The workers and farmers have resolved to defeat Modi and the BJP in the coming elections so as to avoid a disaster for the country, for the people and for the workers.

The resolve of the working class in 2024 is to overthrow the disastrous BJP regime from the echelons of power!

With the reinforcement of unity of farmers and workers, the days of Modi and BJP rule are being numbered.

The Call of 2024 is to oust the Modi led BJP regime to protect the lives of workers, farmers and the people of the country.

Defeat Modi and the BJP in Lok Sabha elections 2024! ■

“We Did It for Our Brothers Who Were Trapped”: Uttarkashi Rescue Miners



Munna Qureshi, Monu Kumar, Feroze Qureshi, Naseem Mallik, Nasir Khan, Jatin, Devender Kumar, Saurabh, Wakeel Hassan, Irshad Ansari, Rashid Ansari, and Ankur are the 12 rescue miners who provided a breath of fresh air to the 41 workers trapped for 17 days under the rubbles of the collapsed Silkyara tunnel in Uttarkashi. After the repeated failure of the auger machine to reach the trapped workers, a team of 12 workers were called to finish the job of rescuing. After 26 hours of tireless work, the team of rescue miners successfully finished their operation. On December 15th, the CPI(ML) Liberation organised a felicitation ceremony for the rescue miners at its Central Office in Delhi.

On November 12th, 2023, a sudden rockfall sealed a part of the under-construction Silkyara tunnel resulting in the entrapment of the 41 construction workers. It is appropriate to state that workers, like the 41 trapped construction workers as well as the 12 rescue miners, are the ones who shoulder the burden of the disastrous model of “development” which has resulted in the destruction of the fragile ecology and geology of the Himalayas.

Warnings by Scientists

The Silkyara tunnel is part of the ambitious Char Dham National Highway project in Uttarakhand that the double engine government of BJP (both at the Centre and at Uttarakhand) are pursuing, with utter disregard to several warnings of the scientists about the impending environmental disaster. In 2020, a high-powered committee chaired by prominent environmental scientist Ravi Chopra reported that engineers have failed to analyse the local geology and hydrology at several construction

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sites of the Char Dham project, which has led to landslides and environmental disasters. Despite this, construction of broad pavements was cleared by the Supreme Court when the Indian Military was brought in to argue in favour of the construction of the wide pavements. Ravi Chopra was forced to resign from this committee. It is important to note that despite the knowledge of Silkyara falling in a geologically brittle shear zone, no escape route was provided for the workers.

Workers Always Made to Pay

It is not the first time that workers are being made to pay the cost of reckless construction in the Himalayas. In 2021, a glacial outburst killed more than 141 workers at the Tapovan Vishnugad Hydel Power Project. Recently, the subsidence of Joshimath town, which is roughly 190 kms away from the Silkyara tunnel, had drawn the attention of the world where several hundred houses were subsided and people were forced to be displaced from their homes. Such is the cost of unabated construction in the fragile Himalayan geology, which is being undertaken only to satiate the megalomaniac Prime Minister of India.

Helplessness Expressed by Rescue Miners

The team of the 12 rescue miners consisted of workers from Delhi's Khazoori and UP's Bulandshahr and Kashganj. Like the rest of the country, these workers were also watching the attempts to rescue the 41 trapped workers. Monu Kumar, one of the team members told us that while watching the helplessness of fellow workers who were trapped, they were feeling restless for not being able to do anything as they were confident that if given the job, their team can successfully rescue the trapped workers. He told us that they feel extremely fortunate for being recruited for the job and for being able to rescue the trapped workers. Nasir Khan, another team member of the rescue miners, told us that they could feel the helplessness of the trapped workers as they themselves work in deep trenches and are aware that such accidents can happen to anyone of them and at any time.



'Media Termed Us as Rat Miners'

The workers told us that while the media has termed them as 'rat miners', they describe their jobs as 'manual gig pushing'. Their job is to lay water or sewer pipelines at 15 to 35 feet underground. While the nature of their job appears similar to that of the 'rat miners', their occupation does not fall under the banned category of work. While machines are involved in horizontal digging for laying pipelines, an extensive amount of manual work is also needed for the completion of the work. The description of their job defines their work to be of hazardous nature.

Wages Less Than Minimum Wages

The workers who hail from Bulandshahr told us that most of those who are engaged in this kind of work come from families who are landless or are small farmers. Agrarian crisis in India's countryside is forcing majority of the youth to move out from farming sector and adopt non-farm manual labour. The rescue miners told us that they chose this difficult job because other construction workers get Rs. 300 to Rs. 400 per day, while they earn Rs.

500 to Rs. 600 per day. On an average, they manage to earn around Rs. 15,000 per month. It is to be noted that such rates of wages are lesser than the stipulated minimum wages. The lowest minimum wage in Delhi is Rs. 17,494 per month. It is indeed a matter of great shame that workers who build critical infrastructure in different parts of the country and undertaken great risk to their lives, which includes the possibility of accidents and physical injury are paid such paltry amounts. We were also informed that they are denied social security benefits such as ESI or PF. It is only when they work in massive development projects that the employer contributes to their PF.

‘Accidents & Deaths are Common’

They have been involved in this work without any formal training from any employer and they had to start doing this job when they were as young as 16 years old to meet the economic needs of their families. They are aware of several accidents that have either injured or killed workers engaged in manual gig pushing. They mentioned two accidents that took the lives of workers involved in laying pipelines in Delhi’s Begumpura, as well as UP’s Etah. Despite the risk involved in the job and the meagre level of wages, they continue with this job as no other avenues of employment are available for them.

The working conditions of the rescue miners reflect the dismal situation of working-class rights of millions of informal workers across the country. Workers from Delhi to UP and Uttarakhand are being forced to work without any guarantee of dignified wages or other legal rights.

Inspiration Derived from Rescue Miners

Everyone present at the felicitation ceremony were inspired by the clear display of the consciousness of working-class by the rescue miners. Munna Qureshi, a member of the rescue miners team mentioned the difficulty they face in securing a future for their children, despite working hard for nine to ten hours every day, and that the dreams of their children are quashed since education is being privatised and thus, become unaffordable for families like his.

Nasir Khan raised a very important question as to why projects under the government are being handed over to private companies. Wakeel Hassan, the team leader of the rescue miners, said that it is not religion or caste of the trapped workers that inspired them to go for the rescue work, but the suffering of fellow workers that led them to take up the assignment. Till date, the rescue workers have not been paid by the Navyug company. Recently, Uttarakhand CM Pushkar Dhami offered Rs. 50,000 as a reward for each worker. But, the workers have refused to encash the cheque, as they are very clear on their demand for permanent jobs and sufficient financial assistance to move away from this hazardous job.

AICCTU demands that the 12 rescue miners are provided with regular government jobs, that a minimum of Rs. 10 lakhs be given to them as reward for rescuing the 41 trapped workers as they have provided a great service to the nation, and that an official recognition of their bravery be made by the Union Government. We also demand that the disastrous Char Dham National Highway Project be scrapped until a proper Environmental Impact Assessment of the region is carried out, before proceeding with any further construction. The people of the country shall no longer bear the cost of disastrous projects, which only acts as a photo-op for the Prime Minister. ■



Rubble and Resilience: 2023 and Slum Evictions in Delhi

★ ADV. KAWALPREET KAUR



“**J**ahan Jhuggie vahan makkan” has become a ubiquitous phrase in Delhi’s urban scene, which no slum resident believes, yet it is used numerous times by political parties around the state. Taking stock of the situation today reveals that, far from ensuring any in-situ rehabilitation to slum dwellers in Delhi as the manifestos of the political parties show, this year turned out to be one of the worst for the working-class slum dwellers in Delhi who regularly witnessed series of demolitions and in none of the aplenty demolitions the families bulldozed were rehabilitated.

According to the public hearing report prepared by various civil society organizations, demolitions in Delhi in 2023 “displaced more than 2,50,000 men, women, and children.” It’s crucial to reflect on the year as it comes to an end and consider how harsh

the year was in terms of evictions.

G2o summit and the displacements in the city

The G-20 conference in Delhi this year resulted in substantial changes to the urban landscape, particularly in terms of demolitions, which had a severe impact on slum people. As a result of the city’s hosting of this worldwide event, slum sites in Delhi, including one in the famed Pragati Maidan area’s Janta Camp, were demolished to make room for new construction and beautification initiatives. The slums, like Janta Camp, were constructed two to three decades ago. The majority of the residents were also working as laborers on neighboring construction sites, helping to build the structures and halls where the G-20 meeting was held. They had no idea that their own slums would be destroyed in the process.

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Demolitions at Tughlaqabad

A few months ago, the demolition in Delhi's Tughlaqabad resulted in 10,000 people being left without a roof of their own in this city. All of them were left on their own, with no provision for rehabilitation or alternative settlement. In this case, which I represented in the Delhi High Court, 3000 houses were razed. This was the biggest drive in Delhi, where the Archaeological Survey of India had staked claims for its land in the Tughlaqabad fort.

The residents were left to live on the rubble while they waited for the government's assistance. Their case for rehabilitation is still pending in court. While the courts and agencies act with the utmost urgency to tear down and evict inhabitants, they show no urgency when it comes to the resident's most basic right to shelter and respectable rehabilitation.

Demolitions at Yamuna floodplains

Moreover, about 1,000 eviction notices were delivered to Yamuna floodplain inhabitants, and nearly 150 homes were razed, affecting approximately 4,900 residents and leaving close to 700 homeless in Delhi this year.

In Moolchand, which is near the floodplains, about 4,900 people from 1,000 dwellings were served with eviction notices, and the demolitions ultimately left approximately 2,940 homeless.

While demolitions in Tughlakabad and Mehrauli occurred as a part of heritage walks planned for G20 delegates, the Yamuna Floodplains and Moolchand areas were near their movement routes. Despite existing for many years, both the Janta camp located at Pragati Maidan and a slum cluster at Dhaula Quan were demolished as these clusters were along the routes that many international delegates traversed during the summit.

Hyper-technical criteria adopted by the courts

When it comes to rehabilitation, the court uses a hyper-technical definition to rule out the residents' eligibility to get any rehabilitation. The Delhi high court in recent times has relied on a narrow interpretation of the Delhi Urban Shelter

Improvement Board (DUSIB), Act 2010, which stated that those slum clusters which had not received government notification, were not eligible for rehabilitation — forgetting that these policies are designed for the most vulnerable people to help them exercise their right to shelter, which is protected under Article 21 of the Constitution.

The courts have not inquired into the selective criteria by which government agencies chose to recognize one cluster while ignoring the other, demonstrating the court's utter disregard for the poor in the slums.

