



WORKERS RESISTANCE

Vol. 2 No. 09

Monthly Web Magazine of AICCTU

SPECIAL ISSUE - JAN 2023

CONTENTS

Page 02

2022 Round Up- National

Page 04

Bangalore Declaration

Page 08

All India Workshop of
Construction Workers

Page 14

Alternative Model of Struggle
Against Modi's Vision 2047

Page 16

Construction Sector: A Glance

Page 19

Gig Workers in India

Page 22

Sanitation Worker
in the Delhi's MCD Election

Page 24

3rd All-India Conference of IREF -
Report, National & International

Page 28

Struggle of Coal Pickers in
Jharkhand

Page 29

LABOUR SNIPPETS

Page 28

Struggle of Coal Pickers in
Jharkhand

Page 30

Stop TN Survey for Welfare
board pension beneficiaries

Page 30

Stop TN Survey for Welfare
board pension beneficiaries

Page 34

Obituary:
Comrade N K Natarajan
A Tireless Crusader of the
Working Class of Tamil Nadu

TURN 2023, INTO A YEAR OF MILITANT STRUGGLES OF THE WORKING CLASS!

The Workers Resistance and AICCTU wish the working class of the country to turn 2023, into a year of militant struggles that is potential enough to overthrow the anti-worker Modi regime from the power in 2024 elections.

The year 2022 was a witness to brutal assaults on workers' rights by the Modi government and also the workers' retaliation against it.

The year 2022 began with an all-India strike on 28-29 March and 2023 will begin with a call for workers' struggles through an all-India workers convention by the platform of all central trade unions in the country on 30th January.

Modi-led BJP government unleashed a comprehensive assault on the working class to favour corporates throughout the year. Privatisation of public wealth and the public sector is in full swing. The BJP is committed to selling the entire country. As privatization is not sufficient to hand over the entire country to the corporates, the Modi government discovered a new route of National Monetisation Pipeline (NMP) to hand over the infrastructures, mineral wealth and natural resources.

In order to push the working class into the vagaries of the labour market, all labour laws are being scrapped, and 4 new corporate Codes are legislated and are waiting to be enforced at an opportune moment.

The UAPA (Unlawful Activities Prevention Act), the authoritarian and undemocratic black law, is being used against workers for raising their legitimate demands, against the right to strike and to suppress any dissent against the regime.

The year 2022 was also a witness to a high degree of reverse migration. The unemployment levels have spiralled up. Worst still is the decline in the rate of labour force participation to 40 per cent. The fact that more than 60 per cent of employable persons are out of reach of the labour market is a matter of serious concern for the country's economy.

Vision 2047, coinciding with the Freedom 100, is a fatal blow to the working class movement. Modi is dreaming of a country where workers will not have any rights, and will be treated like bonded labourers and modern-day slaves. The government is proposing a model of work



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

similar to gig and platform workers to whom neither labour laws will be applicable nor will they be able to claim it by nature of their work. Fixed Term Employment (FTE), contract, trainee, apprentice, etc., have become a euphemism for “Hire and Fire”.

Wage loss is another major assault on workers. In the name of changing the base year for VDA (Variable Dearness Allowance), any meaningful compensation to fall in real wages and inflation is snatched away through the backdoor. The introduction of the concept of floor wages accompanied by reduced VDA is depressing wages much lower than the ‘starvation wages’ called “minimum wages”.

ILO Director-General Guy Ryder says that there can be no real recovery

from this pandemic without a broad-based labour market recovery. And to be sustainable, this recovery must be based on the principles of decent work – including health and safety, equity, social protection and social dialogue.” He also added that we are already seeing potentially lasting damage to labour markets, along with concerning increases in poverty and inequality.

But, Modi is creating a vast army of unemployed and a slave army of workers to suit his inhuman politics of hate and Hindutva. This was the year 2022.

The second innings of the Modi government has witnessed a historic farmers’ struggle, robust strikes of various sections of the

working class and bigger outbursts of unemployed youth, among struggles of other sections of the people. These struggles on people’s issues are potential enough to overthrow the fascist Modi-led BJP regime from the echelons of power in 2024, which has emerged as a symbol of destruction, devastation, and communal hatred.

Let us turn 2023 into a year of waves and waves of militant struggles!

