



WORKERS RESISTANCE

Vol. 1 No. 7

Monthly Web Magazine

NOVEMBER 2021

CONTENTS

Page 3

Modi's Coal Policy & Coal Crisis

Page 6

On fixation of Minimum Wages & Redundancy of Expert Committees

Page 8

Street Vendors and Pandemic

Page 10

Delhi Master Plan 2041

Page 12

Karnataka's Garment Workers during the Pandemic

Page 14

Falling Farm Income under Modi's Rule

Page 16

SNIPPETS

Page 18

Rental Housing is Another Bubble in 'Modi-Sahy Yug'!

Page 20

Implication of Labour Codes on Construction Workers

Page 23

INTERVIEW: Harvard Dining Hall Workers Union

Page 26

Labour Unrest Brewing in the United States

Page 27

Release Palestinian Health Activist Shatha Odeh!

Page 28

Sudan: Millions Join Trade Union's call for General Strike Against Coup

Page 29

NMP and Railways

Page 31

Reports

Roll Back The Policy of Selling The National Assets, Including The Proposed Sale of Air India.

(Letter written to Prime Minister of India by Platform of central trade unions against the sale of Air India to Tatas)

On October 8, your Department of Investment and Public Asset Management (DIPAM) Secretary Tuhin Kanta Pandey announced at a press conference that the Tata Sons subsidiary, Talace Pvt. Ltd., had won the bid for the national carrier Air India. So in its third attempt, Government of India (incidentally, all under the National Democratic Alliance regime), the earlier bids having been made in the early 2000s and 2017-2018, has managed to get rid of Air India.

While the Corporate chieftains and the media have gleefully welcomed the sale of Air India, we must admit, we, the people of India, including the Air India Employees, are most unhappy. Here are the reasons:

1. Your stated philosophy is "the Government has no business to be in business". You have therefore embarked on selling all PSUs, denigrating some of them as "loss-making" is only a pretext to sell them anyway. The first NDA Government under Shri Bajpayee, even had a Ministry of Disinvestment and its sale of Centaur Hotel owned by Air India is quite notorious.

2. As recently as 2019-20, after the decision to sell it was made by your government, although Air India made an operating profit of Rs. 1,787 crore, its overall balance sheet reflected a loss of Rs. 7,427 crore because of the heavy burden of interest payments (Rs. 4,419 crore) and depreciation (Rs. 4,795.30 crore).

3. The historical context of Air India's massive and crushing debt burden arises from four specific sets of policies adopted by the Indian government.

(a) The first was the decision in 2005-2006 to place a massive order — in one shot — for the purchase of 111 aircraft by Air India and Indian Airlines.

(b) As if this was not bad enough, a year later, the government forced Air India and



CLICK HERE TO READ THIS ARTICLE IN BROWSER

Indian Airlines into a merger.

(c) The third element of this sordid story pertains to the aggressive pursuit of an “Open Skies” policy in India by successive governments, even when these have not been reciprocated by other countries.

(d) The fourth dimension of the longstanding and systematic neglect of Indian public sector airline companies has been the manner in which the interests of the two companies were blatantly surrendered to please private players.

4. By selling Air India by hook or by crook (because it is slowly emerging that it has been sold for a song), the Government has tried to cover up its misdeeds as detailed above. Although the Ministry of Finance claimed that the “transaction saw keen competition”, the facts do not reflect this. There were only seven responses, of which five were disqualified because they did not meet the specified criteria. Of the two remaining bids, one was by a consortium led by Ajay Singh, Chairman and Managing Director of Spice Jet, which incidentally, not long ago, was on the verge of a meltdown; his bid valued the enterprise at Rs. 15,100 crore. Incidentally, the minimum price set by the government was Rs. 12,906 crore. It is obvious that Air India has been sold for a song. This is not merely because its sale offers the new owner greater avenues for profitability, but also because of the assets Air India owns: 141 aircraft, of which 118 are in airworthy condition, its airbuses, as well as Boeing 737s flown by Air India Express, are relatively new. The Tatas, therefore, are acquiring an airline, its fleet, its well-trained workforce as well as 4,400 domestic and 1,800 international slots at Indian airports as well as 900 overseas. Clearly, this is a sweetheart deal for India’s oldest large

conglomerate.

5. This sale of Air India to Tatas facilitates an Oligopoly. The combined revenues of the three airlines — Air India, Vistara and Air Asia (the latter two also owned by Tatas) — amounted to Rs. 40,500 crore in 2020, out of the total revenues of the entire industry amounting to Rs. 95,700 crore, i.e. 42.32%, whereas Indigo, has a market share of 37.41%. By any account, this would mean that privatisation of Air India has resulted in one of the most concentrated markets in India.

6. Last, but not the least, is the uncertainty hanging over the 14000 strong, well-trained and experienced employees. Although the government announced cryptically that the interests of employees would “be taken care of,” there is little clarity about their future. Already they, through their Unions, are driven to serve a notice of strike due to a patently illegal directive dated 29.09.2021 issued by the Ministry of Civil Aviation, GoI, for evicting the employees from the quarters allotted to them, within six months. Please remember, the very same employees had been praised when they selflessly flew Air India flights to evacuate Indians trapped in dangerous situations. It is the very same employees, who, during lockdown due to Covid-19 pandemic, worked tirelessly to implement Vande Bharat.

We demand that you immediately instruct the Ministry of Civil Aviation to withdraw the said directive dated 29.09.2021 and not deal with the said employees in a “use and throw away” manner.

And we demand, that you roll back your entire policy of selling the National Assets, including the proposed sale of Air India. ■



Modi's Coal Policy is Solely Responsible for Coal Crisis

RAJIV DIMRI



The present coal crisis, which has pushed the thermal power plants to the verge of closure in many states, is another addition to the list of devastating outcomes of the Modi government's policies over the last more than seven years. Mid-night demonetisation, GST, sudden and unplanned cruel lockdown, handling of Covid-19, NMP and continuous, daily shocks of hikes in fuel prices, to name a few in the series of Modi's policy decisions which have plunged the nation and its common

people in a crisis and devastated people's lives and livelihoods for the profits of his crony friends. Rather, Modi has become a synonym for shocks, crisis and devastation.

In the first week of October, a number of states, including national capital Delhi, started raising concerns about potential blackouts as a result of low coal inventory at thermal power plants with an average of four days' worth of coal stock left against a recommended level of 15-30 days. Rather, the

CLICK HERE TO READ THIS ARTICLE IN BROWSER



crisis had started 2-3 months back due to coal shortage in the face of the rising demand for power in the post-Covid period, with central government doing nothing to address this evolving crisis. Even after several states raising the concern, the central govt. continued to deny any coal crisis. The central government's attitude of deliberate ignorance towards coal-power crisis rightly became comparable to its criminally apathetic attitude towards Oxygen crisis killing thousands of people during 2nd wave of Covid-19 pandemic. Modi government has also been charged by commentators with Policy paralysis and catering to the interests of private coal mining companies. However, after a lot of hue and cry the govt. started holding top level ministerial meetings involving the PM himself but just to offer reasons behind coal shortage like heavy rains, spurt in economic activities in the post-Covid period, sharp increase in prices of imported coal, etc., which were all evident from the beginning and should have been addressed in a timely manner. Meanwhile, Coal India Limited (CIL) augmented coal production, and coal supplies were increased to thermal plants bringing some relief for the time being. In this instance, we should note that coal and lignite fired thermal power plants account for about 54 per cent of India's installed power generation capacity but currently account for about 70 per cent of power generated in the country.

'Modi-made' crisis

This is the first-ever major coal crisis witnessed by the country since the nationalization of this sector in 1973. This crisis is not a surprise. If we look deeper into this crisis we find that it is a 'Modi-made' crisis occurring mainly due to reversal of the policy of nationalisation to give entry to private players, particularly his crony friends (essentially a pack led by Adani), dominating the mining and power sectors in order to mint money from these vast natural resources belonging to the country.

It starts with the policy of the Modi government, what he calls 'freeing the coal sector from decades of lockdown' and thereby opening the coal sector for commercial mining (mining by the private sector without any end-use restrictions) including 100 per cent FDI, dismantling CIL and finally doing away with the nationalised character of the coal sector. During the tenure of the governments before Modi's, the mines were opened up to the private sector mainly for their captive use, but the commercial sale of coal thus mined was not allowed. Therefore, such mines still do not contribute substantially to coal production. The opening of the coal sector for commercial mining — which was immediately resisted by

workers in the coal sector through a three day strike in first week of July — essentially started through auctions on 18 June 2020. This was the period of Covid, resultant lockdown/restrictions and virtually paralysed economic activities which helped private players to acquire coal mines at very low bids. So, in an easy ride to power on the waves of anti-Coalgate protests and the anti-corruption movement during the Manmohan Singh Regime, it is ironic that the Modi government has now virtually handed over the coal sector to his cronies and friends for a pittance.

To prepare the grounds for opening the coal sector for commercial mining, the CIL, which is the central government institution for coal production contributing 80 per cent to total coal production in the country, was weakened in a systematic manner. During 2014-16 (the initial years of Modi rule), CIL showed record production of coal so that not a single power plant in the country was short of coal. CIL had accumulated reserves and a surplus of around Rs 35,000 crore in 2015. This should have naturally been used for expansion plans. On the contrary, the Modi-1 government sucked out (as it did in the case of many other Central Public Sector Undertakings as well) most of these funds through forced dividends and buybacks to balance its 'own budget' and serve his crony friends, leaving CIL with only around Rs 8,000 crore as reserves in 2019. The CIL was obviously strapped for funds for its expansion plans. CIL was weakened by various measures, apart from stopping its expansion, including non-appointment of a regular CMD for more than a year since 2017, compelling CIL to invest in three fertilizer plants and ironically diverting its operations to setting up toilets under Modi's pet project of Swachh Bharat Mission. This caused a stagnation of CIL's coal production levels, which was 606 MT in 2018-2019, 602 MT in 2019-2020 and 596 MT in 2020-2021, that is, a decline of 10 MT. The production this year has further come down and in the present crisis, the production of CIL was 249 MT in the April–September quarter. While CIL was being weakened, the Modi government started auctioning off commercial mining in 2020; the two phases till August 2021 have offered around 100 coal blocks for commercial mining. While the production of coal by CIL is dwindling, there is no coal production worth mentioning by private owned mines as most of them are non-operational. Adding to this, the coal that was imported in the first three months of the crisis has also come down to due to soaring prices affecting the imported coal based

power plants which are in private hands. This is what has given rise to the coal crisis, threatening a power shut down, directly emanating from the coal policy by the Modi government of freeing the coal sector from 'decades of lockdown' disguised as 'Atmanirbhar Bharat' (Self-reliant India).

'Coal for the Rich'

Leading the pack of bidders, Adani has bagged some of the biggest and richest mines by making the most of very low bidding during the lockdown period. As India's largest coal mine developer, Adani has coal mines spread across Chhattisgarh, Madhya Pradesh, Odisha, and Maharashtra, apart from those in countries like Australia and Indonesia. At the same time, Adani's coal company (Carmichael Coal) in Australia has also announced its readiness to export first coal from its Australian mining project this year. Just when prices of imported coal were soaring and India was entering into coal crisis, David Boshoff, CEO of Adani group's Australian business arm (Bravus Mining & Resources India) announced in the month of June 2021 that India will be a 'foundation customer' for Carmichael coal and Bravus has already secured the market for 10 million tonnes per annum production. So at a time when the global prices of imported coal are too high and Adani is all set to import coal to India from its coal mines in Australia, the Modi government seems to leave no stone unturned to promote his business.