No intention to rehabilitate

Looking at the media reports, it may appear that most of the Delhi lands are occupied by these 'encroachers'. But the Census figures from 2011 tell us a different story. It says that only around 0.5% of Delhi's total land area is occupied by slums, which are home to around 11% of the city's residents.

The area of land available with DDA and DUSIB is 36,91,594 sq m and 18,71,659 sq m, respectively, totaling over 13,755 acres. These are areas of land that are not required for any kind of public use. The area is so large that more than 1.25 lakh slum dwellings may fit there under the current density requirements. It was the DDA's failure that it could not fulfill the task of building at least four lakh housing units for the urban poor by utilizing slums and JJ colony approaches. The Pradhan Mantri Awas Yojna (PMAY) project's execution follows a similar trajectory. So far, only about 30,000 residential units have been approved and built in Delhi, making it one of the slowest in terms of the scheme's execution.

The destruction of slum houses without providing alternative accommodation or fair compensation is a clear violation of the fundamental human right to adequate housing. When people are displaced without adequate alternatives, their right to live with dignity and security, without fear of arbitrary eviction is breached.

While 2023 has been the year with the most demolitions, with even the courts turning a blind eye, it is time to resolutely demand that no working-class household be demolished in Delhi without first providing them dignified rehabilitation.

The Unrecognizable Law on (Un)Recognizing Unions

★ SHILPA PRASAD

Collective bargaining is an instrument for better standard of living, bringing workers together against an irascible management. It serves to articulate collective demands, and challenge powerful managements and governments, who are often hand in hand. A trade union is an organisation for the working-class action. In the India we inhabit today, which is rapidly altering to an entirely fascist and capitalist enterprise, a trade union enables workers to unite as a class, outside identities of caste, gender and religion.

This right to collectively bargain is well settled in both custom and international law, through ILO Convention No. 87 - Freedom of Association and Protection of the Right to Organize Convention, 1948, which recognises the right of workers to organise without interference from public authorities, right against being suspended or dissolved by administrative authorities, and the duty of all member countries to take all necessary measures to ensure workers freely exercising the right to organise (Articles 3, 4, and 11).

Collective bargaining is exercised in several ways: through formation of unions, by holding protests and strikes on collective demands, or by negotiating with the management to enter into settlements. In order for a union of workmen to collectively articulate their demands to the management, the majority union of the industrial establishment will seek that the management recognises it as a “recognised union” of the establishment, such that any settlement entered into between that union and the management binds all workers in the establishment. The concept of recognition of unions is meant to facilitate negotiations by placing on record which union is officially authorised to represent the interests of the workers in that establishment to the management.

Law on recognition of trade unions

Unlike the adjudication of industrial disputes or wages, there is no central law governing recognition of trade unions. The right to collectivize is recognized in Article 19 of the Constitution, through which all citizens have the right to form associations or unions, right to freedom of speech and expression as well as right to assembling peaceably without arms. Once formed, a union may register itself under the Trade Union Act, 1926. However, such registration is not a precondition to collectivize, and merely allows for the union to be a legal entity which holds funds, and enjoys some immunities from civil cases arising out of industrial disputes. Thus, once a union is formed, it has the immediate ability to present the demands of its workers to the management as well as the government.

In establishments, often, there are multiple unions in existence. A majority of workers may be members of one union with a minority being members of another union. Or, the more realistic scenario is that the management foists a management sponsored union in order to weaken the bargaining power of the existing majority union. The management will then refuse to engage with the majority union, claiming that it is not a recognized union, while the management foisted union is entitled as the recognized union representing the interests of workers. Although foisting a management sponsored union is an unfair labour practice, this is a regular tactic utilized by the management to refuse to enter into negotiations with the majority union, or to victimize union office bearers for participation in union activities. The management will also enter into anti-worker settlements with the sponsored union, which they will then claim binds all workers in the establishment. In this manner, the management uses the concept of “recognized unions” to arm-twist workers into leaving majority unions for sponsored minority unions, to delegitimize majority unions, and to refuse to engage with the collective bargaining of workers in the establishment.

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In this context, the concept of “recognition of trade unions” or a “recognized union”, gains relevance. It is pertinent to note that there is generally no provision in either the industrial disputes law or trade union law that requires that a trade union be “recognized” in order to articulate the demands of workers, either in court or outside the court. Recognition of unions (outside of public sector undertakings, railways, defence sectors) is a mostly informal process through which the management of the companies will recognize the unions which are a part of an establishment, and will enter into negotiations with the said unions. The management will either conduct membership verification by obtaining a list of union members and verifying with each worker regarding their membership; the employees may be asked by the management to check-off whether they belong to a union or not; or, more preferably, the union may hold a secret ballot of all workers in the establishment to determine the majority union.

The rules governing unions formed by workmen in public sector undertakings differ, and generally in all industrial establishments, are largely based on the rules framed by each undertaking, the model standing orders, or the settlements entered into between the workmen and the management. Such rules may state that the union enjoying more than 50% membership of workmen will only be recognized as the sole bargaining agent, subject to elections being regularly conducted. In the absence of a central law that makes it compulsory for recognition of trade unions, it becomes a highly subjective process that can be arbitrary. Often, the management is known to have sponsored minority unions or paper unions without any workers support, to hold an wishy-washy elections and claim to be the only majority union in the establishment.

Recognition of Unions under the Code of Discipline

The only formal document of the Union Government regarding recognition of trade unions is the “Recognition of Unions under the Code of Discipline” issued by the Ministry of Labour (Department of Labour), Government of India, first issued in 1961 and revised subsequently in 1963, 1969 and 1980, and adopted at the Indian Labour Conference. Attached

to the document is also the Code of Discipline. The said Code of Discipline provides for two types of recognition a union can claim: for an industry in a whole local area or for in a particular establishment. It provides the following rules, amongst others:

1. Where there is only one union in the industry or establishment it can claim recognition provided it hasn't breached the code of discipline in the 1 year preceding the claim.
2. Where there are several unions in an industry, the one with the largest membership of not less than 25% of the workers of the industry, functioning for at least 1 year after registration under the Trade Unions Act, 1926, can claim recognition. Where there are several unions in a single establishment, it must have majority of at least 15% of the workers.
3. Membership of the union for the purpose of recognition is only of those workers who have paid subscription for at least 3 months during the preceding 6 months.
4. Such a Union should first request the management to accord recognition with all relevant particulars. If not accepted, the union may seek assistance of the concerned implementation machinery.
5. The recognition lasts for a period of 2 years from the date of recognition.
6. A union can be derecognized if it breaches the code of discipline.
7. Such recognized unions enjoy the right to raise and enter into collective agreements with the employers on general questions regarding terms of employment and conditions of service, collect membership fees, cause to put up a notice board and affix notices, hold discussions with workmen at a suitable place within the factory premises, meet and discuss with the employer, inspect premises, nominate representatives.
8. Further, the code of discipline prohibited any unilateral actions relating to an industrial matter - no strike/lock-out without notice, no intimidation/coercion/victimization, parties must avoid litigation, utilize the existing mechanism

for settlement and not engage in unfair labour practices.

This code of discipline has been critiqued as being inadequate, unable to formalize a largely informal process, and as leaving to the whims of the management many aspects of negotiating with unions. Nonetheless, it exists as a guiding mechanism for recognition of unions, but has not attained any legislative sanction as yet.

State-wide laws

Outside of the Code of Discipline, certain States in India have enacted laws that provide for recognition of unions, such as the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971. The Act states that any union which, for 6 months preceding, has not less than 30% membership, may apply to the industrial court for being a recognized union for the establishment. Another union may also subsequently claim to be the majority union, and upon hearing both parties on notice, the industrial court will pass an order recognizing it in place of the other union. Consequent to recognition, the union has the right to put up a notice-board, hold discussions on the premises, inspect the undertaking where the workmen are present, appear on behalf of workmen in domestic inquiries, participate in the Works Committee, etc.

West Bengal also has a legislation called the West Bengal Trade Union Rules, 1998 by virtue of which an application has to be submitted for recognition as the union in the industrial establishment. Similarly, Kerala has the Kerala Recognition of Trade Unions Act, 2010, and in Odisha, Verification of Membership and Recognition of Trade Union Rules, 1994 - all specifying a minimum percentage of workmen membership required for a union to be recognized as a recognized union.

Recent changes in the law

Presently, the BJP-Union Government has passed the Industrial Relations Code, 2020, in Parliament and the Draft Industrial Relations Central Recognition of Negotiating Union or Negotiating Council and Adjudication of Disputes of the Trade Unions Rules, 2021. However, the Code is yet to come into force and be implemented. It governs the relations

between workmen and the management as well as the registration and working of trade unions. The Section 14 states that for a negotiating union or council to be present in an industrial establishment it must be a registered trade union. It states that if there is only one registered union in the establishment, the employer shall recognize the union as the sole negotiating agent of the workers. If there are multiple trade unions in the establishment who do not enjoy 51% membership, the employer will constitute a negotiating council consisting of representatives of the registered unions having not less than 20% of the total workers as members. Consequently, certain provisions of the Code require the employer to negotiate with the recognized union or council, such as “consulting” the recognized union in respect of draft standing orders. It also provides for the Union Governments or State Governments to recognize a central trade union or any other trade union in the industry or establishment. The Code provides rule making powers to the Union Government regarding recognition of trade unions, granting an anti-worker government the power to decide, by executive power, the manner in which unions will be recognized.

Rule 4 of the aforementioned Rules states that where there is only one registered trade union in an industrial establishment having not less than 30% workers employed, then that trade union shall be recognized as the sole bargaining agent. It also provides for a Verification Officer in Rule 5, which states that the verification officer shall carry out the work of membership verification in the industrial establishment “in a time bound manner determined by the employer”. Thus, the Rules themselves leave the process of recognition entirely to the employer, without any involvement of the workmen and unions.

The insidious nature of the Code becomes evident in its details. When enumerating the unfair labour practices on the part of the management which are prohibited, the Code deems it an unfair labour practice for an employer to show partiality or favor to one of several trade unions, where such a union is not a recognized trade union. It further prohibits as an unfair labour practice to refuse to bargain collectively in good faith with the recognized

trade unions. Pertinently here, these actions of the management are only unfair labour practices if done to a recognized trade union, and not otherwise. Given that the manner in which a trade union will be recognized has been almost entirely left to the rules to be framed by the Union Government, and that the management has been given absolute discretion in recognizing unions, it is reasonable to apprehend that the management will abuse this phrasing of the unfair labour practices to first refuse to recognize pro-worker unions as the recognized unions, and will then refuse to engage with unrecognized unions who will genuinely represent the cause of workers, on the ground that it is unrecognized.