Let us strengthen Solidarity and Unity!

Let us fight for Liberty and Equality!

Let us Resolve to Defeat the Modi regime in the 2024 elections.

Red Salute! ■



2022-THE YEAR GONE BY GLIMPSSES OF STRUGGLE OF LABOUR AGAINST CAPITAL- A NATIONAL OVERVIEW

★ AKASH BHATTACHARYA

The Year After Covid

2022 has been a year relatively free of covid, but that has not really meant much for the working classes. It has been a year in which lopsided and pro-corporate economic policies have continued to bring hardships to the workers. At the same time, the year has witnessed several movements by workers all over the country, including several movements led by AICCTU.

India started the year 2022 at a very low rank on the Human Development Index (HDI), released by the United Nations Development Program (UNDP). India was ranked 132 out of 191 countries and territories. This shows how poor the

majority of our people are, and how badly the country needed economic policies that favoured the poor and the working classes.

The HDI gauges a nation’s average performance in the three fundamental areas of human development— long and healthy life, education, and respectable standard of living. It is calculated using the Gross National Income (GNI) per capita, mean years of education, expected years of education, and life expectancy at birth.

According to the report, the decline in India’s life expectancy from 69.7 years to 67.2 years during the survey period was what caused the

HDI to fall from 0.645 in 2019 to 0.633 in 2021. There was a drop in the expected number of years in schooling from 12.2 years to 11.9 years, despite an increase in the mean years of schooling from 6.5 years to 6.7 years.

Female life expectancy fell from 71 years in 2020 to 68.8 years in 2021, according to the report. Women’s average years of schooling fell from 12.6 to 11.9 years during the same period. However, India’s Gender Inequality Index value improved slightly in the latest report compared to the 2020 index (0.490 vs 0.493), after gender inequality worsened between 2019 and 2020 (0.486 vs 0.493). But India’s female labour force participation ratio is

also abysmally low.

Labour Codes, All Out Contractualisation and Sell Out of Public Resources: 2022 from the Ruling Class

With little significant improvement in standard of living, the year 2022 has been marked by thorough preparations for implementing the anti-worker labour codes. The Government of India organised a Labour Ministers' conference at Tirupati on 25–26 August 2022 without any representatives of any central trade unions. The conference was virtually inaugurated by Prime Minister Narendra Modi.

The conference was based on four themes: 1. Integrating e-shram portal with others so as to make it a single portal for any social security scheme by the union and state governments. 2. Swasthya se Samridhhi for supposedly improving medical care and services through ESI hospitals run by State Governments and integration with PMJAY (Prime Minister Jan Arogya Yojana). 3. On framing rules under Labour Codes and modalities for its implementation. 4. Vision “Shramev Jayate@2047” or Vision 2047.

This was nothing but yet another step towards scripting modern day slavery, denying minimum wages, robbing job security, health, and social security, and preparing grounds for a renewed enslavement of women.

The conference declared that the concept of formalisation may undergo changes with flexibility in working conditions and prevalence of gig and platforms workers. All existing traditional work can become obsolete and new jobs resembling gig and platform workers can grow. The number

of gig and platform workers can increase from the present 77 lakhs to 2.35 crores.

The Agneepath scheme, which contractualized army labour, shows that the government is ready to push through contractualisation even at the cost of national security.

The Modi government is considering gig and platform work, without an iota of any security, as the model of work for 2047 while the demand of trade unions and workers in the country is to provide legal protection to these emerging sections of workers.

Artificial Intelligence and Robotics can change not only the nature of work but also the lives of the people. No interference of the state in workers lives is nothing but a jungle raj of corporate capital, where workers would be pushed to survive at the mercy of capital. Unfortunately, this is the dream of our Prime Minister. And it came to the fore even more strongly in 2022.

Resistance of the Working Class

The year gone by has also witnessed protracted workers' movement at the workplaces and beyond. The most inspiring of them was the energetic nationwide protest by the country's job seeking youth against the devastating Agneepath scheme that has introduced all out contractualisation even in the army.

Among other sectors, under the banner of AICCTU, sanitation workers, construction workers, and sections of industrial workers have fought militant battles for their rights at the workplaces as well as for their right to the city. Teachers and other professionals facing retrenchment have also launched strikes demanding better pay and secure working conditions.