Meanwhile, the Modi government has started utilising this crisis as an opportunity to further push the interests of private players and foreign companies in coal mining and the power sector, as it did during Corona and lockdown to pass several anti-worker, anti-farmer and pro-corporate laws. The narrative that is being developed is that due to several legal and administrative hurdles in acquiring mines and making them operational, and above all, in the face of growing resistance by the people directly affected by mining, it is costlier and more difficult to produce coal in India for private mines than to import it. So the need is to remove these hurdles and further ease the path of doing business. The government is therefore moving ahead to take care of this need in the form of some immediate steps and assurances. Despite a record rise in international coal prices, the government is advocating that power generators using local coal should use up to a 10 per cent blend of imported coal for power generation. At the same time, ways and means are being explored as indicated by Power Minister RK Singh's statement 'that the government is looking at the law to see how imported coal based plants can be made operational.'

Electricity Amendment Act Bill

At the same time, the voices of advocates of privatisation have become louder in favour of increasing electricity tariffs and clearing the Electricity Amendment Act Bill (EAA) in the coming session of Parliament, the indication of which again has been given by Power Minister. Passing of this EAA Bill will totally throw open the power sector to private players.

In the wake of this crisis, purchase bids have already far outstripped supply leading to the average market clearing price of Rs 15.85 per unit up from Rs 2.35 per unit a month ago on the India Energy Exchange (IEX). It has been advised that generators could seek to increase the price they charge to discoms under Power Purchase Agreements with power distribution companies as these companies are currently meeting shortfalls in power supply by purchasing power at significantly higher rates on power exchanges. Imported coal-based generators, mainly owned by corporates (like Tata and Adani), which were closed for some time have already geared up to the situation and are making agreements with states at increased prices.

Although not much has been said and done by the government so far, in the near future there will be some major announcements and measures from Modi government seemingly to remove so called hurdles and push the interests of private players, particularly the Adanis, in the coal mining and power sector. The Coal policy along with EAA is not only directed towards wholesale privatization, but it will further increase the burden of electricity tariffs on various sections of common people and lead to ruin of employment and livelihood and increase job-insecurity.

The ongoing resistance against acquiring these mines will have to be further strengthened and working people and democratic forces will have to be battle-ready to resist and reverse these policies of the devastation of lives and livelihood and of putting India on sale.

Meanwhile, again in the background of the coal crisis, it is being said that there is a need to explore the field of renewable energy, and, you guessed it! — Once again, it is Modi's crony and friend Mukesh Ambani who is being designated the leader in this sector, having recently acquired the biggest solar panel company of Europe! ■

On fixation of Minimum Wages And Redundancy of Expert Committees

KINGSHUK SARKAR*

Given the characteristics of Indian labour market minimum wage becomes very important. Indian labour market is characterized by huge excess supply of unskilled labour. This puts downward pressure on the market wages. Existence of huge excess army of labour may lead to stiff fall in wages, in certain cases, at an abnormally low level. Such low level of wages does not even ensure minimum sustenance and consequently non-fulfilment and reproduction of labour power. It is no surprise that a significant section of adult working population and their family members suffer from sub-optimal nutrition. They are also prone to certain occupational diseases since they mostly work in poor and unhygienic work condition.

In India, because of labour market imbalances (supply far exceeds demand) and prevalence of neo-liberal economic policies, there has been large-scale informalization of the labour force over the last three decades. More than 90 percent labour force is informal. They don't have job security beyond the tenure of contract and they can not access institutional social security instruments either. Most of the labour laws won't apply to informal labour. They remain outside the purview of protective labour legislation. Very few labour laws actually can be applied and Minimum Wages Act 1948 is one such legislation. Both State and Central government fix minimum wages pertaining to each employment listed in the schedule of employment. Minimum Wages are dynamic in the sense that those are adjusted every six months against the changes in consumer price index. For each employment, minimum wages are notified at three levels: unskilled, semi-skilled and Skilled. For a particular employment, fixation of minimum wage is done once that employment is incorporated in the schedule of employment. For such incorporation, there must exist at least 1000 workers in that particular state. It takes considerable amount of time for the newer forms of employments and occupations before those are enlisted in the schedule.

India does not have an enforceable single

national minimum wage. Central government does announce a national floor level minimum wage but that is more of a directive in nature rather than legally enforceable. This is more indicative rather than mandatory and are kept at a very low level and not adjusted to inflation level at regular intervals. Present national floor level minimum wage is Rs 178. Recently enacted Code on Wages 2019 (implementation has not yet started) extends minimum wages to all employees and workers irrespective of whether they are included in the schedule of employment or not. However, fixation of minimum wages still remains an ambiguous subject. Many States don't take fixation of minimum wages seriously and wages are not updated at regular interval. Not only the implementation of minimum wages is poor but fixation of minimum wages shows great degree of indifference. Under such circumstances, there has been a demand for enforceable national minimum wage based on objective criteria by the consortium of all the major trade unions of the country. Trade unions have demanded that Rs 18,000 (Rs. 600 per day) as minimum monthly income.

In 2018, the Ministry of Labour and Employment, Govt. of India, constituted an expert committee under the chairmanship of Anoop Satpathy. The "Expert Committee on Determining the Methodology for Fixing the National Minimum Wages," in its report submitted in January 2019, outlined a methodology for enumeration of minimum wages, which used consumption expenditure and employment data to arrive at a figure that allowed for a balanced diet and other non-food essential items and expanded the units of consumption per household. Based on this, the committee stated a figure of Rs. 375 per day as on July 2018, as the national floor level minimum wage, "irrespective of sectors, skills, occupations and rural-urban locations." Alternatively, it recommends national minimum wage for five different regions with diverse socio-economic and labour market situations ranging from Rs. 342/- to Rs. 447/- per day. It also recommends "city compensatory rent allowance" averaging to Rs. 55/- per day for workers in urban areas. While this figure is much

higher than the non-binding national floor wage of Rs. 176/- (based on National Commission of Rural Labour Recommendations), it is much lower than the Rs. 600/- demanded by trade union federations, based on the 7th Pay Commission recommendations.

Minimum wage fixation, as Satpathy committee (2019) also acknowledges, is based on two key features: first, the recommendations of the 15th Indian Labour Conference (1957), and second, the Supreme Court judgment in *Workmen v Reptakos Brett* (1992). The former outlined a need-based minimum wage, stipulating criteria for proper dietary intake, adequate clothing, housing requirements as well as other expenditure such as fuel, etc. The latter expanded the notion of minimum wage to include children's education, medical care, recreation, and contingencies such as marriage and old age. Taken together, both these provide a substantive and concrete understanding of need and well-being in determining minimum wages.

There was no formal acceptance of the Satpathy committee report by the Ministry. Rather, the Ministry of Labour and Employment, Govt. of India recently announced the formation of an expert panel "to provide technical inputs and recommendations on fixation of Minimum Wages and National Floor Minimum Wage." While the terms of reference have not been announced, the panel's tenure is set at three years. The new panel comes amidst discussion surrounding the draft rules on the wage code, which were notified in July 2020. The Code on Wages, passed in July 2019, consolidates four prior legislations pertaining to wages. It has mandated a floor-level wage at the national and regional level, as well as a simplification and broadening of the different employment- and occupation-related minimum wages. However, the draft rules do not appear to enhance clarity on coverage or enumeration of minimum wages. The second wave of the pandemic has delayed the final notification of these rules. In this context, a new committee to recommend floor-level wages is a little surprising, considering that in early 2019, another expert committee with a similar mandate had already submitted its recommendations to the government.

Opinions expressed are that of the author.

**Kingshuk Sarkar is an independent researcher. ■*



The Street Vendors and the Onslaught of the Pandemic, Anti-farmer Laws and Communalisation

LEKHA ADAVI

The life and livelihoods of street vendors have been debilitated post-COVID 19 pandemic. Street vendors who have always been at the receiving end of the State's wrath through constant spate of evictions from their market places, hafta collections, verbal and physical abuse at the hands of the police, local authorities, and private individuals, have now been deeply affected by the looming economic crisis in the country. Additionally, they are also impacted by the anti-farmer laws as also the growing communal violence and the atmosphere of intolerance in the country. This article explores the plight of street vendors in this context.

Street vendors provide easy and affordable access to various commodities and services that are utilized by all classes of the society. The working class, especially benefits from the affordable prices of clothing and household essential items, as also fresh groceries and nutritious food. They also provide accessible repair and other services which are available at the doorsteps of every individual, thus making everyday lives much easier. They also contribute a great deal to our economy, which has been rendered invisible thanks to the constant bias they face at the hands of the State and private individuals like shopkeepers and residents. Street vendors are those who have migrated to urban areas looking for a livelihood option for various reasons such as rural distress (drought, floods, agrarian crisis, caste oppression, sexual assaults, destitution, etc.), unemployment, lack of capital to start a full-fledged business, among various other reasons. Many women depend on street vending as a livelihood option as they are often the sole-earners in the family.

However, they bear the brunt of the so-called development of urban areas. The State always looks at "development" or "beautification" of streets and cities and view street vendors in opposition to such developmental projects. Street vendors are perceived to be an obstruction in achieving their lopsided and exclusionary development, and therefore, stress more on "regulating street vending" than "protection of their livelihood". In several instances, street vendors have been evicted for reasons such as cooking non-vegetarian food, for having lunch on pavements, for obstructing pedestrians, for causing traffic jams (!), in the name of reconstruction of footpaths, construction of malls and commercial

complexes, metros, flyovers, underpasses, smart city, among numerous other pretexts which ensure that the livelihoods of these hawkers are severely impacted. Street vending offers independence to all those oppressed people in the society to earn a decent and dignified livelihood. There are several crores of street vendors across the country, but, they are all treated as encroachers. Thus, while bearing the brunt of such exploitation and harassment, street vendors struggle to make ends meet on an everyday basis.

Economic Policies and Platform Economy Adds to the Woes

To add to their already existing woes, demonetization and introduction of GST had direct impacts on street vendors. Even when they did not have access to smart phones, several street vendors were forced invest in smart phones so as to shift to PayTM and other digital wallets which were released subsequently. Many hawkers who sold clothes and other accessories feared that GST would be imposed on them or the middlemen who sell the wares to them, which meant that they would have to sell their wares at higher prices, resulting in a loss of customers. Similarly, the introduction of home-delivery platforms like BigBasket and Groffers too had an impact on the street vendors, which furthered the elitist perception that street vendors were "dirty" and these platforms served clean and hygienic groceries. Thus, while street vendors had their livelihoods already impacted by big and hyper malls, these platform-based apps further debilitated their livelihoods.

The changing labour laws are being fought tooth and nail by all unions, and one might expect street vendor unions to join the protest. While many of these laws don't have relevance to street vendors, the Unorganised Workers Social Security Act, 2008 ensured that street vendors were extended certain welfare schemes by the government. While the same was not implemented effectively for street vendors to reap the benefits, the lack of this statute will further invisibilise street vendors from the view of the State. The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 has not seen its full potential, and while it promises protection of livelihoods, the government has its focus on regulation of street vending, than protecting the



rights of street vendors. It can also be seen that more and more unemployed workmen are opting for street vending as a livelihood option due to growing unemployment and loss of incomes and jobs.

Impact of COVID-19

Although street vendors were deemed to render 'essential services' during the lockdown imposed to curb the COVID-19 pandemic, street vendors faced utmost harassment and violence from the police. We witnessed the atrocities of the police who were mercilessly beating up street vendors and destroying their goods under the pretext of strict implementation of the lockdown. On the other hand, during the lockdown, we also witnessed how fresh vegetables and fruits were being discarded by farmers as there were severe restrictions on mobility and there were no street vendors to buy the vegetables and fruits. While this was the case for several hawkers who were selling vegetables and fruits, other vendors had no option of earning an income during this period. We also witnessed that both due to growing rate of unemployment and loss of incomes & livelihoods, several other workers took up street vending as a form of livelihood.