The way forward

Registration of unions is done formally under the Trade Unions Act, 1926, whereas, the recognition of unions is a largely informal process that is left to the mercy of the management. The Constitutional Courts of our country have yet to evolve labor jurisprudence in a manner that recognizes the power imbalance between workmen and the management, or to interpret provisions in a manner to achieve the objective of social justice in labor legislations. Such a need is apparent in areas uncovered by legislation as well, requiring Courts to step in, in favor of the industries or the working class while filling the lacunae in the law.

Some argue that a legal imposition regarding recognition will formalize discrimination by the management and also legitimize it, and for this reason, the issue of recognition should be left purely to the unions and the management to work out. Further, the manner in which the Union Government has formalized recognition in the Industrial Relations Code, 2020, further leaves workers at the mercy of the management. This is a prime example of formalization by law not necessarily being the answer to anti-worker practice by the management. Through the struggles, the management will be forced to voluntarily accept the workers' desire to unionize. Formalization of recognition of unions, especially in an atmosphere wherein the Union Government is increasingly fascist, will be subject to the unions filing application, which may also be rejected on the ground that the union is indulging

in political or “anti-national” activity.

Others argue that a legal obligation of recognition can bring about a formal recognition of the union, and do away with arbitrariness on the part of the management to recognize trade unions. It may also provide a path to unions to raise disputes against the managements refusing to recognize. A lack of formal recognition also leaves high discretion at the hands of the management to select any unions favorable to the management. At the same time, the management may also not be able to float a sponsored union and recognize it in order to break a strong union.

A possible answer to the arbitrary nature of recognition of unions, is not legislative sanction, but political unionism. Political unionism is characterized by labor movements being imbued with ideology based political activities, including struggles for a working-class government. A way forward with the haphazard and arbitrary manner in which recognition of unions is taking place under the management is political unionism, to hold the management accountable to their arbitrary actions against unions and victimization of unions. In this manner, “political” unions may guard against the managements that are acting against the interests of collective bargaining. ■



The Management Guide to Escaping Labour Law

★ SHILPA PRASAD

The present article aims to strike at the various ways in which the Management creates industrial disputes against workmen, avoids negotiations, and finds ways around facing labour laws.

One of the key legislations governing industrial relations in India is the Industrial Disputes Act, 1947, which although limited in its protection of workers against the victimisation by the Management, has been avoided, obfuscated and watered down by the Management.

HISTORY

The Industrial Disputes Act, 1947 (“ID Act”) has a long history in Independent India, which must be perused in order to understand both the strength and weaknesses in its provisions. In 1920, the first such law governing industrial relations between workmen and the management was enacted by the then British Government in India, called the Trade Disputes Act, 1920. This law established courts of inquiry, conciliation boards, and forbade strikes without 1 months’ notice in public utility services. This law also made sympathetic strikes as well as fraternal funds to workmen’s strikes illegal. However, it did not provide for a manner of settling industrial disputes and thus, it was eventually repealed and replaced with the Trade Disputes Act, 1929. Here began the Government’s

intervention in negotiation and settlement of industrial disputes.

The 1929 law reiterated the prohibition on strikes (Section 16(1)(b) of the Trade Disputes Act, 1929). However, the new law also established ad hoc Boards of Conciliations, meant to bring about a settlement of the dispute, who may then draw up a memorandum of settlement signed by the parties and send a report. Through this, the “peaceful” settlement of industrial disputes was envisioned although in favour of the capital.

This law was amended in 1938 to make way for appointing conciliation officers, as admitted by the First National Commission for Labour stated that the law was not extensively used, as mostly the government policy was laissez faire and selective intervention.

Thereafter, the Second World War hit the country, leading to the promulgation of the Defence of India Rules in which the appropriate government was given the power to intervene in industrial disputes, enforce settlements, appoint tribunals and enforce awards. This was meant to be a speedy remedy to disputes, making awards legally binding, prohibiting strikes during pendency of conciliation, and contained a blanket ban on strikes not arising out of genuine trade disputes.

Once the war ended, the Industrial Disputes Act, 1947 was enacted which largely contained portions of the 1929 law and the Defence of India Rules, coming into effect on 1st April 1947. The ID Act as we know it was meant to ensure justice to the workmen, advance the welfare, and promote settlement of disputes. In essence, the ID Act was principled on “peaceful co-existence” through amelioration of the condition of workers through various means of settling disputes. Thus, it was meant to encourage conscionable negotiations, conciliations and adjudication. The law also had sufficient loopholes to circumvent it. The manner in which the Management and the government utilised this law is another story.

THE SCHEME OF THE ID ACT

Although the law is limited and favourable towards the Management, especially the “maintenance of industrial peace” which more formally refers to workers rights being trampled down for the sake of increased profits, the ID Act is one of the few laws remaining with workmen to compel the Management to limit the unfair labour practices.

Through the ID Act, settlement of industrial disputes was perceived through collective bargaining, mediation and

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conciliation, investigation, arbitration, adjudication and basic protections. These basic protections ranged from protecting union office bearers from victimisation, prohibiting changes in service conditions during pendency of disputes, prosecution for unfair labour practices, or prohibiting the employment of workmen as casual labour/badlis for longer periods merely to deny them the benefits of permanency.

The ID Act contains a short list of actions by the Management and Unions that are considered unfair labour practices. These prohibited practices include threatening workmen with dismissal for joining unions, establishing employer sponsored unions, dismiss a workmen by way of victimisation, disregard principles of natural justice in domestic enquiries, abolish work of regular nature to replace workmen with contract workers, show favouritism, and failure to implement awards, settlements or agreements.

In order to enforce these protections, outside of approaching the industrial courts, the ID Act allows workmen to initiate criminal prosecutions against the Management for engaging in unfair labour practices or for refusing to abide by the terms of settlements.

MANAGEMENT VS. ID ACT

In reality, the Management often enters into settlements to put an end to workers' strikes and demonstrations and finds creative

ways to avoid implementing the settlements. A settlement means a settlement arrived at in the course of conciliation proceeding and includes a written agreement between the employer and workmen arrived at otherwise than in the course of conciliation proceedings where such agreement has been signed by the parties thereto in such manner as may be prescribed (Section 2(p) ID Act).

Thus, the law envisions two types of settlements: one, that is entered into between the workmen and the employer during the conciliation proceedings, which is a tripartite agreement to which the conciliation officer is also a party; and two, a bipartite agreement between the workmen and the employer outside of conciliation proceedings in the prescribed manner and a copy of which is registered under the appropriate authority.

In fact, in case a dispute is in the conciliation proceeding, it is the duty of a conciliation officer to investigate the dispute and all matters affecting the merits, and to do all such things as the conciliation officer thinks fit to induce the parties to come to a fair and amicable settlement of the dispute (Section 12(2) ID Act).

A bipartite settlement arrived at in the course of conciliation proceedings is binding only on parties to the dispute while the tripartite settlement arrived at before a conciliation officer is binding on all parties in the factory.

In many instances of conciliation

proceedings, workmen are often at the mercy of sympathetic conciliation officers, who are government officers, who often will refuse to summon witnesses, summon documents, record statements made by the management during conciliation, despite having the power to do so (Section 11(4) ID Act). They may not conduct inspections despite glaring unfair labour practices, and in several instances may not proactively push the management to adhere to the ID Act unless the workmen routinely follow up.

Most often, the Management refuses to appear for conciliation, or will appear and refuse to adhere to directions given by the conciliation officers and will not respect the conciliation process or the workmen. At the very outset, we must demand a radical change in the manner in which conciliations take place.

Then, the Management, often to stop strikes or growing unionization of the workmen, will sign and enter into settlements during conciliations, often recorded as the minutes of the conciliations. These settlements, as we have seen, are binding on all parties. However, the Management, across the board, use the following excuses to claim that these minutes / agreements are not binding settlements:

1. That the person who signed the agreement was not authorised to do so, hence the settlement is not binding. This is despite the Management having received the notice of conciliation proceedings and

sending an authorised officer to the conciliation meetings. This claim is also despite Rule 37 of the ID Act (Central) Rules, 1957 stating that a party appearing by a representative shall be bound by the acts of that representative.

2. That the signing of conciliation proceedings does not amount to entering into a settlement with the workmen and hence, is not binding on the Management.

3. That there was no agreement / settlement entered into, as what was signed was merely an order sheet, letter, minutes of proceedings, acknowledgment of the proceedings, etc.

4. That, in the case of workers guised as contract workers through sham contractors, that there is no employer – employee relationship between the workmen and the Management, the Management was merely taking part in conciliation proceedings as notice was received of the same and hence, any conciliation proceedings signed are not binding on the Management.

5. That, on hyper technical grounds, that the settlement was not published or that a full report of the same was not sent by the Conciliation Officer to the Appropriate Government. This is despite judgments repeatedly holding that the ID Act is a beneficial legislation and must be interpreted to achieve its laudable purpose of social justice for workers.

6. That there has been

a significant delay on the part of the workmen in seeking implementation or prosecution of the management for violation of the settlement. The law in Section 19(2) of the ID Act is then intentionally misinterpreted by the Management to state that even if there was a settlement, it was in force only for a period of 6 months from the date of signing and is no longer a valid settlement. However, this claim is despite the provision itself clarifying that the settlement continues to be in force even after 6 months until the 2 months' notice of expiry in writing from the parties of their intention to terminate the settlement.

In judicial interpretation as well, this stance has no backing, as noted in *Life Insurance Corporation of India v. DJ Bahadur* (1980 AIR 2181) that the ID Act does not contemplate the creation of a vacuum, so that rights and benefits enjoyed under a settlement, which must be considered to have the same sanctity as an award, will continue to be in force until its express replacement by a subsequent settlement or award. Thus, the law as it stands is wilfully twisted by the Management to claim that even if a settlement existed, it is no longer in force. In fact, often the workmen are made to run from pillar to post and given various oral assurances that the settlement will be implemented, which causes the delay in approaching the authorities seeking prosecution of the Management. Further, workers have to operate in an atmosphere

of fear of victimisation, as any initiation of prosecution of the Management leads to retrenchment, hoisting false charges and domestic enquiries, demotions and harassment.

This list is only indicative, and the Management often places creative excuses before the Courts to claim no liability arising out of settlements.