The National Council Meeting of AICCTU took place in July in Coimbatore. It resolved to intensify the struggle against the disastrous policies of the Modi regime. It decided to launch a country-wide campaign in the month of September 2022, which saw protests all over the country.

The nationwide campaign demanded the repeal of the four anti-labour codes and scrapping of the National Monetization Pipeline, in addition to protesting the escalating unemployment, skyrocketing price-rise, rampant privatization, contractualisation of work force, massive retrenchment, wage cut and dismantling of social security including welfare boards.

In November, a Scheme Workers' Mahadharna happened in Delhi which witnessed a mobilization of 3000 people from all over the country. Subsequently, the workers' issues were highlighted sharply in the Delhi Municipal elections, building on the yearlong organizing in Delhi's working-class neighbourhoods around workers' right to the city.

In Bangalore, the movement of the ITI workers continued, and the year ended with a workers' movement against retrenchment breaking out in the Yazaki factory in Bangalore in which AICCTU is playing a key role.

The new year has begun with an order of displacement of more than 4,000 families in Uttarakhand's Haldwani. Thousands of families in different parts of Bihar also await displacement. The new year also begins with the cold defying sit in of the brave families of Haldwani against the order of displacement. The struggle of the toiling masses against the profit seeking capital shall continue, for a new beginning of the country's future. ■

POWRAKARMIKAS (SAFAIKARAMCHARIS) BANGALORE DECLARATION ADOPTED IN KARNATAKA

★ LEKHA ADAVI

A state-level conference of sanitation workers (powrakarmikas) was held on 06.11.2022 at Ambedkar Bhavan in Bangalore by the BBMP Pourakarmika Sangha, Karnataka Pragathi Para Pourakarmika Sangha, Karnataka Pragathi Para Tajja Sagisuva Vahana Chalakara Matthu Sahayakara Sangha (all affiliated with AICCTU), demanding that all powrakarmikas in the state be made permanent. Thousands of powrakarmikas participated in this convention.

In the conference, the President of the BBMP Powrakarmika Sangha, Com. Nirmala said that an indefinite protest was organised in July, 2022, demanding permanent employment and other basic facilities for all the powrakarmikas of the state. At that time, the Chief Minister of the State had promised in writing to make permanent the powrakarmikas working in all the local bodies across the State and had also constituted a committee for the same. But before the report of the committee could be finalised, the government announced that only 11,000 powrakarmikas will be recruited across the state, whereas there are more than 48,000 powrakarmikas presently working. Thus, she demanded that all the powrakarmikas should be made permanent immediately. She said that they are holding this state-level conference to send a warning to the government that they will launch a massive struggle for the permanent status of the powrakarmikas in the coming days.

Com. Ratnamma, the general secretary of the Union, said that the workers will not rest until the powrakarmikas are made permanent, and called upon the powrakarmikas to gherao the Vidhana Soudha, if necessary.

Com. Keshav Nayak, general secretary of the SWM auto-drivers and helpers union, demanded that the government immediately treat all drivers and helpers as powrakarmikas. "In all the urban local bodies of the state, even today, vehicle drivers and helpers are employed under the sham contract system and are not provided with any service facilities as required by law," he said and added that due to this, these workers are facing severe hardships.

AICCTU State President Clifton D'Rozario said that for centuries now, the society has thrust brooms into the hands of Dalits to ensure they only sweep garbage. "The government is hell-bent upon continuing this caste-based profession. We should not allow it and we need to be careful that the children of our powrakarmikas do not sweep roads and collect garbage. And for that, the government must provide free education to all the children of powrakarmikas," he said.

Several powrakarmikas who participated in the convention spoke and shared the hardships they were facing and vowed to gear up for a massive struggle to make their jobs permanent.



CLICK HERE TO READ THIS ARTICLE IN BROWSER

BENGALURU DECLARATION TOWARDS A DIGNIFIED LIFE, WORK SECURITY AND SOCIAL MOBILITY

PREAMBLE

We, Powrakarmikas, have been fighting for our rights and dignity in the face of structural violence of caste and gender, and anti-worker and anti-Dalit neo-liberal policies of the State and its instrumentalities. Rulers changed, Independence was even achieved, yet the plight of the Powrakarmikas in this caste-based occupation has only worsened with the forms of oppression and discrimination intensifying and morphing as per the economic policies.