Despite such difficulty, the government did not come forward to support the street vendors. The Karnataka Pragatipara Beedhi Vyaparigala Sangha and the Bengaluru Jilla Beedhi Vyaparigala Sanghatanegala Okkuta, both affiliated to AICCTU, demanded Rs. 15,000 per month to street vendors to overcome their crisis and held wide protests across Karnataka. During the lockdown in 2020, the Union Government announced the PM Street Vendors Atmanirbhar Nidhi (PM-SVANidhi) scheme for street vendors, wherein street vendors could avail a loan of Rs. 10,000/- to tide over their COVID crisis. Street vendors were 'atmanirbhar' had they been allowed to go about their livelihoods during lockdown and did not require the so-called charity of the Union Government to "tide over the crisis". During the lockdown in 2021, the Karnataka Government announced that street vendors, who had previously availed the PM-SVANidhi scheme were eligible to a COVID relief amount of a paltry Rs. 2,000/-. To add salt to injury, both the Union and State Governments made a mockery by offering peanuts as relief amounts, which were availed by very few street vendors. Moreover, the current crisis they face is not only due to the pandemic, but that it has been exacerbated as they have always faced harassment and abuse from authorities, as also the evictions by the government every time there is a developmental project undertaken. Moreover, several street vendors also succumbed to COVID in the deadly second wave, including Mr. Nataraj, an office bearer of the Bengaluru Jilla Beedhi Vyapari Sanghatanegala Okkuta.

It must be noted that even before the pandemic, we

saw that street vendors, especially food vendors, were often evicted and abused when there was an outbreak of cholera, dengue or malaria in certain areas. This was the case in Bangalore city, wherein several food vendors were evicted from February 2020 citing reasons of a cholera outbreak.

Anti-Farmer Laws

With the Union government introducing three anti-farmer laws and the Karnataka Government bringing in the Karnataka Agricultural Produce Marketing (Regulation and Development) (Amendment) Act, 2020, the Farmers Produce Trade and Commerce (Promotion and Facilitation) Act, 2020, the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020 (aka Contract Farming Act) and Essential Commodities (Amendment) Act, 2020, we see that street vendors who sell fruits, greens and vegetables will be impacted by this as well. These farm laws ensure commercialization and corporatization of agriculture itself and privatization of the APMCs, which means that the prices of food and other essential commodities would increase exponentially. Not only will it be difficult for street vendors to access the farm produce – as there won't be fair competition at APMCs now due to its privatisation – but also that street vendors will not have enough capital to buy these commodities to be sold in the markets. This also means that common people will not have easy access to affordable food.

We also see that during festival seasons, several farmers turn into seasonal street vendors. With commercialization and corporatization of agriculture, these seasonal vendors will be missing from the scene. It is also seen that several street vendors also have small pieces of land where they cultivate small crops only to be sold in markets, which would also be rendered difficult due to these farm laws.

Communal Violence Against Street Vendors

The polarization on communal lines that we are witnessing in the country has not spared street vendors either. In March 2021, during a yearly temple fair in Uppinangady Taluk of Dakshin Kannada, Mr. Abdul Harris, a Muslim ice-cream vendor, was thrashed by a mob of Bajrang Dal members stating that he desecrated the temple premises with his presence. They warned that no Muslim would be allowed to vend their wares, while destroyed the goods and wares of Mr. Abdul Harris and stealing all his hard-earned income.

On August 22nd, 2021, Mr. Tasleem, a bangle-seller belonging to the Muslim community in Indore, Madhya Pradesh was assaulted for doing "bangle-jihad". A day later, Mr. Tasleem was booked by the police under seven sections of the Indian Penal

Code, including the offence of forgery, for carrying multiple identity cards with different names, as also Protection of Children from Sexual Offences (POCSO) Act. Mr. Tasleem was brutally beaten up by a mob in a marketplace where he was selling bangles. The mob accused him of molesting a girl while trying to sell her bangles. Mr. Tasleem was arrested and continues to remain in jail. Incidentally, news reports state that Mr. Tasleem's father was a cattle trader until 2000, but he turned to selling bangles after the government prohibited the sale of bovines in Madhya Pradesh. A week later, on August 30th, 2021, a Muslim dosa seller in Mathura, Uttar Pradesh was assaulted by a mob of Hindu fanatics for having his stall named after a Hindu deity. As the communal mob thrashed the street vendor, they chanted a slogan calling "Krishna devotees" to "purify" Mathura.

In Bangalore, during the first wave of COVID and the resultant lockdown, an elderly Muslim street vendor who was selling grapes was accused of spitting on the grapes and selling them in order to spread COVID. This person who accosted the street vendor made a video while interrogating him and asked why he spat on the grapes. In the video, we hear the hawker stating that he spat on the road and not on the grapes, but the visibly shaken and humiliated elderly hawker goes on to apologise to the person

making the video. The same was shared widely on social media platforms which were known for their communal agenda. After a backlash against this by progressive groups and individuals, the same was taken down.

In another such incident, Bajrang Dal goons tied bhagwas to street vendor stalls in Vijayanagar market, Bangalore, including the stalls and pushcarts of the many Muslim street vendors there to cause communal unrest among the street vendors. Due to the presence of the AICCTU affiliated union in the market, a complaint was filed and the flags were removed.

Conclusion

Street vendors are not only facing discrimination and abuse at the hands of the State in the name of development, but are now impacted by the anti-working class policies, anti-farmer laws, COVID crisis and the increasing communal violence against minorities and the working class. It is in this context, it becomes pertinent that AICCTU works towards collectivizing and politicizing street vendors across the country, not only to fight for their rights and livelihood, but also to stand up against the economic onslaught of the Modi Government as also against the communal assault of the Sangh Parivar. ■

Delhi Master Plan 2041 is Not a People-Centric Plan!

RASHEE MEHRA

The draft Delhi Master Plan 2041, released by Delhi Development Authority (DDA), is the fourth plan after 1962, 2001 and 2021. The plan is slated to control certain urban indicators - the ecological balance, equitable and affordable housing, sustainable economic activities etc.

The draft, released at a time when the city is still recovering from the aftermath of the pandemic, sought suggestions and objections within 45 days and later extended for another 30 days on demand. The 450 page document is enforceable by law and valid for the next 20 years.

Delhi is one of the cities that witnessed an exodus of migrant workers during Covid lockdown due to housing issues, food insecurity and unemployment. Over 70% residential housing is still marked as 'unauthorised colonies' despite occupation for several decades. Absence of proper titles, particularly in resettlement colonies, have forced a significant population to live under constant threat

of evictions. The recent demolition of Khorī Gaon, in Faridabad city, has left more than 1 lakh residents homeless. The DDA itself has been at the forefront of several demolitions of slums and housing colonies. A research report shows that in the last decade alone the DDA has demolished 7000 more houses than the number of houses it built.

Housing

A spatial assessment of informal settlement (JJ Colonies) has shown that only 0.6% of Delhi's land is under "slums" whereas the area covered by a small car multiplied with the number of registered cars reveals about 2% of Delhi's land (IIHS Working Paper) is under parked cars. The master plan does not recognise informal housing in its land use surveys and label the residents as "encroachers" or "illegal / unauthorised" residents cutting off more than 30% of Delhi's citizens from basic services like sewage, water supply, sanitation etc. Further, the plans have failed to control factories and landfills from flouting

building bye-laws and development control norms leading to accidents and loss of lives. The master plan estimates the total housing stock needed till 2041 at 34 lakhs without providing specific break up on the types or affordability of housing. The basis of the calculation is not transparent. There is no guarantee of protection from eviction or proper rehabilitation either.

The plan has to ensure EWS (economically weaker sections) quarters and LIG (lower income group) housing, reservations for EWS housing in all new private developments, regularisation and settlement upgradation through infrastructure development in JJ clusters, tenure rights to residents, license system in resettlement colonies for longterm leaseholds and upgrading housing units, services and infrastructure to support informal work at homes.

Essentially, the plan has to take into consideration the linkages between housing and workplace and at the least, change norms that hinder expansion of affordable rental housing. The plan needs to focus on rental housing by reframing norms of spatial regulation, zoning and DCRs, encourage rental housing including inclusionary zoning as per new national rental housing policy. It should explore and expedite other forms of housing such as migrant housing, hostels, and accommodation for women, LGBTQ communities, dalits, and minority communities. Leaving housing to private players will further decline the affordability and increase homelessness.

Transport

The road space is overwhelmingly dominated by private vehicles making it evident that the majority of the city's population have a meagre share in road space. There is very little space for public transport and the number of public transport has significantly decreased. While the Metro Rail functions as an efficient public mode of transport, increasing fares have made it inaccessible to a vast population. The draft talks about 'fare rationalisation' in the context of public transport, instead of accessibility. The plan should focus on manifold increase in public transport and last mile connectivity and adequate frequency of services to all localities.

Economy

The draft document emphasises on planning economic activities involving technological skills like the IT and service sector but ignores food production, small businesses, transport and sanitation. The draft hardly takes note of the informal sector that employs 80% of the population. The plan should prioritise labour intensive economic activities, ensure protection, legalisation and licensing of street vendors, make public investment on health and education sector, regularise workers

in the basic services, distinguish home-based production from household industry, provide basic infrastructure for the livelihood of home-based workers, increase public distribution system and set up locality-wise creche facilities.

Shelter and Social Infrastructure

The draft document carries an entire section on shelter and social infrastructure. It starts with assertion on how providing shelter has been a prerogative of state institutions till now and how lack of private investment in the sector has hindered providing enough housing shelter. There is no rational in expecting profit seeking private investment to help in providing shelter to the economically weaker sections. The plan is divested of any concrete commitment to ensure housing rights for the economically and socially vulnerable sections. The draft plan lacks vision to guarantee proper housing near work for the informal workers and is non-committal to regularising unauthorised colonies and providing social infrastructure and services in the settlements.

Housing should be recognised as a basic right of the residents of Delhi and the plan must be formulated to guarantee this right to shelter.

Alongside, public funded services like health and education in Delhi localities must be expanded and upgraded. There are several areas in Delhi without government hospitals. Public distribution centres for disbursement of ration must be increased to cover millions of migrant and informal workers under food security measure. Public playgrounds and parks with facilities for physical activity must be ensured in every residential area.

Finally, the Master Plan should recognise economic, caste, gender and religious segregation that is at the disadvantage of a major proportion of residents of Delhi. The city's landscape is marked by caste and religious segregation with dalits and minorities living in insufficient space and lacking social infrastructure and services. This disparity cannot be ignored in the planning. Safety and autonomy of women must be an important component of the plan. Encouraging women's participation in economic activities and providing proper infrastructure for it, including housing for working women and creche facilities in all workspaces and localities must be guaranteed. If equity, dignified living and working conditions are not at the crux of the Master Plan, then it will fail to serve those in whose name it is being formulated - the people of Delhi. Let the Master Plan be in favour of the city's people and not for profit.

Citation- Recommendations from the Main Bhi Dilli Campaign, a citizens campaign to make the 2041 master plan more inclusive and participatory. www.mainbhidilli.com



Karnataka's Garment Workers during the Pandemic

SWATHI SHIVANAND

The COVID-19 pandemic and the countrywide Lockdown in 2020 has been devastating for garment workers. Left without a means of income beginning from March 25, 2020, workers faced multiple blows from transnational apparel corporations to which they produced for, from the factory managements to which they worked for and from state governments that were constitutionally bound to protect the rights of workers. Transnational apparel corporations, featuring some of the biggest clothing brands, reneged on their commitments to pay up for the orders they had placed and which had already been produced by workers. The company managements deployed various illegal modes to deny payment to workers, to increase working hours, to fire unionised workers and to force workers to resign, among others. The state reneged on its commitments to protect the rights of working class as it turned a blind eye to these illegal, anti-worker methods by employers as well as by not increasing minimum wages or dearness allowance.