SETTLEMENTS IN THE INDUSTRIAL RELATIONS CODE, 2020

The Industrial Relations Code, 2020 (“IR Code”) is the new labour code introduced by the BJP regime to replace the Industrial Disputes Act, 1947, the Trade Unions Act, 1926 and the Industrial Employment (Standing Orders) Act, 1946. As such, it reproduces the provisions relating to settlement of disputes, and fails to take into consideration the imperfections stated above in the conciliation process (Sections 53 ID Code). However, the IR Code places a two-year limitation period for raising a dispute before the conciliation officer, and a three-month period for filing an application in the Tribunal after the conciliation report. This is despite the settled law and judicial decisions that there is no limitation on raising an industrial dispute, so long as the dispute subsists. If there is a long delay, the court may mould the reliefs accordingly. Now, on the mere ground of delay, workers will be denied substantial rights to raise a dispute before the conciliation officer.

JUDICIAL INTERPRETATIONS

The above excuses employed by the Management are untenable, having also been held to be so by the constitutional courts of our country in several judgments.

Moreover, it is often the State which is meant to act as a model employer and protect as well as promote the rights of workers, is actually providing the above excuses, in various combinations, to avoid implementing or adhering to settlements.

It is pertinent to note here that the ID Act treats a settlement with the same sanctity as an award and provides an express penalty for breach of a settlement or award, attracting imprisonment

upto six months, or fine, or both (Section 29 ID Act). Despite the same, there is a lack of respect or non-adherence on the part of the Management towards the settlement.

THE WAY FORWARD

The most significant tool at the disposal of the Management to avoid adhering to the ID Act is the prolonged litigation and delay. For example, the Management will often refuse to recognise protected workmen within 1 year of a Union submitting a request to recognise its office bearers as protected workmen, and thus, by delaying action or protracting conciliations, workmen effectively lose protected status for that year and are forced to submit another request for the

next year (See Section 33 ID Act r/w Rule 61).

The Management will also often refuse notice from Conciliation Officers, refuse to produce documents, refuse to adhere to the advice of Conciliation Officers and drag workmen to Courts for decades until actual and real implementation of settlements becomes impossible.

This, we must rethink the refusal of the Management to implement settlements as not just a violation of the ID Act, but also as a failure of the ID Act to fully protect the rights of workmen. Arguably, the struggle of workmen is better placed outside the annals of the Courts, not being subject to creative interpretation.

Justice to Workers

1. In *Harjinder Singh v. Punjab State Warehousing Corporation* [AIR 2010 SC 6111], the Supreme Court clarified the manner in which laws such as the ID Act are to be interpreted, as follows:

“19. The preamble and various Articles contained in Part IV of the Constitution promote social justice so that life of every individual becomes meaningful and he is able to live with human dignity. The concept of social justice engrafted in the Constitution consists of diverse principles essentially for the orderly growth and development of personality of every citizen. Social justice is thus an integral part of justice in the generic sense...”

Court’s Approach to Social Welfare Legislations

23. Of late, there has been a visible shift in the courts approach in dealing with the cases involving the interpretation of social

welfare legislations. The attractive mantras of globalization and liberalisation are fast becoming the *raison d’etre* of the judicial process and an impression has been created that the constitutional courts are no longer sympathetic towards the plight of industrial and unorganized workers. In large number of cases like the present one, relief has been denied to the employees falling in the category of workmen, who are illegally retrenched from service by creating by-lanes and side-lanes in the jurisprudence developed by this Court in three decades.

..It need no emphasis that if a man is deprived of his livelihood, he is deprived of all his fundamental and constitutional rights and for him the goal of social and economic justice, equality of status and of opportunity, the freedoms enshrined in the Constitution remain illusory. Therefore, the approach of the courts must be compatible with the constitutional

philosophy of which the Directive Principles of State Policy constitute an integral part and justice due to the workman should not be denied by entertaining the specious and untenable grounds put forward by the employer - public or private.”

On Settlements

In *I.T.C. Ltd. Workers Welfare Association and Ors. Vs. The Management of I.T.C. Ltd. and Ors.* [AIR 2002 SC 937], the Supreme Court recognised the sanctity of settlements:

“23. What follows from a conspectus of these decisions is that a settlement which is a product of collective bargaining is entitled to due weight and consideration, more so when a settlement is arrived at in the course of conciliation proceeding. The settlement can only be ignored in exceptional circumstances viz. if it is demonstrably unjust, unfair or the result of mala fides such as corrupt motives on the part of those who were instrumental in effecting the settlement. That apart, the settlement has to be judged as a whole, taking an overall view. The various terms and clauses of settlement cannot be examined in piecemeal and in vacuum.”

Role of the Conciliation Officer

In *General Manager, Security Paper Mill, Hoshangabad Vs. R.S. Sharma and Ors.* [AIR 1986 SC 954], the Supreme Court interpreted the role of a Conciliation Officer and a “settlement” as follows:

“5... Even though a Conciliation Officer is not competent to adjudicate upon the disputes between the management and its workmen he is expected to assist them to arrive at a fair and just settlement. He has to play the role of an adviser and friend of both the parties and should see that neither party takes undue advantage of the situation. Any settlement

arrived at should be a just and fair one.

Party to Settlements

It is on account of this special feature of the settlement Sub-section (3) of Section 18 of the Industrial Disputes Act, 1947 provides that a settlement arrived at in the course of conciliation proceeding under that Act shall be binding on (i) all parties to the industrial dispute, (ii) where a party referred to in Clause (i) is an employer, his heirs, successors, or assigns in respect of the establishment to which the dispute relates and (iii) where a party referred to in Clause (i) is comprised of workmen, all persons who were employed in the establishment or part of the establishment as the case may be to which the dispute relates on the date of the dispute and all persons who subsequently become employed in that establishment or part. Law thus attaches importance and sanctity to a settlement arrived at in the course of a conciliation proceeding since it carries a presumption that it is just and fair and makes it binding on all the parties as well as the other workmen in the establishment or the part of it to which it relates as stated above...”

Responsibility of Implementation of a Settlement

In *Chitradurga District Mazdoor Sangh v. Bhadra Sahakari Sakkare Karkhane Niyamita*, [(2003) III LLJ 300 Kant], the Karnataka High Court applied the principle of promissory estoppel to fix the liability of the Management to implement a settlement. Promissory estoppel states that a party will be responsible to make good any damage that occurs as a consequence of her failing to keep her promise, on the basis of which the other party has acted. It held:

“38. In our considered opinion, this is a fit case where the Court should apply the doctrine of promissory estoppel. We find all ingredients to apply doctrine of promissory

estoppel. Admittedly, under annexure A the management has made the promise to workmen. On the basis of that promise, the workmen acted and altered their position to their peril. Therefore, the management cannot be permitted to approbate and reprobate in order to thwart legitimate rights of workmen flowing from the solemn promise made by the management, which has been reduced into writing before the Minister of Sugar. There is no necessity for us to go into the question whether the settlement Annexure A could be regarded as a settlement arrived between the parties in the process of conciliation envisaged under the Industrial Disputes Act, 1947, or any other statute in view of our finding that the first respondent is a "State" ... Be that as it may, even assuming that it is not a settlement in the course of conciliation under the Industrial Disputes Act but it is only a settlement arrived at between the parties in exercise of the executive power of the first respondent sugar factory, nevertheless, its action is required to be tested on touchstone of the postulates of Article 14 and if it is so tested, the inaction of the management of the sugar factory should be condemned as one tainted with irrationality and is totally unfair. The management must be rigorously held to the promise made by it, and it must scrupulously perform its promise on pain of invalidation of an action in violation of it. Every activity of a state has a public element in it and must, therefore, be informed with reason and fairness, if the management promises to do certain thing as a responsible person but fails or refuses to do so, its action is liable to be tested for its validity on the touchstone of reasonableness and fairness."

The Management Dishonouring a Settlement

In The Management of Agnigundala Lead

Project Hindustan Zinc Ltd. and Ors. Vs. Hindustan Zinc Workers Union and Ors. [1989 (58) FLR 204], a Andhra Pradesh High Court judicially tested one of the excuses employed by the Management to avoid settlements, and rejected it as follows :

"3... This is a clear case where the management is guilty of dishonoring its commitments under a settlement, whether it is called the 'understanding' or the 'minutes of discussions'. The management took full advantage of the terms of the settlement, in implementation of which, the workmen on their part called off the strike. The settlement was signed by responsible officers holding high ranks in the company, and it is too much for us to swallow the contention of the management that the officers who represented the management at the conciliation proceeding on 25th March 1983 had acted either without authorisation or in excess of the authorisation given to them. Are we to believe that the Chairman and the management were not apprised of the terms of the agreement pursuant to which the strike was called off by the Union? We have absolutely no hesitation in rejecting the contention that it was without due authorisation that the management's representatives agreed to the terms of settlement, or that the Chairman and the management were not aware of the terms of the agreement..... This arrogant and arbitrary attitude of the management is not certainly praiseworthy, and is not conducive for the promotion and maintenance of industrial peace and harmony. The Union and the management are not equal in withstanding prolonged litigation; and other things being equal, to further the ends of justice, the court should normally lean towards the weak, namely, the workman."

LABOUR SNIPPETS - *January 2024*

Bololô Protests in Brazil

Delivery workers in Brazil have been resorting to 'bololô' protests in response to any harassment faced by them on the streets. Named after the sound of a revving motorbike, the bololô protests have become a common tactic to resist physical threat to their safety or racist attacks on the workers. Since the apps they work for do not have any safety measures laid out for the workers, the workers have resorted to the bololô protest as a last resort and a rallying cry, drawing together drivers in a noisy show of solidarity, where the delivery workers drive around in circles, honking, chanting, and often setting off fireworks. Brazilian cities have passed laws prohibiting workers from being forced inside buildings due to the controversy surrounding the issue.

The workers have said that these protests have had a significant impact on the society and has ensured driver safety. They said that there were about three to five cases every week, where delivery workers were being harassed and assaulted. However, with the bololô protests, common people have been sent a message that the delivery workers cannot be ill-treated. Those harassing or assaulting workers are now being condemned by their neighbours, which has had a significant impact, the workers feel.

Workers in Britain Vow to Defeat Anti-Strike Laws

The Tory Government of Great Britain has introduced an anti-strike law, against which the trade unions across the country have pledged to fight till it is withdrawn. The Trade Union Congress (TUC) voted unanimously against the law which would effectively prohibit strikes by allowing minimum service and penalising workers who are on strike, especially in essential sectors like health, railways and border security. Britain has seen a spate of strikes, especially since 2022, of unions working in several major sectors including railways, education, transport, health and communications. These massive strikes were held to demand an effective pay hike to combat the soaring inflation

in the country. Through these protest actions the working class of Britain have been asserting that it has become extremely difficult for low-income households to survive in the economic crisis and that the Prime Minister, instead of listening to the woes of the common citizens, is passing anti-labour laws.