We bear with us the legacy of the working class and anti-caste struggles, particularly of Powrakarmikas, from across the country, throughout history, and are proud of this glorious legacy of resistance and are determined to carry it forward to victory.

We are the lakhs of Powrakarmikas, employed across the State of Karnataka, in every city, town and village, to sweep the streets, clean the drains, door to door collection of garbage, etc.

We Powrakarmikas, who are mostly Dalit, and in cities/towns/villages, predominantly women, are compelled to work in the most unscientific, unhygienic and dehumanising conditions to protect the health of everyone else.

Bending our backs to sweep, pushing broken down push-carts, driving stench-filled vehicles, we are forced to handle all forms of rotting garbage, human/animal waste and carcasses with bare hands, from early in the morning to late afternoon, without even a single holiday being denied any job/wage/social security and not even provided drinking water, toilets, rest-rooms, etc.

We assert that Powrakarmikas are the true protectors of health and prevent the

outbreaks of epidemics that could take the lives of the people, and yet the lives and livelihoods of Powrakarmikas are precarious.

We condemn the caste system that pre-ordains for Dalits the job of removal of garbage and sewage. This work, euphemistically called solid waste management, is nothing but a dehumanising occupation forced on Dalits through inter-generational continuity.

That since this caste-based heredity profession is seen as dirty, unclean and unhygienic, Powrakarmikas and their families face ostracization, social immobility and segregation.

We will no more tolerate the failure of the Government and local authorities to ensure us permanent status, proper wages, humane working and living conditions.

We refuse to be forced into the inhuman practice of rendering manual scavenging labour which is extreme form of "untouchability" abolished by Article 17.

We will no more tolerate the physical, sexual and verbal abuse and indignations that we face on a daily basis.

We reject the contract labour system as a den of corruption and exploitation of the Powrakarmikas, and will fight to a put a full end to it.

We declare that the caste system coupled with the neoliberal policies of contractualisation has led to further impoverishment and exploitation of Powrakarmikas, denial of wage/job/social security and being deprived of social dignity, education, proper housing and the fundamental choice of opting for other occupations.

We condemn the governments for

being unconcerned about the serious occupational health hazards including back problems, joint pains, high blood pressure and respiratory and heart related illnesses that Powrakarmikas suffer from.

We demand that society cease their casteist and classist prejudices against Powrakarmikas by treating them with respect and dignity.

We are the inheritors of the legacy of working class struggles in India, which fought for and secured for all workers, rights including the right to organise, form unions and associations, right to wages, right to decent working conditions, right to social security, right against exploitation, etc.

We remember that the vicious oppression of Powrakarmikas has historically been challenged as well – be it the valiant struggles of the sanitation workers of Calcutta Corporation and Madras Corporation in the 1920s demanding union recognition, increased wages, housing and latrines, free medicine and treatment, end to corruption of the mafia that controlled their jobs, leave, etc., which have continued in Independent India throughout the country including in our Karnataka.

We recall with pride the anti-caste struggles of Basavanna, Mahatma Phule, Savitribai Phule, Periyar and, in particular, Babasaheb Ambedkar who described this as a condition of slavery and called out for this form of subjugation to be resisted by moving away from these dirty jobs reserved for Dalits.

We declare that we will not tolerate any discrimination and inequality that affects the exercise and enjoyment, of our civil, political, economic, social and

cultural rights.

We declare that our struggle is for a society free from any oppression and discrimination and we will not tolerate any subjugation of a human being by another.

We vow to stand up against any oppressions and discrimination in society whether in the name of caste, religion, caste, gender, etc. and stand committed to justice, liberty and fraternity.

AICCTU seeks a united and determined declaration to struggle against the exploitation of Powrakarmikas, and for their total liberation and humanisation of working conditions, and are committed to launch agitations with the following Charter of Struggle.