This is a phenomenon across countries producing garments, and reports of severe distress faced by garment workers are pouring in from various parts of the Global South. Already workers in these garment exporting countries are at a structural disadvantage. These exporting countries are rendered 'attractive' to transnational apparel corporations due to weak labour laws or criminally ineffective implementation of these laws coupled with poor wages and working conditions, resulting in what some scholars termed as 'the sweatshop regime'. Given these conditions, the consequences of the COVID-19 pandemic and the Lockdown followed the channels of inequality within existing relations of production and the largest burden of the pandemic-induced disruptions were thus borne by the poor women garment workers.

It is in this context that three different studies of garment workers in Karnataka were undertaken in the course of the pandemic to document its impact and the response of the workers. This article restates some of the key findings of the survey, while presenting the chronology of the unfolding distress.

Soon after the Lockdown...

In a survey conducted in May 2020 among 82

garment workers in Bengaluru, Ramanagara, Mysuru and Mandya, 63 percent of workers reported not having received any salary for the month of April 2020. 17 percent of workers reported that they received 50 percent and less of their salaries due for April. Many of these workers also said that even these full or partial payments were made only to those who reported to work in the last week of May 2020.

Even as factory owners were lobbying with the state government for increasing working hours from 48 to 60 hours a week and calling themselves "annadataru" (providers of food), 96 percent of respondents said that they received absolutely no assistance from their employers, be it in the form of cooked food, dry ration kits or loans and advances.

If factory owners failed to assist their employees during the Lockdown, the state too did no better. 75 percent of our respondents said they received 'no free food'; 51 percent said 'no free ration', 66 percent said 'no subsidised ration'; and 18 percent said 'absolutely no assistance' from the government.

The complete apathy of the state towards workers was amply evident in the fact that it provided no transport facilities for workers to reach their workplace while the factories were allowed to reopen. Workers angrily shared their inability to report for work for lack of public transport even when the factories were open. Workers were also extremely anxious and worried about the security of their jobs. They also feared of illegal retrenchment.

Protesting Illegal Lay-off in Srirangapatna

Soon after, in the months of June and July, several workers lost their jobs as many companies across the state either closed their units or cut down their workforce. The Euro Clothing Company-2 (ECC-2) in Srirangapatna, owned by Gokaldas Exports Limited, was one such factory which announced an illegal layoff on June 6, 2020, leaving 1300-odd women workers at a shock. The layoff, as Garment and Textile Workers' Union (GATWU) astutely argued, was illegal because the company had not taken permission from the state government under relevant provisions of the Industrial Disputes Act, 1947 before declaring



the layoff. Some key aspects of this labour dispute are worth highlighting.

ECC-2, which had been operating for ten years, produced exclusively for the transnational apparel corporation Hennes and Mauritz (H&M). However, when the illegal layoff was announced and when workers began to protest, H&M was reluctant to intervene despite a clear violation of workers' rights. GATWU charged that the closure was a union-busting measure since this was one of the few factories where the union was active and regularly intervened on behalf of workers. This charge in itself should have been the ground for H&M to intervene since the company's voluntary code of commitment includes protecting workers' right to freedom of association. But, it intervened only a month after the protest and initially insisted that it was merely a 'facilitator' between the supplier and the union.

In the meanwhile, workers continued to resign sensing no support from any quarters including the buyer H&M. The company management too stepped up its efforts to coerce workers to resign. Former supervisors and other staff at the ECC-2 factory were deployed to go to villages of workers and pressurise them to resign, in some cases, even in the late night. Workers and their spouses were threatened with loss of settlement dues if not resigned on the spot. The management staff attempted to scare workers referring to dragging of cases years together in the courts and a possible repeat of Lockdown when resignation might become impossible as the offices would be closed.

The union countered all false propaganda and threats by the management on the one hand, even by confronting management personnel in villages and by filing police complaints on the other. Sustaining the movement and gathering at the company premises became all the more difficult as the small town, Srirangapatna, too had a higher incidence of COVID-19 cases. Alternative channels of communication were opened including use of social media. Updates regarding conciliation proceedings, negotiations with H&M and support from other parts of the world were all shared with workers.

The workers protested for nearly two months demanding re-opening of the company but failed. Still, they managed to get an enhanced compensation to 600 plus workers who fought till the end.

Forced Resignations in Bengaluru

This however was not the case with workers in Bengaluru who were forced to resign by factory

managements, from June onwards. In a two-part survey conducted with 89 workers from 25 factories in Bengaluru, workers reported that factory managements had devised different coercive methods, including false propaganda, suspension of transport, threat of transfers, etc., to force workers to resign. Workers were forced to resign in a short notice without any scope for discussion or consultation with family and friends.

The companies resorted to unfair labour practices by forcing them to resign and denied them legally due retrenchment compensation and the notice pay. They were also denied the legally mandatory tenure to be eligible for pension.

Workers had nothing to depend on in the period of lockdown as they were earning a meagre wages of Rs 8000 per month which was not even sufficient for rent, utilities and food. They also could not get any alternate employment because of lockdown. Loss of livelihood and retrenchment were the major impact of workers of the garment industry in the period of Lockdown.

The most serious impact was the loss of livelihood for worker households, particularly was the nutrition. A major reduction in expenses was on food. Workers reported primarily cutting down on meat, vegetables, fruits, snacks and beverages such as tea and coffee; in some cases, the number of meals were also cut from thrice to twice or even once a day.

The state during the pandemic

Despite the fact that the garment industry is one of the largest employers of women workers in the state, the Karnataka government refused to undertake any measure to protect the rights of these women workers. Instead, the government condoned the unfair labour practices of the companies. The state government neither instituted any enquiry to investigate mass resignations nor revised minimum wages substantially and thus shrugged off its responsibility under the Minimum Wages Act, 1948. Even the increase in Dearness Allowance for the year 2020-21 was not paid despite an order by the Karnataka High Court.

Thus, over five lakh odd garment workers in the state had to bear the brunt of a pandemic that was Modi-made. The state and the companies only intensified the structural exploitation under the garb of a pandemic. ■

Falling Farm Income under Modi's Rule

ATANU CHAKRAVARTY



Narendra Modi and the BJP came to power with a promise that they would double farmers' income by 2022. A committee was constituted in April 2016 to examine issues relating to the doubling of farmers' income. The Committee submitted its report to the government in September 2018 with the aim and strategy for doubling the income of farmers by 2022. The Committee further recommended that farm income has to grow at 10.4 per cent, at constant base-year prices, to achieve the goal. But ironically, the National Statistical Office (NSO) published the latest Situational Assessment Survey (SAS) on 10 September 2021, showcasing the farce behind these tall, false claims. This is the most comprehensive official survey on the economic conditions of farmers in India.

The report revealed that an Indian farmer earned Rs 27 per day on an average from cultivation, which is much lower than what could be earned through MGNREGA round the year. This data itself exposes the grave crisis in Indian agriculture. Even as Modi and his honchos are claiming big strides achieved under Modi's rule, which according to them has reached the zenith, the cruel reality is that after 75 years of Independence, farmers' income in India has nose-dived to a nadir. It would not be out of context to mention here that while the wealth of Prime Minister Narendra Modi increased by 22 lakhs during June 2020 to March 2021, 23 crore Indians slipped below the official poverty line in the same period which was the first phase of lockdown.

As per the estimates of SAS, there are 93.1 million agricultural households in rural India and almost half of India's rural population does not even have the minimal economic stakes in agriculture. The overwhelming non-agricultural households, almost

99 per cent, possess less than one hectare of land and naturally the major source of income for almost half of this population is from casual employment. Self-employment in cultivation coupled with animal farming is the largest source of income for 71 per cent of the estimated 93.1 million agricultural households.

SAS has also found that an average agricultural household earned a smaller share of its total income from cultivation, which is a meagre 38 per cent, than from wages which is around 40 per cent. During July 2012-June 2013, which was the last SAS round, the share of income from cultivation in total income was 48 per cent. This again declined to 38 per cent under the 2018-19 survey. During the same period, the share of farm income from wages alone rose from 32 per cent to 40 per cent. The survey shows, this is the first instance when cultivation is not the biggest source of income for India's agricultural households.

India witnessed an unprecedented humanitarian crisis after the sudden and brutal lockdown and the sordid spectacle of millions of migrant workers walking back to their villages after losing their wages and livelihood despite all odds is still alive in our mind. It was proved that when urban India shut its doors, employment opportunities evaporated during the pandemic and lockdown. In these circumstances, agriculture was the last straw for the desperate migrants. However, it was only in this exceptional period that the share of agricultural employment increased for the first time in India. Periodic Labour Force Survey (PLFS) was the first official proof depicting this grave distress. While the share of employment has been dwindling at a faster pace, the figures for 2019-20 emerged as an exception to this trend. Agricultural employment actually increased from 42.5 per cent in 2018-19 to 45.6 per cent in 2019-

20. Job losses in all other sectors of the economy in the April-June 2020 period were compensated by agriculture, and this sector emerged as the last resort of employment in India. The tragic part of the story is that MGNREGA workers are considered to be the poorest of all and wages under MGNREGA are below the unskilled wages in the open market. SAS shows that for all but 5 states, average income from cultivation per agricultural household is actually less than what MGNREGA work would pay in 365 days. So, the farmers are now the poorest of all, earning less than the MGNREGA workers. Commenting on this situation, Devinder Sharma, an expert on India's agricultural policy, stated: "Income from cultivation is certainly less than the earnings from an average lactating cow on a per day basis, given the farm gate price of approximately Rs 30 per litre" (<https://www.tribuneindia.com/news/comment/all-pain-no-gain-for-farmers-311197>).

Curiously, a NITI Aayog paper by Ramesh Chand has stated that past strategies centred around raising agricultural output and improving food security. But "the strategy did not explicitly recognise the need to raise farmers' income and to promote farmers' welfare...Farmers' income did not grow much with the increase in output". This was the candid confession of a policy paper published by the NITI Aayog.

SAS further revealed that more than half of India's agricultural households are indebted, with an average outstanding of Rs 74,121. While the debt of average households reduced before 2013, it again leaped by 57 per cent from Rs 47,000 in 2013. Of late, the Parliament was informed, at the end of March 2021 that the total outstanding farm loans totalled Rs 16.8 lakh crores, with Tamil Nadu at the top of this list. Mizoram witnessed an unprecedented increase of 70.9 per cent of outstanding farm loans, followed by Assam and Tripura, both having BJP at the helm of affairs.

The Global Hunger Index released on 14 October again exposed the real picture of the Modi's India. This year, India slipped seven positions and stood at 101 among 116 countries, behind Pakistan, Bangladesh and Nepal. After this report was published, the Indian Government reacted sharply and rejected the report stating that the concerned agency has not done "due diligence".

It is clear that this government does not care for the poor and the marginalised. Minimum wages due to workers is still not determined. The floor level Committee to fix the entire exercise has again been reconstituted for the third time. The income of farmers has crashed to an unimaginable low. These two basic classes, the producers of wealth of the nation, are facing an existential crisis. The need of the hour is to strengthen unity between these two classes. ■



Workers Snippets for November 2021

Liability on the Principal Employer to Pay Accident Compensation

Reiterating the law set down in Shri Krishnan v. Jasoda Devi & Ors., the High Court of Delhi stated that as per Section 12 of the Employees Compensation Act, the liability of payment of compensation to a deceased workman lies with the principal employer as the said Section is for the benefit of the employee who does not have to be put under technical and practical difficulties to decipher his correct employer – whether a sub-contractor, contractor or the principal employer. Therefore, a pragmatic method has been devised to fix the liability on the principal employer so as to prove speedy relief to the employee to receive compensation in case of workplace accident. The principal employer has the right to indemnify themselves from the contractor who may have employed the worker. However, the principal employer and the contractor have rights and liabilities that are stated in the agreement between them, and such relationship cannot affect the right of the worker or the dependants of the worker to avail compensation from the principal employer or the contractor, at the option of the affected workman.