Delivery Workers Strike in Holiday Rush in US

The newly formed union of workers at DHL Express, a delivery company, went on strike recently over unfair labour practices and stalled contract negotiations with the company. The workers alleged that the company was harassing workers who are pro-union, and complaints to that extent were filed with the National Labour Relations Board, which was to take it up legally. Due to the strike, the delivery of packages has been halted, especially during the holiday season.

Day-Long Strike at Washington Post

More than 750 journalists and admin-staff of The Washington Post walked out of their office for a day-long strike against the ongoing job cuts. The journalists stated that contract negotiations were on, and despite the talks, the management was looking to cut jobs. The Washington Post was recently acquired by Amazon founder Jeff Bezos, who is one of the world's wealthiest people and has invested tens of millions of dollars annually after acquiring the paper. However, the media house has been suffering financial losses recently. Reports states that the media industry in the United States of America has been suffering from job cuts, including in NPR, the Los Angeles Times, Gannet's newspapers, NY Public Radio, Vox, Vice Media, BuzzFeed and Spotify as well.

Palestine Genocide: Protests Across UK & Europe at Arms Factories

Under the banner of "Workers for a Free Palestine",

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thousands of workers, trade unionists and activists blockaded the BAE Systems factory in Glasgow demanding an end to arms manufacturing for Israel and sought for a permanent ceasefire in the Gaza Strip. BAE Systems is a major defence contractor that provides technology-led defence systems.

The workers are compelling BAE Systems to sever all ties with Israel, including trade of weapons and all other supplies. They are also calling upon the UK Government to endorse a permanent ceasefire in Gaza and ensure all efforts to put an end to the occupation of Palestine. The protestors also called upon all workers and staff to refuse working on projects that manufacture weapons for Israel. The protestors also raised concerns about Scottish Enterprise which has extended financial support to arms companies.

Global 'Black Friday' Protests Against Amazon

Fighting for their right to unionise, uphold labour laws, adhere to tax laws, and to commit to higher environmental standards, lakhs of Amazon warehouse workers, employees and activists observed 'Black Friday' in November 2023. The protests were held in Brazil, United State of America, Germany, United Kingdom, Spain, France, Belgium, Luxembourg, Italy, Poland, India, Bangladesh, Philippines and Australia. About 3,000 workers in Germany struck work at six Amazon facilities. Garment workers of Bangladesh protested against the Amazon-sold clothes.

With the hashtag of #MakeAmazonPay, about 39 organisations highlighted the stark contrast between the company's success and the treatment of its workers during the pandemic. They demanded higher wages, reinstatement of workers who were refused employment for speaking about workplace safety, allow access to unions, achieve zero emissions by 2030, end the sale of surveillance dependent devices like the 'Amazon Ring', along with demanding Amazon to pay full taxes.

Abolish Contract System: Safai Karamcharis of MCG

Sanitation workers of Municipal Corporation, Gurugram (MCG) held several protests through

2023, demanding permanent jobs, timely disbursement of wages and abolition of the contract system. The MCG has outsourced the essential service of garbage collection to six private agencies in September 2023. As a result of this, about 3,480 workers lost their employment. The workers have stated that the supervisors had failed to deposit the EPF and PPF amounts deducted from the wages of the workers. They said that even if the workers were provided employment, the contractors pay a salary of Rs. 10,500, which is less than the minimum wages that stands at Rs. 16,000 (approximately). Therefore, the workers are demanding a complete abolition of the contract system in the municipal corporation.

Abolition of Bonded Labour, Dalit Rights Asserted

After marching to the capital from various states, thousands of protesters gathered at Jantar Mantar in Delhi on December 5th, 2023, to advocate social justice and Dalit rights. The protestors called for the repeal of laws that legitimised bonded labour, giving land to the landless, access to pattas that had previously been distributed to the people of the Dalit community, severe penalties in case of caste atrocities, rehabilitation of manual scavengers, among other demands. The protestors intended to march to Parliament Street with signs, banners, and posters endorsing a Charter of Demands, but were prevented by the police.

The protestors also said that the government is nullifying MGNREGA. Not only have there been fewer workdays, but many people who have worked have gone months without receiving their just compensation. Who is preventing the government from providing landless Dalits with jobs, they asked. They added that caste atrocities have been on the rise in the country. Most Dalits are still forced to work as bonded labourers. Socioeconomic boycotts and untouchability are practised till date, they said. The protestors demanded that special fast-track courts to handle cases of atrocities be established, areas where Dalits are frequently attacked be identified to prevent atrocities. The protestors also raised the demand of free and quality education for the children of Dalit communities.

Modi Govt Conspires to 'Export' Indian Workers to Israel

Israel's proposition to 'import' Indian workers is akin to indentured slavery!

The Indian working class must rebuff all such attempts!

As Israel continues to escalate its genocidal war against the Palestinian people, it is finding itself increasingly isolated from the rest of the world. All its attempts at 'normalisation', painstakingly built through supporting authoritarian reactionary rulers from Morocco to Bahrain over the decades, has now been undone. The massive upsurge of the youth and the working class against the Israeli occupation of Palestine means that Israel is unsure of its long-term dependence on the West.

Apart from the Ansarallah/Houthi militias threatening to disrupt Israeli commerce in the Red Sea, the war has taken a very heavy toll on the Israeli economy. It is estimated that the war is costing Israel \$220 million USD (1831 crore INR) every day. Gross domestic product will fall — from forecasts of 3 percent growth in 2023 to 1 percent in 2024, according to the Bank of Israel. Some economists predict contraction.

Mobilisation of 220,000 IDF reservists have weakened major sectors of Israel's economy especially in tech, agriculture, finance, navigation, and

pharmaceuticals. Tourism has come to a complete end and Israeli exports of gas from its Mediterranean gas fields has also stopped. Crucially Israel has withdrawn the work permits of 100,000 Palestinians, mainly employed in the construction sector. In order to replace them, Haim Feiglin, vice president of the Israel Builders Association, told Voice of America in early November that they were negotiating with India to import workers.

Reinventing Indentured Slavery

In May, 2023 during the visit of the Israeli foreign minister Eli Cohen to New Delhi, both countries signed an agreement for 42,000 Indian workers in Israel, out of which 34,000 were to be brought into the construction industry. Such treatment of Indian workers by the government as an exportable commodity is reprehensible in itself, but the further implication that they can 'replace' Palestinians is even more dehumanising.

A 2015 report by Human Rights Watch pointed out that Thai agricultural workers faced low pay, excessive working hours, hazardous working conditions, and poor housing. Another report from February 2023 demonstrates how foreign caregivers are trapped in Israel through debt incurred while

paying the recruitment fees. Many of these workers have remained trapped in Israel, an active warzone, because they have essentially become trapped by debt. What guarantees are there that Indian workers will not be subject to the same conditions? None.

The use of Indian indentured workers in colonial economies is not new. From 1834 to the end of the WWI, Britain had transported about 2 million Indian indentured workers to 19 colonies including Fiji, Mauritius, Ceylon, Trinidad, Guyana, Malaysia, Uganda, Kenya and South Africa. The BJP government is taking Indians the same path of colonial subservience.

The proposed deal with Israel isn't the only such deal being made by the BJP. In December 2023, the Union Cabinet approved the Migration and Mobility Agreement between India and Italy according to which India will send 12,000 non-seasonal workers and 8000 seasonal workers to Italy every year. Naturally this brings into focus the Modi government's failure to ensure employment of Indians in India.

We must strongly resist such tendencies to commodify Indian workers and ensure the safety and wellbeing of all migrant workers. Stand in unflinching solidarity with the people of Palestine and the Palestinian working class! ■

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Pension Rights Rally Held at Patna

★ DR. KAMAL USRI



On December 10, 2023, the Pension Human Rights Grand rally that took place in Patna, the capital of Bihar, witnessed enthusiastic participation from thousands demanding the implementation of the Old Pension Scheme (OPS).

Government employees had dedicated considerable time preparing for this rally. The rally started with the presentation of folk songs by the Jan Sanskriti Manch, by Pramod Yadav, Rajan and Ghalib.

The National Movement for Old Pension Scheme (NMOPS), along with organizations such as Bihar State Non-Gazetted Employees Federation (Gope faction), Front Against NPS in Railways, East Central Railway Employees Union, NE Railway Men's Union, affiliated to Congress, Indian Railway Employees Federation (IREF) and AICCTU, conducted an extensive campaign across Bihar to ensure the success of the Pension Human Rights Maharally.

This was preceded by a candlelight vigil organized on 26 November 2023. Then, the Front against NPS in Railway (FANPSR) organized a conference at Chapra Junction within 7 days. The Railway

employees and state employee's federation (Gope faction) organized a candle march in the evening, on December 3, 2023 they also organized a motorcycle rally.

NMOPS and the State Government Employees Federation (Gope faction) initiated a campaign targeting state employees, while concurrently, the Front Against NPS in Railways reached out to employees in North Eastern Railway, East Central Railway, North Frontier Railway, and Eastern Railway. This outreach covered zonal and divisional headquarters, including Rail Wheel Factories in Bihar (Bela, Chhapra). The comprehensive campaign extended to Central Accounts, Income Tax, Postal, and Defense Department offices in Patna city, as well as numerous other locations, including distribution of posters, flyers, and leaflets.

CPI (ML) Politburo member, and General Secretary of Akhil Bhartiye Khet and Grameen Mahasabha Comrade Dharendra Jha expressed heartfelt solidarity with the ongoing nationwide movement for restoration of old pensions. He said that CPI (ML) is known and recognized for its pro-people issues and struggles. He reminded

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that when “NPS - Privatization Quit India Yatra” started from Bhitarkhwa, Champaran, in Bihar on 1 June 2023, CPI (ML) Comrade Virendra Gupta, MLA of Sikta area had flagged off the yatra. CPI (ML) General Secretary Comrade Dipankar Bhattacharya also addressed the historic “Pension Shankhnad Maha Rally” held at Ramlila Maidan, New Delhi, on 1 October 2023 and he said, “Today, on Human Rights Day, we promise pensionless employees from every corner of Bihar that our party and our mass organizations will continue to fight for the restoration of old pensions from the streets to the House.”

National General Secretary of All India Scheme Workers’ Federation Comrade Shashi Yadav said that Chief Minister Nitish Kumar and Deputy CM Tejaswi Yadav must restore the old pension scheme.

The Chief Guest of the Grand Rally and National President of NMOPS, Vijay Kumar Bandhu, said the “Vote for OPS” movement is electing governments in the states – in Karnataka, Himachal Pradesh, and Jharkhand. The formation of non-BJP governments in these states, and the Congress’ postal ballot leads in the recently held elections in Chhattisgarh, Madhya Pradesh and Rajasthan shows that our cause has won the elections.