Charter of Struggle:

1. Declare the right to freedom of Powrakarmikas from all forms of oppression, discrimination and abuse.
2. Battle for the right to social dignity of Powrakarmikas as the fundamental plank of struggle, and against all practices and policies that seek to undermine the dignity of Powrakarmikas.
3. Realise the full potential of Powrakarmikas as citizens with the potential to play a refining role in democratising society.
4. Declare that it is the duty of the Government to call for a special session of the Karnataka State Assembly to discuss the situation of Powrakarmikas, pass necessary legislations. The State has to acknowledge the historical injustice done to Powrakarmikas and express its deep regrets for the humiliation which Powrakarmikas have been subjected through centuries and declare its determination to take all steps to ameliorate the conditions of Powrakarmikas,

immediately eradicate manual scavenging and humanise all sanitation work and make them free of all hazard and squalor.

5. Organise and struggle to secure the demand of the State Government enacting a comprehensive legislation, being "The Karnataka Safaikaramcharis (Social Upliftment and Welfare) Act, containing provisions for, among others, conferment of permanent status to all Powrakarmikas, working and service conditions, welfare measures of Powrakarmikas and their families, etc.
6. Specifically launch agitations for:
 - a. Expediting the granting of permanent status to all Powrakarmikas in the State of Karnataka including sweepers, drivers, cleaners, loaders, helpers, UGD workers, etc.
 - b. "Right to direct payment" of wages from the local authorities, and "equal pay for equal work" until are Powrakarmikas are regularised.
 - c. Modification of the ratio of Powrakarmikas to population from 1:700 to 1:300.
 - d. Provision of house-sites and house construction grants to all Powrakarmikas.
 - e. Provision of proper education to children of Powrakarmikas including reservations, scholarships, etc. from nursery to PG.
 - f. Provision of restrooms and toilet facilities, maternity benefits, weekly off and leave, gratuity, pension, death/retirement benefits

of Rs. 10 lakhs lumpsum or compassionate appointment for their dependents, etc.

g. Provision of special preventive and curative health services to address the occupational diseases that Powrakarmikas are prone to on account of the nature of their work.

7. Reject the divisive efforts of the Government and authorities of categorising Powrakarmikas into sweepers, drivers, cleaners, loaders, helpers, UGD workers, etc., and declare that all workers engaged in waste management, irrespective of the specific job task they perform, are "Powrakarmikas".
8. Unitedly fight for granting of permanent status to all Powrakarmikas and the abolition of contract labour system and any efforts of informalisation of the Powrakarmika workforce by employing them, on exploitative terms, as direct payment Powrakarmikas, daily-wage Powrakarmikas, equal-pay workers, guised contract Powrakarmikas under contractors/manpower agency/labour supply contractors/SHGs/NGOs, etc.
9. Ensure that the Government and local authorities conduct themselves as model employers and stop all unfair labour practices and undignified treatment of Powrakarmikas.
10. Ensure that Powrakarmikas receive living wages and that their salaries shall be paid regularly and on time and to this end their salaries shall have first charge on the budget of the employers – Government or private.
11. Given that the work is caste-

ordained and in view of the vulnerability of Dalits on account of which they are traditionally recruited for sanitation labour, we will fight to ensure that children from such communities are provided with education and job opportunities so that they are not compelled into this occupation in the future.

12. Assert our right to reduced working hours and provision of education, skill development, etc. for Powrakarmikas
13. Fight for support and opportunities to Powrakarmikas to secure other jobs in the local bodies
14. Fight for the right of Powrakarmikas to be part of decision making of all waste management related policies and decisions.
15. Explore alliances with waste-pickers and waste impacted communities such as villages next to land-fills, dumps, etc.
16. Fight for modernisation and mechanisation which will make work more scientific, hygienic and humane without affecting the job security of Powrakarmikas. We will demand that the best available technology for sweeping and sanitation work shall be adopted and utilised and the State should establish an autonomous research institute for identification of the best available technology to make this work more scientific and humane.
17. Ensure that the history of discrimination of Powrakarmikas, and their resistance, be added to educational curricula with a view to achieving a

comprehensive and objective awareness of the unfair and unconstitutional treatment of sanitation persons.