M/s Five S Manpower Services Pvt. Ltd vs. Commissioner, Under Employees Compensation Act, 1923 & Ors. [2021 LLR 9 (Del. HC)]

Employee's Gratuity Cannot be Attached

In a writ appeal being heard by the Allahabad High Court in regard to the gratuity being withheld of a bank employee as he was a guarantor to cash credit given to a company and the company was declared as a non-performing asset, the Court upheld that as per Section 60 (1) (g) of the Code of Civil Procedure, 1908 and also Section 13 of the Payment of Gratuity Act, 1972, under no eventuality can the gratuity of a workman be attached to recover dues from him. Even if a decree is granted by a Court or an order is passed, or even in case of any dues, default or liability of any nature, attaching gratuity of a workman is not justified. Thus, the Act grants immunity to the employee and restrains the employer from withholding gratuity to satisfy liability arising due to a non-performing asset.

Bhudev Trivedi vs. State of U.P. and Others [2021 LLR 473 (All. HC)]

Fixed Term Work for Long Periods is Unfair Labour Practice

The High Court of Gujarat found that a workman

employed as a driver was being given fixed-term work of 29 days a month for a period of 2 years, and when the was terminated from employment, the same came to be challenged by the workman by stating that he was retrenched from work without following the provisions of Section 25F of the Industrial Disputes Act. The High Court observed that the workman was given continuous work for 240 days and the employer followed unfair labour practices by employing the worker for 29 days at a time as per Clause 10 of Schedule V. The Court also observed that another workman who was junior to the workman-petitioner was retained in service, whereas the workman was terminated from service. Therefore, the employer had breached the mandatory provision in regard to retrenchment as laid down in the ID Act, which rendered the workman entitled to get requisite relief.

Mohammad Rafique Mohammad Yasin Shaikh & Anr. vs. Gujarat Jal Sampati Vikas Nigam Ltd. & 1 Ors. [2021 LLR 491 (Guj. HC)]

Beauticians of Platform-Economy Protest

Several women workers who work as 'expert beauticians' on the 'Urban Company' app went on protest in front of the company's office in Gurugram, against the extreme exploitation they face at the hands of the company.

These beauticians, who were predominantly women, were earlier independently functioning with a regular clientele they achieved through word of mouth. However, due to the economy making a radical shift into the platform economy, these beauticians were forced to adapt to these changes and enrolled themselves on the app to earn a living.

The workers stated that the company charges commission as high as 30-35%, which results in a meagre income. Several videos and social media posts quoted the women workers stating that this was not the case when they had initially joined the company when they would earn about Rs. 45,000 to Rs. 60,000 a month. However, due to the high rate of commission being levied against them, their monthly incomes drastically reduced to Rs. 20,000 a month. The workers also accused the Urban Company of threatening the workers of blocking their IDs or decreasing their ratings, which would directly impact their livelihood.

The pathetic situation of the gig-workers is highlighted time and again by the workers

themselves. However, very little has been done to ensure job security, wage security, social security, protection against exploitation, safe working conditions, etc.

Assam HPC Workers' Death Toll Increases to 85



When the death toll of workers who were employed with Hindustan Paper Corporation Ltd., Assam reached 85, the Assam Government has finally woken up to the distress of these workers. These workers, numbering around 1,100, of the closed paper mills of Cachar and Nagaon are in extreme financial distress since the time of closure in 2015 and 2017, respectively. These 85 workers succumbed to starvation or due to lack of medical treatment. Many of these workers have suffered from kidney and liver related diseases. Joint Action Committee of Recognised Unions (JACRU), a joint action forum consisting of workers across the two mills, stated that workers have not been paid their due wages for the past 55 months and accused the authorities of general apathy towards the plight of these workers.

However, the Assam Government has now come forward to provide a relief package to all employees, which will be quantified after taking into consideration their provident fund, gratuity, pension and other dues that the workers entitled to receive.

Ford Workers Protest Against Planned Closure of Plant

Workers employed in Ford Motor Co., Sanand, Gujarat, went on a protest in late September 2021, against the plausible closure of the plant which has an engine-making facility slated to be implemented by this year end. There are about 1,200 workers employed at the plant, who demanded that the workers be provided with other jobs. This comes in the wake of Ford Motors withdrawing manufacturing process from India, which cited reasons to pare losses they have sustained internationally.

Several automobile companies have been exiting India which is resulting in several of their plants being closed down. This is a double-assault against the workers, who are going to be severely impacted by the changing labour laws and also by being rendered unemployed. ■



Affordable Rental Housing Complex

Rental Housing is Another Bubble in ‘Modi-Sahy Yug’!

SANGRAM MANDAL



In the new India, Covid-19 pandemic has shown the actual photoscape of miserable government failures at all levels. The unplanned, unprecedented lockdown since March 2020 has brought about a never-ending exodus of migrant labour. Opening new-fields for the Indian multinational companies, the finance-corporate mafia -government nexus has pivoted the pandemic crisis to its advantage, while millions of low waged Indians have hit the new low of continuous uncertainty. There are various sets of data available on the impact of covid pandemic on the migrant workers. Most of them, however, has been fabricated and projected by the government as the success of the state policies. The truth is that there is not even a central registry of the migrant workers, despite the existence of Inter State Migrant Workers Act, 1979. Though the government is forced to act upon migrant workers now, the ARHC or the Affordable Rental Housing Complexes scheme is just another false development mantra. The EPW magazine, in its findings, said : the 76th round (2018) of the National Sample Survey Office (NSSO) reports that about 91 million people in 31 million households (33% of all urban households) in India live in rented accommodations. Organized private sector rental housing, in the absence of any significant housing scheme by the government, implies that the market

is dominated by private individual landlords (Harish 2016). By most accounts, these are formal and informal owners of extra-land, rooms, building floors and flats, as well as operators of ‘paying guest’ and other short-term and medium-term accommodation providers. In 2020, the reverse migration caused by the pandemic-related lockdown forced the attention of the policy makers and the civil society back to the question of rental housing. Civil society groups, unions and academic institutions observed that the ability to pay rent on time emerged as a critical issue for migrants and the urban poor alike, coupled with dwindling employment prospects.

The Schemes and past references

The ARHC scheme that was announced by the government of India, as a part of Rs 20 lakh crore Atmanirbhar Bharat Abhiyan relief package, envisaged the creation of affordable rental housing for the migrants and the urban poor. The ARHC is actually a sub-scheme of the Pradhan Mantri Awas Yojana - Urban (PMAY-U) that is implemented by the Ministry of Housing and Urban Affairs. The PMAY-U was launched in 2015 for providing affordable housing to the urban poor with a target of building 20 million affordable houses by 31 March 2022. No list of the beneficiaries under PMAY-U is available till October

2021, but the PMAY-U website is making tall claims about crores of benefited Indians.

A research finding of the University of Pennsylvania is that PMAY-U and ARHCs are not the first attempts to build public rental housing for urban migrants. The oldest of the schemes implemented by Bombay Development Department (BDD) dated back to 1920s that was created for migrant millworkers. Commonly known as BDD chawls in Mumbai, the state government in 1921 assumed the responsibility of constructing single-room tenements. As noted in the First Five Year Plan of India (1951-56), the BDD started with an ambitious target of constructing 50,000 tenements. However, the project halted after building merely 15,000 tenements due to mounting construction costs and the inability of the beneficiaries to pay the rent amount. Almost a hundred years later, in 2008, the Maharashtra state government introduced a similar rental housing scheme for migrants, called the Mumbai Metropolitan Region Development Authority – Rental Housing Scheme (MMRDA–RHS). This scheme had an ambitious target of constructing half a million single-room tenements within a span of five years, from 2008 to 2013, through a Public-Private Partnership (PPP) model. Eventually, the project was rendered untenable due to various factors such as uninhabitable density targets, lack of interest by private players, and lack of capacity of the public agency to manage rental housing stock. Both the schemes discussed here exhibit a discernible shift of government approach from a state regulated housing provision of BDD tenements to the MMRDA–RHS scheme resting on private player participation. The MMRDA–RHS experience demonstrates the over-reliance on the private market may inhibit the implementation of the ARHC scheme. In general, the policy history shows a recurring pattern of ambitious designs that remain unrealized either due to mismatch of needs and capacities of beneficiaries, or lacking buy-in from private stakeholders despite handsome incentives.

Conclusion

The ARHC policy documents do not discuss the means - testing method - to identify the potential beneficiaries of the scheme. As there are no explicit income criteria for eligibility, the scheme might miss out the most vulnerable migrant population and favour the relatively better off. The scheme heavily favours private actors such as real estate developers, job contractors, and informal employers who already exercise disproportionate control over the lives of the migrants. The PMAY-U and the AHRC are actually designed to strengthen the nexus of the government and the corporate construction industry. This development hoax cannot mitigate the workers' demand for minimum wages, incentives and medical insurance. ■



Implication of Labour Codes on Construction Workers

AVANI CHOKSI



The workers in building and other construction work [BOCW] sector are some of the most marginalized, systemically unsafe and physically exploited. In India, official statistics show that there are 5.1 crores of construction workers across the country, who produce 9% of the annual gross domestic product [GDP]. Certainly, their number and contribution will be even higher. Since 1996, the employment and service conditions of BOCW workers was regulated by the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 (BOCW Act). The present central government has been strongly pushing through four anti-worker labour codes that repealed a number of existing hard-won labour laws and labour rights. In this series in Workers Resistance, we have been looking at the major changes in labour codes and its implications on the workers. With respect to BOCW workers, some of the important changes are as below:

I. Welfare Board

Both the BOCW Act as well as the SS Code contemplate the constitution of a welfare board at the state level with certain functions [S. 22 of the Act and Section 7(6) of the SS Code]. However, the functions

of this Board have been changed as follows :

- a. Immediate assistance in case of an accident is removed.
- b. Sanctioning loans and advances to a beneficiary for house construction is dropped.
- c. Educational function changed from giving financial assistance for the education of children of beneficiaries to framing educational schemes for their benefit.
- d. Previously, the state or central government could make provisions and improvement of welfare measures and facilities through rules. Now, any welfare scheme can be made only by the central government or by the state government only with the concurrence of the central government.
- e. New functions include framing of skill development and awareness schemes for the beneficiaries and provision of transit accommodation or hostel facility to the beneficiaries;

The Welfare Board under the Code will be newly endowed with a number of dangerous powers.

Firstly, under section 120(2) of the SS Code, the Board has the power to invest any money vested in it,

subject to conditions prescribed by the government. The government should not be permitted to speculate/venture with the money of the workers.

Secondly, according to the BOCW Act, the Board may be given loans by the central government and this is continued in the Code too. However, section 120(3) of the SS Code permits the Board to raise loans and take measures for discharging such loans with the prior sanction of the central government, presumably from private lenders. It is unclear why this is necessary, and may lead to undesirable results.

Thirdly, section 121 now permits the Board to write off losses in respect to cess, interest and damages due to it if it is of the opinion that the amount is irrecoverable. It may be noted that non-performing assets, written off by the government increased from Rs. 3,23,464 crores as on 31 March 2015, to Rs. 10,36,187 crores on 31 March 2018, and Rs. 8,96,082 crores as on 31 March 2020. This provision seems to equally permit the writing off of statutory liabilities of employers.

Further, the Code allows the state government to supersede welfare board if it is of the opinion that it is unable to perform its functions, or, has persistently made delays in the discharge of its functions or has exceeded or abused its powers or jurisdiction. After supersession, the state would make alternate arrangements for the purpose of administration of the relevant provisions until the reconstitution of the Board. No time limit has been provided for reconstitution of the Board.

II. Registration of Workers

The entitlement of registration of workers in the Code and the Act are very similar. However, the term “building and other construction work” is defined under the Code in a manner that excludes construction of residential works under fifty lakh rupees, which can have consequences on the entitlement to registration itself. Importantly, the mandatory contribution to the Welfare Fund has been done away with in the Code. Few statutory mandates in the BOCW Act that were very beneficial for the workers have been done away with, for instance, the mandate to provide identity cards.