The famous folk singer Neha Singh Rathore also sang songs in solidarity with the ongoing rally.

Bihar State Non-Gazetted Employees Federation (Gope faction) General Secretary and Chief Patron of NMOPS Bihar, Com Premchand Sinha, stated that our organization independently formed the State Forum Against NPS in Bihar on December 25, 2018, and it has been fighting to make this OPS issue relevant. He said that the opportunistic organizations which abolished OPS and implemented NPS are also demanding OPS today, and we have to be careful of their gimmicks.

Comrade Rajendra Pal, the National General Secretary of the Front Against NPS in Railways, stated that the Front has been consistently fighting for the reinstatement of the old pension. Our primary objective is to elevate the restoration of the old pension as a key issue in the upcoming

Lok Sabha elections.

CPI (ML) MLAs Dr. Sandeep Saurabh and Comrade Sudama Prasad announced plans for the upcoming Bihar Assembly budget session in February. They stated that CPI (ML) will proactively initiate collaboration with the Congress, RJD, and CPI(M) to collectively advocate for the restoration of the old pension, aiming to raise this matter with Chief Minister Nitish Kumar.

All India Kisan Mahasabha State Secretary Comrade Umesh Singh emphasized that a significant number of individuals in the army and various government positions are children of farmers. Consequently, the Samyukta Kisan Morcha declared its commitment to actively participate in the nationwide campaign for pension restoration across all sectors.

Dr. Kamal Usri, National Publicity Secretary of National Movement to Save Railways, asserted that frequent railway accidents result from unchecked railway privatization and corruption which are actually promoted by the government itself. To halt this, the ongoing railway privatization project must pay heed to public voices. ■



10th State Conference of AICCTU of Tamil Nadu

★ K GNANA DESIKAN



The Call of the Conference is to Overthrow the Modi led BJP Regime!

The 10th Tamil Nadu state conference of AICCTU was held in the textile city of Karur on 16th and 17th of December 2023. The conference hall and stage were named after Comrades NK Natarajan and Sugundhan, the working class leaders of Tamil Nadu who expired recently. On the occasion of the state conference, AICCTU activists decorated the city with flags and festoons depicting working class struggles. The conference venue was also vibrant with festoons of glorious legacy of workers movements.

The conference began with flag hoisting by veteran trade union leader comrade Thirunavukkarasu. Thereafter, all leaders and delegates paid

their tributes to the martyrs at the martyrs column.

The inaugural and open session of the conference began with the presentation of a condolence resolution remembering departed comrades like comrades NK Natarajan, Sugundhan, Meena Rai, Sankaraiya and all those who lost their lives in the imperialist, genocidal war on Palestine and those who died during the Chennai floods caused by the Michaung Cyclone.

Comrade V Shankar, all India president of AICCTU delivered his inaugural address in the open session and narrated how the life and livelihood of workers and the people are being snatched away by the fascist Modi – BJP regime. He explained how the life of workers

are closely interconnected with the anti-people, anti-worker policies of the fascist Modi led BJP government. He said that the workers – farmers unity achieved in the course of struggles should be upheld at any cost and only the unity of workers and peasants can give a fitting rebuff to the communal, corporate, Manuvad fascist BJP.

He came down heavily on the “Hindu Rashtra” of the BJP-RSS that is anti-poor and pro-corporate capital. He said that the BJP is the only party that is hell bent on destroying the constitution and the parliamentary democracy in the country and replace the same with Manu Smriti and the presidential form of governance. That is why the BJP – RSS is a “party with a difference”, not a “normal” party and the same should be overthrown from the echelons of power in the

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parliament elections 2024.

Comrade Balraj, Tamil Nadu State Vice President of AICCTU welcomed the participants of the open session. The guest speakers at the inaugural session included comrades V. Shankar, all India president of AICCTU, Asaithambi, state secretary of CPIML, S. Pandian, state deputy secretary of LPF, Kasi Viswanathan, State president of AITUC, V.Kumar, state Assistant secretary of CITU, M.Subramanian, state president of HMS, Saikumar, state committee member of AIUTUC, Perarivaalan, state Organiser of LLF, Sampath, state VP of WPTUC, Subramanian, Honorary president of Karur district INTUC, K.Balakrishnan, state coordinator of SKM, Eraniappan, state honorary president of AICCTU and Balasubramanian, Vice President. Desikan, the state General Secretary of AICCTU anchored the session while Rajiv Dimri, all India General Secretary of AICCTU felicitated the guests.

Speakers from various central trade unions condemned the Modi government's assault on the working class and called for a broader unity of trade unions and the working people to carry forward the campaign by the joint action committee of CTUs and SKM to oust the anti-worker Modi government in the forthcoming Lok Sabha elections. Comrade Balakrishnan of the Samyukta Kisan Morcha (SKM) reminded the conference about the long struggle of farmers to repeal the anti-farmer laws enacted by the Modi Government. He also

emphasised the need for unity of workers and farmers to fight back the anti-worker, anti-farmer regime of BJP.

Comrade Rajiv Dimri, the General Secretary in the delegate session said that the present Modi led BJP regime has proven to be the most disastrous regime that the independent India has ever seen in the last 76 years. Today's regime is on a selling spree of all public sector undertakings in the country, scrapping all labour laws and violates the fundamental principles of our constitution. He insisted that only a strong organisation of revolutionary trade Unions like the AICCTU with active participation of workers from all sectors can take up the task to push back today's anti-people regime. He also emphasised that building a strong organisation is a sine-qua-non for overthrowing the Modi regime in coming elections.

The delegates session of the conference deliberated on the draft document that summed up the struggles, experiences and tasks of AICCTU and its affiliated unions in Tamil Nadu which was presented by the State General Secretary of the outgoing committee, comrade Desikan. 187 delegates from 17 districts representing sectors like construction, beedi, powerloom, sanitation, textiles, engineering, Zoo, electricity, transport, Tamil Nadu Civil Supplies Corporation, tea and rubber estates, fishermen, port container drivers, street vendors, auto drivers, TASMAL, public sectors, etc., participated

in the conference. The state conference was preceded by district conferences in 15 districts. Remaining districts will hold their conferences soon.

The conference elected a State Council of 105 members, a 45-member Executive Committee and a 19 member Office Bearers team. The conference elected Comrade Sankarapandian as the state President, Comrade Eraniappan as the honorary President and Comrade Desikan as the state General Secretary.

Comrade Shankar, while concluding the conference, elaborated on the tasks of the state in the coming days. He said that every district should identify the section of workers among whom AICCTU should become a force to reckon with. He underlined some unions to be developed as state level unions as we have wider presence at state level. He stressed the need for AICCTU to focus on the sections of workers under churning and turmoil and should give a greater focus to organise the section of workers with a greater striking power. He insisted that building a radical movement of construction workers and reorientation of the construction workers movement is the need of the hour which can only be a counter weight against the BJP that is dismantling all welfare boards and snatching away all rights of workers.

The conference concluded with a resolve to take all out efforts to oust the Modi Government in the forthcoming Lok Sabha Elections.



Anganwadi Workers of Maharashtra on Strike: Ensure Monthly Salary and Workers' Rights

★ ATUL DIGHE



Anganwadi workers of Maharashtra have started an indefinite strike from 4th December demanding monthly salary, pension, other rights of workers and proper functioning of the ICDS system. The strike is going on under the leadership of Maharashtra State Anganwadi Workers Kirti Samiti. AICCTU affiliated Pre-Primary Sevaki Anganwadi Workers Federation has participated in the strike in Kolhapur, Ahmednagar, Solapur, Yavatmal districts.

Before the start of the strike, all activities were boycotted throughout the month of November. Strike notices were

given to all ICDS project offices by the federation. Subsequently, protest marches were held at Tehsil offices and Charter of demands were submitted to the Tehsildars. As a part of the strike, the Anganwadi workers marched to the MLAs of the taluks of all the participating districts and submitted charter of demands and strike notices. Majority of the workers of taluks were present in large numbers in the entire process. In Kolhapur district, almost all Anganwadi workers participated in the indefinite protest.

During the winter session of the Maharashtra Assembly at Nagpur, a protest march was

held at the Assembly. More than thirty thousand Anganwadi workers participated in the protest march. The government has not responded positively to the demands of Anganwadi workers and a call was given by the protesting workers to continue the strike.

The umbrella platform of the ongoing movement of Anganwadi workers, the Maharashtra State Anganwadi Workers Kirti Samiti has called for an indefinite sit-in on January 3 in Mumbai. The protest will intensify if the Maharashtra Government continues to ignore the demand of Anganwadi workers. ■

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A Seminar on “Fascism and the Tasks of the Working Class” by TUCI

★ UDAY KIRAN



The 10th National conference of TUCI (Trade Union Centre of India) led by Comrade Sanjay Singhvi was held at Chennai from 15 – 17 December 2023.

As a part of the conference, TUCI held a seminar on “Fascism and the Tasks of the Working Class” on 16th Dec. Various Trade unions, including AICCTU, joined the seminar. Com Sanjay Singhvi, GS of TUCI, welcomed the guests.

Comrade Gerd Zitzner, leader of the German working class movement, Com P Prasad, All India vice President of IFTU from Andhra Pradesh, Com Suryam from IFTU – Telangana, Com Amitav Bhattacharya from SWCC west Bengal, and leaders of other trade unions greeted the conference. Com Uday Kiran, one of the central leaders, joined the seminar on behalf of AICCTU and also conveyed a message of greetings for the success of the 10th National conference of TUCI.

Com Uday Kiran criticized the Modi led BJP government at the centre for its pro-corporate policies against the working class including demonetization, the GST, Make In India, total sellout of the Public Sector and government owned industries, infrastructures and the wealth. He also highlighted the notorious failure of the government in the management of COVID crisis. The worst assault on the working class and farmers were the four Labour Codes and three farm laws.

The secular fabric of the country is being torn apart by feeding communal hate and communal politics. The working masses are ruthlessly divided and the real issues of the people are being relegated to the background through communal rhetoric. CAA, NRC and NPR are invoked only to spread the politics of hate and to set the stage for Gujarat model of massacre of Muslims. Communal and ethnic violence are systematically promoted in

states like Delhi, Haryana, Assam and Manipur by internalizing the politics of hate as a mass psyche.

He said that destroying the constitution and the form of parliamentary democracy and institutionalizing an anti-people fascist raj is the objective of the Modi led BJP government.

He also condemned the heinous incidents of attacks on women, Dalits and minorities. All such incidents of last 10 years are nothing but a pilot project of a fascist regime. He called upon the people to defeat the catastrophic Modi regime in 2024 Lok Sabha elections.