III. Responsibility of Employers

The Code includes a number of responsibilities for the employer in Section 6 of the OSH Code. However, it removes two vital responsibilities, mandated under section 44 of the BOCW Act, including (I) i.e., the responsibility for providing constant and adequate supervision of any building or other construction work in the employer’s establishment so as to ensure compliance with the provisions relating to safety and that of (II) for taking all practical steps necessary to prevent accidents.

IV. Provision of Basic Facilities

The BOCW Act mandated the provision of free temporary accommodation, drinking water and latrines to workers. The Codes change these statutory entitlements to facilities that the central government may prescribe. Hence, there is no right to workers to these facilities if not prescribed.

V. Application of Employees Compensation Act

In terms of Section 58 of the BOCW Act, the Employees Compensation Act [ECA], 1923, would apply to all building workers. However, the ECA has been reworked into Chapter VII of the SS Code and applies only to employees enlisted in the Second Schedule. Under the second schedule a number of workers who would fall within the definition of BOCW workers would not be entitled to compensation in case of a workplace injury. For example, workers involved in alteration of any building etc would be building workers, yet not entitled for compensation. Moreover, only buildings that are more than one storey in height above the ground or twelve feet or more from the ground level to the apex of the roof would be covered. A number of categories are totally excluded such as building workers involved in construction of oil and gas installation works.

VI. Dilution of Cess

The provisions relating to BOCW Cess are heavily diluted in the SS Code with provisions for self-assessment by the employer of cess and reduced rate of cess and interest.

VII. Payment of Wages

In the BOCW Act, workers were entitled to double wages for overtime work or work done on a day of rest. Now, the Code of Wages provides the same in respect of employees whose minimum wages have been fixed under the Code [Sections 13 and 14]. It is unclear whether only workers at minimum wages would be entitled to such double payment now, though that seems to be indicated by the wording of the provision.

VIII. Penalties

Apart from the reduction in penal liabilities that have been previously discussed in this series, two important points can be observed.

Firstly, penalties would be imposed on workers for violation of the Code. Section 106 of the OSH Code specifies penalty of upto Rs. 10,000 for contravention of any provision of the Code imposing a duty on the worker. The duties include a duty to comply with the safety and health requirements specified in the standards. Shockingly, if it proved that the employee had contravened his duty under

the Code, “the employer of the establishment shall not be deemed to be guilty of an offence in respect of that contravention, unless it is proved that he failed to take all reasonable measures for its prevention.” This can lead to terrible consequences that impose liability on workers for workplace accidents and simultaneously, take away the liability of the employer for such contravention.

Secondly, even in cases of most egregious violation by the employer, he will not be proceeded against ! Section 110 of the OSH Code says that in case of any violation, no prosecution will be initiated. Rather, the employer must be given a period of 30 days to comply with the Code and if the employer complies, no proceedings will be initiated against the employer. Of course, this massive gift is granted only to employers and not to employees.

IX. Cognizance of Offences

Whereas under the BOCW Act, the Court could take cognizance of a complaint on the application of a registered trade union, the OSH Code mandates the cognizance on the complaint be made by the inspector-cum-facilitator. This lengthens the process and does not guarantee an aggrieved worker an opportunity to take his case to court.

X. Conclusion

As it stands, there are grave issues with functioning of the BOCW Act. Though government states that there are 5.1 crores of construction workers, as per its own figures, only 3.92 crores are registered. Thus, there are more than a crore construction workers without registration and facilities under the Act. Moreover, the recording of accidents is gravely lacking – the central government only recorded 32 accidents in construction sites in the central sphere between 2017 and 2019. Similarly, the number of prosecutions as opposed to violations illustrates the leniency shown to violative actions by employers.

The functioning of cess too leaves much to be desired. Till 2019, Boards across the country collected cess of around Rs. 49,688.07 crores and spent only Rs. 19,379.922 crores. In Karnataka, the cess collected till 2019 was Rs. 6252.84 crores while only Rs. 734.92 crores/- was spent. In the lockdown, when construction workers were worst hit, only 1.23 crores BOCW workers, that is less than quarter, received benefits.

The dilution of rights of workers and duties of employers in the Code will only worsen the situation. A concerted effort must be launched by construction workers unions, and other unions in solidarity, to ensure these Codes are not notified. ■



Its Time Workers Struggles Go Global!

Organizing Workers Who Place Food on the Table:

Interview with Ed Childs, Harvard Dining Hall Workers Union



Ed Childs started as a dish washer at the Sheraton hotel in Boston 46 years ago. He moved to Harvard University two years later as a dining hall worker. He was in a leadership position initially in the Hotel Employees and Restaurant Employees Union (HERE). In 2004, Union of Needletrades, Industrial, and Textile Employees (UNITE) and Hotel Employees and Restaurant Employees Union (HERE) merged to become UNITE HERE. Ed led the Harvard University Dining Service Workers Union (HUDS) for four decades in several struggles and has been one of the leaders instrumental in building a strong union, which is represented by UNITE HERE Local 26. He has taught courses on how to build a militant rank and file union and develop leaders from bottom-up in contrast to the top-down business union model. He retired 18 months ago from his position as chief steward in UNITE HERE Local 26. He worked as a cook in the Harvard dining hall services, serving many

generations of international students, one of his specialties was making halal dishes. After his retirement, he has been working in an advisory role in UNITE HERE, training union members and helping with contract negotiations.

Here is a lively interaction of Tamarai from Workers Resistance with Ed Childs in Boston on issues of dining hall workers, unionizing, historic victory at Harvard University, pandemic and loss of jobs, contract negotiations, Amazon workers struggles and farmers movement in India.

Could you tell us a little about UNITE HERE and UNITE HERE Local 26 which represents Harvard University Dining Service Workers (HUDS)?

UNITE HERE is a labor union representing workers in hotels, restaurants, cafes and food services in universities, airports and casinos in the United States and a few cities in Canada.

UNITE HERE Local 26 represents food service workers in Harvard University, a few other educational institutions in Boston, some hotels and casinos in the states of Massachusetts and Rhode Island. There are 750 dining hall workers of Harvard University represented by Local 26. Our union has cooks, servers, dish washers and cashiers. Majority of the workers are women and immigrants. They come from Africa, Asia, Middle East, Europe, Caribbean Islands and Latin America. There are 17 major dining halls and 6 minor ones serving a total of 17,000 people, roughly 8,000 of those are undergraduate students and 2,000 are postgraduate students in Harvard University.

Harvard University employs 500 workers. The Compass group employs the rest of the dining hall workers in Harvard law school and medical school. However, all employees have the same contract with some insignificant differences in benefits alone. The union fought for equitable contract 40 years ago, which has kept our workers united.

The union ratified a 5-year contract on September 23, 2021 after several months of negotiations. Can you walk us through this? What were the challenges and how did you achieve this?

Our contract was expiring in July 2021. We started preparing for the contract negotiations a year before, while the pandemic was on. We had weekly meetings for the leaders and bi-weekly meetings for the members. About 25% of our members attended the meetings, which for the United States was very good! The negotiations with the management started in January 2021. Management's intentions were very clear to us. They wanted to create a workforce of 40% full-time workers and 60% part-time workers. Right now, 70 to 80 % of our workers are full-time. The management planned to cut back the hours of the full-time workers too.

I have to go back to 2020 to give you a better idea about the management's attacks. During the pandemic, Harvard Law School fired all the 55 dining hall workers as the school was conducting online classes. When the school opened this year, the management slated not to reinstate the workers. The union insisted that all the workers be hired back at the law school or be integrated with workers in other dining halls. During the pandemic they shut down the school of design dining hall and seven workers lost their jobs. In addition, 15 catering and bar workers lost their jobs.

Based on the experiences of the past, our union

understands very well that workers united cannot be defeated. We started with regular discussion groups in the dining halls to allay the fears of the workers, who had already experienced many difficulties during the pandemic. We formed a coalition with custodians and security guards represented by Service Employees International Union Local 32BJ (SEIU 32 BJ), which represents 1500 workers, Harvard Union of Clerical and Technical Workers (HUCTW), which represents 5000 workers, and the Harvard Grad Students Union representing 4000 students. We had many walkouts in the last few months. We coordinated demonstrations in front of the Dean's office.

Our union formed a contract committee of over 30 workers to negotiate the collective bargaining agreement that was open to all members and we demanded face-to-face meetings. After nine months of negotiations, we started to prepare for a strike. We released joint press statements with other unions.

For our union, job security is very important; we discuss wages only at the end. After months of negotiations, Harvard management realized that our strong union with its united workforce would not buckle down. We had the support of students and other unions as well. Harvard management came up with the new contract, which the union ratified on September 23. We were very happy to have won job security. This was a big victory for us. In this five-year agreement, there were no cuts in jobs or in hours. Workers laid-off from some Harvard schools that closed dining services during the pandemic would be brought back into the workforce according to their seniority of working at Harvard. Union members and management agreed with the wage increase. The contract included a 15 percent increase in wages over the duration of the contract. Some workers had higher wages than others do, but the increase in dollar amount per hour in the contract was the same for all categories of dining hall workers. This kind of solidarity with lower-paid workers has kept our members united. We have the same benefits we had before, including excellent health insurance and pension benefits.

The COVID-19 pandemic was devastating for Americans with close to 700,000 deaths at this time. Researchers used death records from California Department of Public Health and estimated 22% excessive mortality during the pandemic in 2020 compared to 2018 and 2019. Food/agriculture workers experienced 39% increase in mortality. When stratified according to race, it was highest among Latinx

workers. Cooks experienced high-risk ratios for mortality comparing pandemic time to non-pandemic time. Did Harvard University management give your workers adequate PPE and put in place other safety measures?

Fortunately, we did not have any deaths but some of our workers developed COVID infection and also experienced significant psychological stress. In one dining hall, we had two workers and one student get COVID infection but, unsurprisingly, the management did not inform us. Later, we found out that the management was walking around from hall to hall spreading the virus. Soon after, employees from that dining hall stopped reporting to work in protest and resumed work only after the management agreed to take the right steps. Initially, the custodians were not provided with enough masks and wipes. Harvard University currently has an endowment of more than 50 billion dollars, which is more than the GDP of several countries in the world. Still, they were cutting corners when it came to protecting its frontline workers. We insisted that management follow the safety protocols recommended by the Harvard School of Public Health. We succeeded in getting PPEs after our protests.

University management at the start of the pandemic in 2020 proposed 30 days of paid leave for dining hall staff for schools that had closed. During the University's summer vacation many of us were laid off and got a small stipend. We felt 30 days of paid leave is not enough for workers to support their families. We were able to negotiate and get 70% of our pay throughout the pandemic.

In 2016, Harvard University was going to make changes to the health insurance, which would have caused a lot of hardships to the dining hall workers. This forced them to go on a strike for three weeks and workers emerged victorious. Can you tell us the key organizing tactics to bring a university with more than 50 billion dollar endowment in 2016 to its knees?

Coalition building was paramount. Spending over 40 years in the Workers World Party has taught me that. We reached out to all groups that had an interest in joining us in the struggle to maintain health care benefits.

Women, Muslims, people of color and LGBTQ people are all discriminated against by the health care industry under capitalism. The coalition included groups like the Black Student Association, Harvard Islamic Society, Muslim

Student Society, Harvard Law Students, Black Law Students, Student Labor Action Movement (SLAM), campus LGBTQ groups and women's groups, and the Jewish student group Hillel. We also worked closely with other unions representing thousands of workers in Harvard like the clerical workers, custodians, security guards, and graduate students. We worked with progressive African American politicians in Boston who supported our struggle.

Mere posturing is not enough. For a strike to be successful extensive planning has to be undertaken. By the time the strike began in October 2016, we had our fighting infrastructure well-established. The workers had a historic victory after 21 days of strike, Harvard agreed to pay the minimum salary we demanded. The university agreed to the other key demand to cover the costs of healthcare plans.