Comrade Uday Kiran expressed his solidarity for a united struggle against the anti-worker, anti-people Modi regime, by involving all Left and democratic forces in the country who are fighting for the same cause. He also expressed his best wishes for the success of the 10th conference of TUCI on behalf of AICCTU. ■

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Solidarity With Transport Workers' Protest Against New Criminal Laws



As the Modi government attempts to impose the draconian new penal codes – the Bharatiya Nyay Sanhita, thousands of transport workers across the country have embarked on protests and strikes since January 1. The new criminal laws, which will have far reaching consequences on people's liberty and rights were passed on December 20 by a parliament amid the large scale suspension of majority of opposition MPs.

Com. Dipankar, General Secretary of CP(ML) Liberation, expressing support to the transport workers' protest noted that India's truck drivers are the first to come out in opposition to the draconian new legal architecture of the Modi government. Many provisions in the new penal code, euphemistically rechristened

as the new Indian code of justice, are more draconian and arbitrary than the code it seeks to replace. We have so far been battling the threats posed by the farm laws and labour codes, let us now understand that the new codes represent the most lethal and all pervasive threats till date to India's existing civil liberties and political democracy.

As per the BNS, drivers who cause a serious road accident by negligent driving and run away without informing the police or any official from the administration can face punishment of up to 10 years or a fine of Rs 7 lakh. This penal provision heavily burdens the transport workers and is an attempt to exonerate the government from accidents due to poor road conditions and signalling and also the transport companies that force drivers

to work for long time and low wages.

With 60% of freight traffic movement in the country dependent on road transport network, large number of transport workers face difficult challenges including overtime work and low wages that adversely impact the safety and security on roads. With the dilution of country's labour laws by Modi government, the transport drivers have been further pushed into vicious cycle of exploitation. Furthermore, India's highways are often marred by shoddy construction and poor maintenance, many a time result of government-private contractor nexus.

The Modi government must withdraw amendments brought out in criminal laws. ■

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“Karmikara Kidi” (The Spark of Workers), A Newsletter Launched

★ ARINDAM

The AICCTU unit in the Peenya Industrial Area of Bangalore unveiled a workers’ paper named “Karmikara Kidi (The Spark of Workers)” in a meeting in December 2023. This paper was inaugurated by the workers of Yazaki movement, marking the one-year anniversary of its inception. Yazaki workers struggle resulted in a partial victory.

The Peenya Industrial Area stands as one of Asia’s largest industrial zones, boasting over 10,000 factory sheds and a workforce exceeding one million. Despite its prominence as a manufacturing hub in Bangalore, fundamental rights such as minimum wage, provident fund (PF), employees state insurance (ESI), leave, and compensation for industrial accidents are conspicuously absent.

Worker-centric publications like “Karmikara Kidi” play a crucial role in raising awareness about these rights and disseminating information about workers struggles and movements, a narrative mostly absent in the mainstream media. The two-page newsletter of tabloid size, being published in Kannada and Hindi, is launched to reach out to workers of the industrial estate in general and the migrant labour in particular.

A batch of students of AISA



ಕಾರ್ಮಿಕರ ಕಿಡಿ

ಸಂಖ್ಯೆ 1 ವರ್ಷ 1 ಡಿಸೆಂಬರ್ 2023 ಕೊಡುಗೆ ₹5

ಭಾರತದಲ್ಲಿ ಕಾರ್ಮಿಕ ವರ್ಗದ ಸ್ಥಿತಿ ಮತ್ತು ಕಾರ್ಮಿಕರ ಪತ್ರಿಕೆಯ ಮಹತ್ವ

ಭಾರತದ ಜನಸಂಖ್ಯೆಯ ದೊಡ್ಡ ಭಾಗ ಕಾರ್ಮಿಕರು ಮತ್ತು ರೈತರಾಗಿದ್ದಾರೆ. ಆದರೆ ಇಲ್ಲಿ ಕಾರ್ಮಿಕರು ಮತ್ತು ರೈತರು ಅವರ ಹಕ್ಕುಗಳಿಂದ ವಂಚಿತರಾಗಿದ್ದಾರೆ. ಭಾರತದ ಸ್ವಾತಂತ್ರ್ಯದ ನಂತರವೂ ಕಾರ್ಮಿಕರು ಮತ್ತು ರೈತರ ಪರಿಸ್ಥಿತಿಯ ಸುಧಾರಣೆ ಅಗತ್ಯ. 1991 ರಲ್ಲಿ ಅಮೆರಿಕಾದ ಒತ್ತಡದಿಂದ ಭಾರತ ಸರ್ಕಾರ ಉದಾರೀಕರಣ ನೀತಿಗಳನ್ನು ಜಾರಿಗೊಳಿಸಿತು. ಈ ನೀತಿಯಿಂದ ಬಂಡವಾಳಶಾಹಿಗಳಿಗೆ ಕಾರ್ಮಿಕರ ಮೇಲೆ ಶೋಷಣೆ ಹೆಚ್ಚಿಸಲು ಇನ್ನೂ ಸುಲಭವಾಯಿತು. ಇದರ ನಂತರ ಕಾರ್ಮಿಕರ ಸ್ಥಿತಿಯು ಇನ್ನೂ ಹೆಚ್ಚು ಹಾಳಾಗಿದೆ. ಭಾರತದ ಕಾರ್ಮಿಕ ವರ್ಗದ ದೊಡ್ಡ ಭಾಗ (~90%) ಅಸಂಘಟಿತ ಕ್ಷೇತ್ರ ಮತ್ತು ಸಣ್ಣ ಉದ್ಯಮಗಳ ಕೆಲಸ ಮಾಡುತ್ತಾರೆ. ಈ ಜನರು ದಿನದಲ್ಲಿ 12 - 16 ಗಂಟೆಗಳ ಕಾಲ ಕೆಲಸವನ್ನು ಮಾಡುತ್ತಾರೆ. ಆದರೆ ಅವರಿಗೆ ಕನಿಷ್ಠ ವೇತನವೂ ಸಿಗುವುದಿಲ್ಲ. ಎಲ್ಲಿ ಒಂದು ಕಡೆ ಮಾಲೀಕ ದೈತ್ಯ ಮೊತ್ತದ ಲಾಭ ಗಳಿಸುತ್ತಿದ್ದಾರೆ ಅಲ್ಲಿಯೇ ಕಾರ್ಮಿಕರಿಗೆ ಸಾಧಾರಣ ಜೀವನ ನಡೆಸುವ ಸ್ಥಿತಿಯಲ್ಲಿದ್ದರೂ ಸಹ ಇಲ್ಲ. ಹೆಚ್ಚುತ್ತಿರುವ ಶಿಕ್ಷಣ ಮತ್ತು ಆರೋಗ್ಯ ಸೇವೆಗಳ ಬೆಲೆಯಿಂದ ಅವರು ಅವರ ಮಕ್ಕಳನ್ನು ಒಳ್ಳೆಯ ಶಾಲೆಗೆ ಕಳುಹಿಸಲು ಆಗುತ್ತಿಲ್ಲ ಮತ್ತು ಅವರ ಕುಟುಂಬದ ಸದಸ್ಯರಿಗೆ ಸಂಯಾದ ಚಿಕಿತ್ಸೆ ಕೊಡಿಸಲು ಆಗುತ್ತಿಲ್ಲ. ಸ್ವಾಸ್ಥ್ಯಗಳಲ್ಲಿ ಸುಸ್ಥಿತಿ ವ್ಯವಸ್ಥೆ ಇಲ್ಲದ ನಡೆಯುವ ಅವಧಾತಗಳ ಕಾರಣ ಪ್ರತೀವರ್ಷ ಸುಮಾರು 1200 ಸಾವುಗಳು ಆಗುತ್ತವೆ ಮತ್ತು ಸುಮಾರು 5000 ಕಾರ್ಮಿಕರು ಗಾಯಗೊಂಡು ಆಗುತ್ತಾರೆ. ಪಲಸೆ ಕಾರ್ಮಿಕರು ಬೆವರು ಮತ್ತು ರಕ್ತ ಸುರಿಸಿ ಕೆಲಸ ಮಾಡಲು ಅವರ ಕೆಲಸದಿಂದಲೇ ಪಟ್ಟಣಕ್ಕೆ ತರಲು ಆಗುತ್ತಿಲ್ಲ. ಸರ್ಕಾರ ದೊಡ್ಡ ಬಂಡವಾಳಶಾಹಿಗಳ ಕೋಟ್ಯಂತ ರೂಪಾಯಿಗಳ ಸಾಲವನ್ನು ಮನ್ನಾ ಮಾಡುತ್ತಿದೆ ಆದರೆ ರೈತ ಮತ್ತು