Are you working with Amazon workers who are trying to unionize in some of the highly exploitative warehouses in the country?

Jeff Bezos, the executive chairman of Amazon, does not believe in having "entrenched workforce". In June this year, the Teamsters Union with more than 1.3 million members passed a resolution to support the Amazon workers. I am saddened by the fact that there has been no open discussion among other unions thus far on how to support the Teamsters efforts. This reflects the backwardness and immaturity of the labor movement in the U.S. At a personal level, I am in solidarity with the brave Amazon workers, who are trying to organize in some states in the U.S, and have attended rallies to support them.

Finally, Ed, you have attended many actions in Boston in support of workers and farmers in India. Do you have any solidarity message for our comrades there who are fighting against the pro corporate farm and labor laws implemented by the Modi government?

I have attended several demonstrations in Boston to support the farmers and workers in India, who are fighting capitalism and imperialism. The farmers' agitation which began a year ago is very inspirational. It is on such a huge scale and is so enduring. It is a beacon for labor organizing in the world. Unions in this country need to work with militant unions organizing workers in India. There is an urgent need to make our workers struggles global. ■

Labour Unrest Brewing in the United States

AISHIK SAHA

Beyond the everyday headlines, the United States seems to be heading towards a new wave of labour militancy. Almost every major industry in the US seems to have been hit by the recent mobilization of workers, who are no longer willing to work for poverty wages. While the labour shortage triggered by the restrictions due to COVID-19 is seen as the immediate cause, the roots of the problem lie deep within the economy itself.

Workers rights have been under attack in the US since the Reagan Era politics of tax cuts and 'small government', as social security, unemployment benefits, and unionisation rights were attacked by both the Republican and Democratic party led administrations over the past four decades. The result? Wages have stagnated while the cost of living in the US has skyrocketed resulting in massive indebtedness for the average American. 77% of US households have had some kind of debt with a total \$1.57 trillion owed in student loans and \$10.44 trillion owed in mortgage payment. This meant that workers had to work whatever low wage job they could find in order to just be able to keep their heads above water.

The pandemic pushed the crisis into an overdrive as workers were forced to risk their lives, work longer hours, and put up with appalling conditions. The pause on repayment on student loans and the halt on rental evictions under such conditions have allowed workers for the first time to be able to reorganise themselves to fight for better conditions. Workers are simply refusing to do poorly remunerated work and this has in turn triggered a shortage of labour.

Companies like John Deere, which manufactures agricultural machinery, have refused to share their profits with the workers, while their CEO has received a pay hike of 160%. This has resulted in 10,000 workers resorting to a strike for better pay for themselves as future workers. 1,400 workers at Kellogg's cereal plants across the country, 1,100 coal miners at Warrior Met in Alabama, and 420 United Food and Commercial Workers (UFCW) members at Heaven Hill Distillery in Kentucky have all resorted to strikes that are ongoing. The strikes of 30,000 Kaiser Permanente workers & 60,000 International Alliance of Theatrical Stage Employees has generated waves in the US labour militancy.

The Department of Labour has estimated that 4.3 million employees, i.e. 2.9% of the country's workforce, have quit their jobs in the month of August alone! This has had certain employers bemoaning that "no one wants to work any more" (see photo) despite the fact that they themselves have refused to offer better pay and work conditions. Certain Republican party representatives have started advocating an end to the pause on debt repayment and rental evictions hoping that a return of the misery faced by workers would force them to return to work. We have often been told numerous times that the capitalist labour market works by simple rules of demand and supply, and workers must reskill themselves if they want higher pay, but now when demand for labour outstrips supply, employers are demanding an artificial inflation on supply to keep labour costs low! It does appear that capitalists cannot follow their own rules for once. ■



Release Palestinian Health Activist Shatha Odeh!



Prominent Palestinian Health activist and director of Health Work Committee (HWC) Shatha Odeh was arrested by Israeli Occupation Forces (IOF) on 7 July 2021. She was arrested along with 10 other Palestinians during raids across West Bank as a part of the reprisal attacks by IOF against Palestinian population and activists for resisting the brutal Israeli aggression in May 2021. Another member of HWC Juana Ruiz Sánchez, the project coordinator, has been detained since 13 April 2021.

Odeh has been detained at Damoun Prison, located in Israel, where family members cannot visit her due to the arbitrary denial of security permits necessary for West Bank Palestinian residents to enter Israel.

The arrest came weeks after Israeli force's raid at the office of HWC in Ramallah on 9 June 2021. They broke down the door, confiscated computers, memory drives and issued a military order forcing the office to close for six months.

HWC was established in 1985 by a group of Palestinian volunteers who worked in health sector for the purpose of meeting the health care needs of the Palestinian population living under Israeli occupation in the West Bank and Gaza Strip. The Israeli military occupation of Palestine, relentless airstrikes and air-sea-land blockade of Gaza destroyed the health system, a vital infrastructure in the West Bank and Gaza. The Palestinian hospital system faces critical shortages of supplies like

medical equipment, prescription drugs, over-the-counter medications and protective gear.

The hospitals face regular electricity cuts and mostly on generators, and hence there is a heavy shortage of diesel fuel. Furthermore, for major medical treatments, Palestinians have to rely on hospitals in Israel, the permits for which are strictly controlled by Israel authorities. According to reports, nearly one out of every five Gaza patients who apply for a visa to get medical care in East Jerusalem, Jordan, Israel or even the West Bank receives a denial or experiences a significant delay. Amid these inhuman conditions in Palestine, people led organizations like HWC play a vital role in supporting the health system and medical needs of the people.

The attack on the HWC and the arrest of its director Shatha Odeh comes at a time when the collapsed health infrastructure in Palestine was trying to deal with the COVID-19 pandemic and the HWC has been at the forefront of the response to Covid-19 in Palestine.

The targeting of health care workers and health infrastructure in Palestine by Israel is a gross violation of Geneva Conventions.

All Central Council of Trade Unions (AICCTU) joins the international call for the release of Shatha Odeh and other imprisoned health workers and demands an end to the Israeli repression against the Health Works Committee. ▣

CLICK HERE TO READ THIS ARTICLE IN BROWSER

Millions Join Trade Union's call for General Strike Against Coup d'état in Sudan

V ARUN KUMAR



Trade Unions and progressive sections of the society in Sudan have embarked on a General Strike action against the 25 October coup led by army chief General Abdel Fattah Al-Burhan. The coup led to dissolution of the Sovereign Council and the government and the declaration of a state of emergency.

Millions continue to march across Sudan chanting "civilian rule is the people's choice" and "no to military rule" despite massive state repression. As on 26 October, 12 people have been killed and more than 100 injured, as troops fired on thousands of protesters opposing the coup.

The Sudanese Professionals Association (SPA), which played a leading role in the 2019 uprising against the Omar al-Bashir dictatorship in 2018, said: "This coup is a continuation of the Security Forces of the National Congress Party and its militias, which began on 11 April, 2019 with the aim of blocking the path of the December Revolution and aborting it".

This coup comes in the midst of a political crisis that culminated in the intensification of the conflict between the two parts of the ruling body, the military and the civil sides, that formed the Sovereignty Council, which assumed power after the overthrow

of the Bashir regime by a popular revolution (December 2018 revolution). Last month a coup d'état attempt was organized by the military ranks loyal to Omar al-Bashir but failed to materialize. Since then, voices for complete transfer of power to civilian authorities had been growing stronger, creating a rift between the military forces and sections supporting a civilian rule.

On 16 October, a group of pro-military rule protesters marched to reach the gates of the presidential palace in Khartoum and called for General Abdel Fattah al-Burhan, the chairman of the Sovereignty Council, to seize control and take over the country.

The Sudanese Workers Alliance for the Restoration of Trade Unions calling for unity and solidarity issued the following statement on 26 October, in response to the coup: "We appeal again to the resistance committees in all districts and to all revolutionary political, professional, rights defender's forces in all the cities and villages of Sudan to come together and occupy the streets and barricade them, and to continue all forms of civil disobedience and complete strike until we defeat the coup reaching to what our people deserve under the flags of Freedom, Justice and Peace". AICCTU stands in support of this call. ■

National Monetisation Pipeline

Dismantling Indian Railways

N.N. BANERJEE

In 2014, the Modi-led BJP government decided to dissolve the Planning Commission (which was constituted in 1951 along the lines of a socialist model of centralised planning) along with the National Development Council formed to monitor the development of sectors like agriculture, education, health and also national transport systems like Railways, Roadways and Airways. Finally, on the conclusion of the 12th Five Year Plan in 2017, the Planning Commission was dissolved and was replaced by the NITI Ayog (National Institution of Transforming India). The Planning Commission used to allocate 24 per cent of the budgeted amount for Indian Railways and Roads. As a measure of social obligation of a welfare state, railway tracks were laid every year even in remote places of the country. Indian Railways too expanded rapidly to ensure transportation of essential commodities such as food grains, coal, steel and iron ore. Indian Railways spanning 67,956 route KM and 1,26,366 track KM as on 31.3.2020 is exclusively owned by the Government of India. The assets built over 70 years are now being offered on a platter to the corporates in the name of National Monetisation Pipeline (NMP).

In 1991, an era of liberalisation began and the 'free' market economy became the economic policy. Now, the Modi government has declared privatisation of national assets as the state policy, a move dictated by the crony capital of the country. Monetisation of railways, in the name of NMP, is likely to spell disaster for the Indian Railways, its workers and the common people while being a bonanza for the corporates. Now, let us look at the key assets for Monetisation over Financial Year 2022-25:

- 1) Railway Stations - 400
- 2) Passenger trains - 90
- 3) Railway Track -1 route of 1400 KM (2%)
- 4) Konkan Railways - 741 KM
- 5) Hill Railways – 4 in number – 244 KM route
- 6) Railway owned Goods Shed - 265 in number
- 7) Dedicated Freight Corridor (DFC) track and allied infrastructure - 673KM
- 8) Others - Rly Colonies and Stadiums -15 stadia and selected Rly. Colonies

NITI Aayog has fixed a target of Rs. 1,52,496 crores, with 26% share, for the financial year 2022-25 through monetisation in railways.

Asset-wise Break up is provided below in Table 2 (in crore rupees):

Asset type	FY-22	FY-23	FY-24	FY-25	Total
1) Rly. station Development	17,000	29,325	17,575	12,350	76,250
2) Passenger train Operations	----	7,002	7212	7,428	21,642
Track (overhead electrical)	----	18,700	----	-----	18,700
Goods' Sheds	----	1,575	2,100	1,890	5,565
Konkan Railway	----	-----	7,281	-----	7,281
Hill Railway	460	170	-----	-----	630
Dedicated Freight Corridor	-----	-----	10,089	10,089	20,178
Railway Colonies	350	450	650	800	2,250
Total	17,810	57,222	44,907	32,557	1,52,496

It is evident from the above table that the NITI Aayog has fixed a target for each profitable section of the railways and is vigorously pursuing the implementation of NMP as a pet agenda of the PMO. In this context, the Finance Ministry is only playing a subservient role. Even in certain cases, the Finance Ministry is being overruled by NITI Ayog.

Here, we can discuss one or two items of the target for NMP that affect the lives of common people:

Railway Station Development: Indian Railway Stations are the interface where people of different strata interact with the railways. The surrounding areas bustle with small business activities and passengers are the buyers of various food items and other articles. In the name of NMP, this area is bound to witness forcible evictions and snatching away of livelihoods of millions of people dependent on small businesses around.

The pro-corporate Model Concession Agreement (MCA) developed by NITI Ayog for a tenure of 50 to 99 years has now been reduced to 35 years and it ensures timely payment of development fees by the Railways. The inherent contradiction



between the Finance Ministry and the NITI Aayog is reflected in the process of implementation of NMP. While the Finance Minister decided to merge RLDA (Railway Land Development Authority) with the IRSDC (Indian Railway Station Development Corporation), the NITI Aayog declared the closure of IRSDC, a decade old organisation designed for station redevelopment.

Private Train Operations (PTO): Private trains will be operated by the domestic and foreign corporates on the Indian Railways network. These private players will have no upper limit to fix fares and will not require any approval from any authority. A decision has already been taken to hand over 151 trains on 109 prime routes to private players for 35 years. An MOU has already been finalised for 90 trains up to FY 2025. The routes will be divided into 12 Clusters on O.D. basis (origin and destination). Safety standards and rake maintenance are likely to be compromised for the sake of corporate profit. Obviously, such modern coaches, with exorbitant fare, will be out of reach of common people. Neither can it provide accommodation to the huge wait-listed population including migrant workers, common working people of low income group nor can it address the issue of overcrowding of unreserved compartments. Moreover, such sophisticated trains will run on a dedicated slot, getting precedence over ordinary Mail Exp/Super-fast trains. This is nothing but a naked corporate loot of Railway infrastructure and resources.

Dedicated Freight Corridor Corporation of India (DFCCI) and Monetisation:

Eastern Freight Corridor financed by the World Bank and Western Corridor by the JICA (Japan International Co-operation Agency) are said to be

meant exclusively for goods train movement so as to avoid congestion of passenger services over main line and timely transport of raw materials for industries. The Modi government has decided to sell the assets through NMP, on completion of DFC. Now, the private players will operate their trains on DFC tracks and Reliance and other Telecom giants can use 2,800 KM of the Optic Fibre infrastructure laid by the railways. In addition, Adani is rewarded with gifts of warehouses in the country with a capacity to stock 210 lacs of Metric tons of food grains.

The whole exercise of NMP is tailored to the needs and profits of the corporates. The false narrative and argument that the Railway suffer from resource crunch and needs urgent capital investment through the monetisation method does not hold water. In fact, the Modi Government refuses to reimburse Rs. 25,000 crores per year to Indian Railways which was spent on social service obligations. Indian Railways is the only organisation of the government of India which continues to bear the full cost of the Pay Commissions and Pensions of its employees from its internal resources. The Government is under social obligation to reimburse at least 50 per cent of payments made by the railways under Pay Commissions and Pensions, and the government refuses to do so.

The railway employees under the leadership of AICCTU and Indian Railway Employees Federation (IREF) had organised nationwide protests against NMP and Privatisation across the country through its campaign from 19th September to 28th September 2021 (Birth Day of Revolutionary Bhagat Singh). ■

ACTIVITY REPORTS

Bihar State Convention of Municipal Sanitation Workers

- RANVIJAY



Bihar State level convention of municipal sanitation workers was held on 10 September 2021 at Patna under the banner of "Bihar Rajya Sthaniya Nikay Karamchari Mahasangh" (Bihar State Local Bodies Employees Federation) affiliated to AICCTU on the topic, "Present Situation and the Role of Municipal Workers". The convention began with paying homage to those who died due to Covid, different industrial accidents and natural disasters.

The convention was presided over by Comrade R.N. Thakur, president of the federation and conducted by Shyamlal Prasad, the General Secretary. An approach paper was presented by Comrade Shyamlal Prasad on which representatives of different unions of municipal corporations and local bodies expressed their opinion.

The convention declared that if the Nitish-BJP government does not comply, in time, with the directions of the Patna High Court in the course of its intervention in the indefinite strike of municipal workers, the Bihar State Local Bodies Employees Federation will re-launch an agitation against the government and will compel it to fulfil the demands of municipal workers. It may be recalled that the Patna High Court had directed the government to submit its response, within 8 weeks, on the 12 point charter of demands including regularisation of workers, implementation of 7th Pay Commission and Rs. 21000 per month as minimum wages. The convention also adopted a plan to strengthen the federation at the level of every Municipal Corporation and local bodies.

Expressing solidarity with the struggle of municipal sanitation workers, CPI (ML) MLAs Sudama Prasad, Gopal Ravidas and Manoj Manzil addressed the

convention. National Vice President of AICCTU S.K. Sharma, AICCTU state leaders Ranvijay Kumar and Jitendra Kumar, worker leader of Jharkhand Vijay Paswan, All India Kisan Mahasabha leader Umesh Singh, State Employees Federation (Gope Gut) General Secretary Premchand Kumar Sinha, Chandra Kishore Prasad and other leaders also addressed the convention.

Leaders of various affiliated unions of the federation also addressed the convention which included Md. Mokhtar Ahmad of Darbhanga, Chandrashekhar Singh of Raxaul, Gopal Prasad of Ara, Bharat Ram of Motihari, Marshal Ram of Benipur, Arvind Kumar of Nawada, Manoj Kumar Ravidas of Biharsharif, Amit Kumar of Siwan, Ravindra Kumar Ravi of Bettiah, Ashok Rai of Muzaffarpur, besides other leaders of municipal sanitation workers.

Addressing the convention, CPI (ML) MLA Sudama Prasad said that all 12 MLAs of the party have strongly stood with the indefinite strike and will continue to stand with the demands and the struggles of sanitation-municipal workers of the state, both inside the Assembly and also on the streets. It was reiterated that CPI (ML) will consistently stand with every struggle of municipal workers till the fulfilment of their demands.

Other MLAs of CPI (ML) said that whereas municipality sanitation workers clean the garbage of the cities and keep the people healthy, Nitish government is branding them as the garbage of cities, compelling them to leave cities by destroying their slums and is also threatening them to be sent them to jail if they protested. Thus, the government is snatching their livelihood and rights. Speakers accused the Nitish government of destroying the autonomy of municipal corporations and local bodies in order to hand them over to the private companies and said such moves will never be tolerated. □

North Regional Workshop of AICCTU at Udaipur

- ABHISHEK S

AICCTU comrades from six states/UTs, Uttarakhand, Delhi, Punjab, Rajasthan, Chandigarh, Gujarat and railways participated in two-days long workshop held Udaipur, Rajasthan on 18-19 September, 2021. The workshop was held in the backdrop of ever increasing attacks on the working class of the country and of the ongoing farmers' movement against the devastating farm laws. It was attended by 70 participants from

various sectors including construction, domestic work, automobile, railways etc. A good number of contractual workers from different government institutions also participated in the workshop.

The workshop started by paying tributes to the martyrs of farmers' movement along with Comrade Ramkishan, Comrade Lakshman Patanvadia, Comrade B B Pandey, Comrade S P S Yadav and Professor R N Vyas. The workshop was inaugurated by Comrade Shankar, National President, AICCTU followed by a brief history of farmers' movement in Rajasthan by Comrade Shankarlal Chaudhary. While outlining the current developments and challenges for the working class, Comrade Shankar laid stress on finding new ways to fight the dangerous situation ahead. He stressed on the need to organize the emerging as well as the most vulnerable sections of workers and said that the new changes in labour laws would take us back to an era where there were no laws for the protection of workers. He emphasized that the working class should prepare itself for the battles and challenges ahead.

The first session of the workshop started with a brief sketch of trade union movement in the country. The presentation was made by Comrade K K Bora, Comrade Kamal Usiri made a presentation on railway workers and their issues. The post-lunch session of the first day was addressed by Comrade Saurabh Naruka on the current challenges ahead of the workers' movement. The first day concluded with group discussions and small presentations by participants. Important issues including abrogation of labour laws, ongoing farmers' movement, privatization, increasing communalization, issues of caste-gender-language based inequality and divide, etc., were addressed during the last session of the day. All activists joined the group discussion quite enthusiastically.

The second day started with an enlightening session on 'labour codes' by Comrade Surya Prakash which was followed by an address by Comrade Rajiv Dimri, General Secretary, AICCTU. Comrade Rajiv Dimri stressed on the need to fight rapidly increasing communalization tooth and nail and to get organized for the tough battle ahead. He gave an overview of the joint trade union activities as well as new sectors/areas where AICCTU made a mark in recent times. Comrade Rajiv Dimri called for better coordination among participating states and sectors in future programs.

Professor Sudha Chaudhary gave her important observations and remarks in the post lunch session which was followed by a multimedia presentation on 'social media and its need and utility in working class struggles'. The session on social media was

conducted by Abhishek, with help of Jeevaraj. Comrade Abhishek explained the basics of using social media platforms to the participants. The workshop also showered praises and greetings on local comrades for making excellent arrangements for the regional workshop. The workshop ended on 19th evening with a firm resolve to strengthen the workers' movement in the country in the face of increasing adversities. ■

The ASHA Workers Movement of Uttarakhand Achieves Its First Milestone!

Rs. 1500 Increased in Monthly Allowance!



The ASHA workers of Uttarakhand have been valiantly fighting for their rights and dignity of their work since the lockdown disaster hit the country. The historic strike of the ASHAs on 2st August, 2021 was an important milestone in their struggle. The representatives of the ASHAs have met the Chief Minister himself twice. They have also raised their demands with several ministers and government officials. It is a matter of great shame that the highest offices of the UK government have given mere lip service to the importance of the work done by ASHAs. They are reluctant to recognise the ASHAs as workers and guarantee their basic rights.

The recent phase of the movement of ASHA workers started on 23 July, 2021 when the ASHA workers held block level demonstrations and submitted mass deputation to the CM of Uttarakhand. Since then, the ASHAs have raised their demand and met officials several times. Several protest actions have been held by the ASHA workers against the blatant denial of their rights. When the government continued to remain unresponsive to meet the demands of the ASHA workers, they decided to go on strike from August. On 31st August the ASHA workers called

for a march to the Chief Minister's Camp Office in Khatima. Uttarakhand Health Workers Union affiliated to AICCTU along with some other unions took part in the protest. The government declared a deadline of 20 days to address demands of ASHAs.

When the government failed to fulfill its commitment within 20 days, the ASHA workers started their strike again on 5th October. As a result of the increased intensity of the ASHA workers movement, the cabinet of ministers decided an increase in monthly allowance of ASHA workers by Rs 1500.

This was an important declaration for the ASHA workers. They decided to end their strike for the time being with reiteration of demands for monthly salary and pension.

The Uttarakhand Health Workers Union stated in a press statement that the brave and consistent fight of the ASHAs have won them an increase in monthly allowance by Rs 1500. The union stated that the fight for recognition as workers and ensuring monthly salary, pension along with other workers' rights are yet unachieved. The movement of the ASHA workers shall continue until they get their rights. The union issued a 12 point demand charter including the following-

- Recognise ASHA workers as government employees.
- Ensure monthly salary of minimum 21 thousand rupees.
- Give Pandemic Allowance of Rs. 10 thousands per month.
- Ensure life insurance of Rs 50 lakh for each ASHA worker.
- Ensure health insurance of Rs 10 lakh for each ASHA worker.
- Ensure pension for every ASHA.
- Ensure timely payment and arrear of payment according to increased rate.
- Ensure dignified work condition for ASHA workers. ■

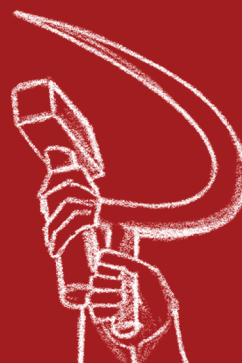


**RESIST
ATTACKS ON
WORKING
CLASS !!**



AICCTU

**WORKERS
OF THE
WORLD,
UNITE!**



AICCTU



26 NOVEMBER 2021

**First Anniversary of
India's Historic Farmers' Movement!**

***Scrap Farm Laws!
Resist Corporate Plunder!***



Workers Resistance

Published by

Rajiv Dimri, General Secretary

on behalf of

All India Central Council of Trade Unions (AICCTU)

Head Office: U-90, Shakarpur, Delhi 110092. Phone: +919205642035

Contact: editor.workersresistance@gmail.com, aicctu@gmail.com