ಕಾರ್ಮಿಕರು ಸಾಲದಲ್ಲಿ ಮುಳುಗುತ್ತಿದ್ದಾರೆ. ಬರೀ ಭಾರತವಲ್ಲ ಆದರೆ ಇಡೀ ವಿಶ್ವದ ಆರ್ಥಿಕ ವ್ಯವಸ್ಥೆಯನ್ನು ಅವರ ಬಜಡ ಮೇಲೆ ಹೊಂದಿರುವ ಈ ದುಡಿಯುವ ಜನ ಅವರ ಹಕ್ಕುಗಳಿಂದ ವಂಚಿತರಾಗಿದ್ದಾರೆ ಮತ್ತು ಕೇವಲ ಶೋಷಣೆಗೆ ಒಲಿಯಾಗಿದ್ದಾರೆ. ಇವತ್ತು ಭಾರತದಲ್ಲಿ ಕಾರ್ಮಿಕ ವರ್ಗವು ಅದರ ಹಕ್ಕುಗಳಿಗಾಗಿ ಹೋರಾಡಲು ಸಂಘಟಿತವಾಗುವುದು ಅನಿವಾರ್ಯವಾಗಿದೆ. ಇತ್ತೀಚಿನ ಕಾಲದಲ್ಲಿ ಪತ್ರಿಕೆಗಳು ಮತ್ತು ನ್ಯೂಸ್ ಚ್ಯಾನೆಲ್ ಕಾರ್ಮಿಕರ ಮತ್ತು ರೈತರ ಸಮಸ್ಯೆಗಳನ್ನು ತೋರಿಸುವ ಬದಲು ಮಾಲೀಕರ ಮತ್ತು ಅಧಿಕಾರದಲ್ಲಿ ಕುಳಿತಿರುವ ಜನರ ದೃಷ್ಟಿಯಾಗಿದೆ. ಕಾರ್ಮಿಕರ ದೃಷ್ಟಿಯಾಗಲು ಮತ್ತು ಅವರನ್ನು ಸಂಘಟಿಸಲು ಕಾರ್ಮಿಕ ಪತ್ರಿಕೆ ಅವಶ್ಯಕವಾಗಿದೆ. ರಷ್ಯಾದಲ್ಲಿ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು ಲೀನಿನ್ ‘ಇನ್ಸಾನ್’ ಎಂಬ ಪತ್ರಿಕೆಯನ್ನು ಶುರು ಮಾಡಿದ್ದರು ಮತ್ತು ಇದರಿಂದ ರಷ್ಯಾದ ಕಾರ್ಮಿಕರು ಒಳ್ಳೆ ಸ್ಥಿತಿಗೆ ರಷ್ಯಾ ಕ್ರಾಂತಿಯನ್ನು ನಡೆಸಿ, ಒಂದು ಕಾರ್ಮಿಕರ ರಾಜ್ಯವನ್ನು ಸ್ಥಾಪಿಸಿದ್ದರು. ‘ಇನ್ಸಾನ್’ ಪದದ ಅರ್ಥ ಕಿಡಿ. ನಮ್ಮ ಈ ಕಾರ್ಮಿಕರ ಕಿಡಿ ಪತ್ರಿಕೆ, ಇಲ್ಲಿನ ಕಾರ್ಮಿಕರನ್ನು ಸಂಘಟಿಸಲು ಮತ್ತು ಅವರ ದೃಷ್ಟಿಯಾಗಲು ಒಂದು ಪ್ರಯತ್ನವಾಗಿದೆ. ಏಪ್ರಿಲ್ ನಲ್ಲಿ ತಮಿಳುನಾಡು ನಲ್ಲಿ ಇದೇ ರೀತಿ ಕೆಲಸದ ಸಮಯವನ್ನು ಹೆಚ್ಚಿಸಿ 12 ಗಂಟೆಯ ದಿನದ ಕೆಲಸದ ಕಾನೂನು ಮನ್ನಣೆ ಮಾಡಿದ್ದರು. ಆದರೆ ಕಾರ್ಮಿಕ ಸಂಘಟನೆಗಳ ಬೃಹತ್ ವಿರೋಧದ ನಂತರ ಈ ನೀಯವು ತಳ್ಳಲಾಯಿತು. ಕಾರ್ಮಿಕರ ಹಕ್ಕುಗಳ ರಕ್ಷಣೆಗಾಗಿ, ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಕ್ಷಣವೇ ರದ್ದು ಮಾಡಿಸಬೇಕು.

ಕಾಲೇಜಿನ ಆಡಳಿತದ ಅನ್ಯಾಯಗಳ ವಿರುದ್ಧ ದೃಢಿ ಎತ್ತಿದ ಸಿ.ಇ.ಐ.ಐ.ವಿ ವಿದ್ಯಾರ್ಥಿಗಳು ಸಿ.ಇ.ಐ.ಐ.ವಿ ಕಾಲೇಜಿನಲ್ಲಿ ಆಡಳಿತದ ದುರ್ವ್ಯಾಜಗಳ ವಿರುದ್ಧ ವಿದ್ಯಾರ್ಥಿಗಳು ದೃಢಿ ಎತ್ತಿದ್ದಾರೆ. ವಿದ್ಯಾರ್ಥಿಗಳಿಂದ ಶುಲ್ಕವನ್ನು ಬಿಟ್ಟು ಇತರ ದುಡ್ಡಿನ ವಸೂಲಿ, ವಿದ್ಯಾರ್ಥಿಗಳನ್ನು ಅಧ್ಯಾಪಕರು ಅನಾಹುತಿಯಾಗಿ ಕೊಡೆಯುವುದು ಮತ್ತು ಅನಾಹುತ ಶಬ್ದಗಳಿಂದ ನಿಯಮವುಸುರು ಮತ್ತು ಇತರ ವಿದ್ಯಾರ್ಥಿ ವಿರೋಧಿ ಚಟುವಟಿಕೆಗಳನ್ನು ಕುರಿತು ಅಲ್ಲಿನ ವಿದ್ಯಾರ್ಥಿಗಳು ಸಂಘಟಿಸಿ ದೃಢಿ ಎತ್ತಿದ್ದಾರೆ.

ಸುಧಾರಿತ ಕೆಲಸದ ವಾತಾವರಣಕ್ಕಾಗಿ ಅಮೆಜಾನ್ ಕಾರ್ಮಿಕರ ಹೋರಾಟ ಸುಧಾರಿತ ಕೆಲಸದ ವಾತಾವರಣ, ಸಂಬಳ ಹೆಚ್ಚಳ, ಪರಿಣತ ರಕ್ಷಣೆ ಮತ್ತು ಇತರ ಬೇಡಿಕೆಗಳಿಗಾಗಿ ಅಮೆಜಾನ್ ಕಾರ್ಮಿಕರು 24 ನವೆಂಬರ್ ರಂದು ಭಾರತ, ಬಾಂಗ್ಲಾದೇಶ, ಜರ್ಮನಿ, ಬ್ರಿಟನ್, ಫ್ರಾನ್ಸ್, ಆಸ್ಟ್ರೇಲಿಯಾ ಮತ್ತು ಬೆಲೆ ತಲವು ದೇಶಗಳಲ್ಲಿ ವಿಶೇಷವಾದ ಪ್ರದರ್ಶಿಸಿದರು. ಶುಲ್ಕವು ದೇಶಗಳಲ್ಲಿ ಅಮೆಜಾನ್ ಕಾರ್ಮಿಕರು ಅವರ ಬೇಡಿಕೆಗಳು ಈಡೇರಲು ವರ್ಗದ ಹೋರಾಟ ನಡೆಸುವುದಾಗಿ ಘೋಷಿಸಿದ್ದಾರೆ.

ಕಾರ್ಮಿಕರ ಮಕ್ಕಳ ಶಿಕ್ಷಣದ ಅಧಿಕಾರದ ಮೇಲೆ ಹಕ್ಕು; ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕಡೆಯಿಂದ ಕಟ್ಟಡ ನಿರ್ಮಾಣ ಕ್ಷೇತ್ರದಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ಕಾರ್ಮಿಕರ ಮಕ್ಕಳಿಗೆ ವಿದ್ಯಾರ್ಥಿವೇತನ ಕಡಿತ ಕರ್ನಾಟಕ ಕಟ್ಟಡ ಮತ್ತು ಇತರ ನಿರ್ಮಾಣ ಕಾರ್ಮಿಕರ ಕಲ್ಯಾಣ ಮಂಡಳಿಯು ಕಟ್ಟಡ ಕಾರ್ಮಿಕರ ಮಕ್ಕಳಿಗೆ ನೀಡುವ ವಿದ್ಯಾರ್ಥಿ ವೇತನವು ಬಡ ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಶಿಕ್ಷಣ ಪಡೆಯಲು ಅನುಕೂಲ ಮಾಡಿಕೊಟ್ಟಿತ್ತು. ಆದರೆ ಈಗ ಮಂಡಳಿಯು ವಿದ್ಯಾರ್ಥಿವೇತನವನ್ನು 75% ರಷ್ಟು ಕಡಿತಗೊಳಿಸಿದೆ. ಇದರಿಂದ ಕಟ್ಟಡ ಕಾರ್ಮಿಕರ ಮಕ್ಕಳು ಶಿಕ್ಷಣದಿಂದ ವಂಚಿತನಾಗುತ್ತಿದ್ದಾರೆ. ಇನ್ನೂ ಪ್ರಭುತ್ವತೀಸುತ್ತಾ ಕಾರ್ಮಿಕ ಸಂಘಟನೆಗಳು ನವೆಂಬರ್ 28 ರಿಂದ ಬೆಂಗಳೂರಿನಲ್ಲಿ ಮುಷಕ ನಡೆಸುವುದಾಗಿ

and worker activists began the initiative of organising workers of the estate a year back through regular campaigns and demonstrations on workers issues. Yazaki workers were also contacted as a part of this process, which snowballed into a major struggle against the Yazaki, a multinational company in the area. The union, which was started from the scratch, has now grown with a capacity to mobilise some hundreds of workers of the estate in a short span of one year because of tireless, relentless efforts of students. The launching of the newsletter is also part of the same initiative.

The participants of the meeting recollected the contributions and sacrifices of Ashfaquallah Khan and fellow comrades. The workers also paid tribute to the people killed in Gaza and other fallen comrades of the working class movement. The discussion highlighted the current fascist climate characterized by heightened communal polarization, pitting workers against each other and fracturing their unity, ultimately serving the interests of the corporate capital. Emphasis was placed on the imperative to resist this divisive tactic and prioritize unity of the working class. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER

An Exclusive Legislation for Domestic workers is the Need of the Hour

★ MAHENDRA PARIDA

Nearly 90 percent of the world's 67 million domestic workers, majority of them being women, do not even have any semblance of social security coverage (ILO) and their work is undervalued and unprotected.

In Odisha, AICCTU started organising domestic workers in Bhubaneswar city last year. These domestic workers are engaged by government colonies, apartments and various types of households for activities like sweeping, cleaning utensils, washing clothes, cooking and childcare activities. We initiated a dialogue with them in order to secure their rights. They work for more than 4-5 hours in the households.

Their appointment is informal without any written contract and mostly oral. They are discriminated in terms of their wages and working conditions.

Most of the domestic workers who hail from a poorest background are unable to purchase their own food, clothes and other household items. They are mainly women forced to head the family. They are unable to lead a decent life with the meagre wages.

More than 70% of our union members earn a monthly income of Rs 2000-3000 with which they are unable to make the ends meet. Their personal life is also filled



with a lot of tragedies. They are also unable to demand any hike in wages because of fear of losing the work.

Bhubaneswar Domestic Workers Union affiliated to AICCTU was formed. A state level of forum of domestic workers unions, involving others and AICCTU, was also formed to represent the domestic workers issues to the state government.

The forum submitted a memorandum to the government demanding fixation of wages for domestic workers, allowing them to register under the unorganised workers welfare board for their social security and allocation of sufficient funds for the board. After the demonstration before the Labour Commissioner's office, workers are being registered under the welfare board but are offered only a death benefit of one lakh rupees which

is not enough. Around one lakh workers have registered under the welfare board. We are demanding expansion of welfare benefits including for education of their children, old age pension, hike in death and other benefits etc.

We are also demanding training to improve their skills. We are also demanding an exclusive legislation for domestic workers to regulate their services, wages, social security and service conditions. Its really pathetic that such a bill is pending for a long time before the parliament and is yet to be passed.

We also demand that India should ratify ILO convention 187 for domestic workers very soon.

To achieve these demands, it is more important to increase the unionisation among domestic workers which can only a means of empowerment of workers who are the poor and the powerless. ■



All India Central Council of Trade Unions

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