18. Fight the poverty, dismal living conditions, denial of education and health services, resulting in the chronic impoverishment and destitution of Powrakarmikas.
19. Assert Powrakarmikas' right not to be forced to do manual scavenging, which is rampant, especially due to open defaecation and cleaning of drains. From streets to drain to toilets to treatment plants, Powrakarmikas are forced to handle human excreta with their bare hands. We will put an end to this and ensure the proper implementation of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013".
20. Declare that the struggle is for justice to all workers doing the job of safai karamchairs whether in the Defense Undertakings, Railways, Public Sector Undertakings, Government departments and institutions, Gram Panchayats and the Private Sector to ensure their welfare and upliftment.
21. End the everyday tyranny in the lives of Powrakarmikas, in the form of entrenched insidious violence including atrocities, discriminations and humiliations at the hands of the sections of society and authorities.
22. Fight against the corrupt criminal nexus of bureaucrats, elected representatives, officials and others that attempts to perpetuate anti-worker policies and practices in waste management.
23. Oppose and ensure withdrawal

of the anti-worker 4 Labour Codes, especially the intent to institutionalise contract labour in sweeping and housekeeping. We will fight to ensure that the private contract system for sanitation work including sweeping by Government, local authorities, public sector undertakings and establishments, public sector banks, airports, railways, private sector industries, commercial and corporate establishments, is prohibited.

We are holding this Convention on the occasion of the 75th year of Independence. This freedom, which we celebrate, was the culmination of the struggle by various sections of society against colonial oppression, particularly the working class. Today, when the Powrakarmikas are facing such oppression, exploitation and institutional violence, to fully realise Powrakarmikas' rights in free and modern India, we have to heighten our struggles, particularly against the anti-worker policies as well as against the caste system.

- Annihilate caste, eradicate caste discrimination and fight for the emancipation of Dalits!
- Emancipation of women from exploitation and harassment!
- The fight for Dignity and regularisation of services are non-negotiable!
- End the Social Stigma Attached to the Dalit community employed in sanitation work!
- Employ New Generation of Powrakarmikas in Employment other than Sanitation!
- Eradicate the inhuman practice and casteist practice of Manual Scavenging! ■

ALL INDIA WORKSHOP OF CONSTRUCTION WORKERS

★ SK SHARMA

All India Construction Workers Federation (AICWF), affiliated to AICCTU, held its first ever all India workshop at Ranchi on 9 – 10 Nov. 2022, with emphasis on reorienting its practice among construction workers. In the backdrop of Modi-led BJP government's offensive on the working class, including the new Labour Codes that are dismantling welfare boards, this workshop was conducted. The workshop took stock of AICWF experience since its inception.

Inaugurating the workshop, Comrade Rajiv Dimri, General Secretary of AICCTU, said that construction workers are numerically high, next only to agriculture workers, in the country. Still, they are the one of the most depoliticised sections of workers today. The fundamental reason for such a depoliticisation is the welfare board-centric practice. With the introduction of new Labour Codes, the task of enrolment in welfare boards is being snatched away from trade unions. The Codes Act, being imposed by the Modi government, will soon replace the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996. The repealing of this act will lead to closure of BOCW Boards in all the 36 states. In fact, the Code on Social Security is a direct blow to the building workers. He gave a call to the workers to make the construction workers movement a class struggle centric one. He stressed on the need to organise construction workers

in large numbers to fight against the Modi government and its anti-worker policies.

Around 65 cadres from Bihar, West Bengal, Orissa, Andhra Pradesh, Tamil Nadu, Karnataka, Puducherry, Uttar Pradesh, Rajasthan and Delhi participated in the workshop.

The workshop discussed three major topics - changing composition and challenges of construction workers movement, changing laws and the newer issues, and politicisation of construction labour movement. Com. SK Sharma, General Secretary of the federation, Com. Balasubramanian, President and Com. Shankar, AICCTU President were the resource persons and Com. RN Thakur gave an introduction. Com. Suvendu Sen, General Secretary of AICCTU, Jharkhand, also addressed the workshop.

Com. Sharma presented a paper titled Changing Composition of Labour in the Construction Industry. While, in India, the construction workers constitute single largest contingent of workforce, next only to agricultural workers, they are the most neglected lot, without any legal protection. They work without any job security, wage security and social security. Longer working hours without any overtime payment, casual nature of employment, etc., affect them very badly. They often fall prey to occupational diseases. In the absence of any safety measures, the number of workers who lost their lives while on service is countless. In such cases, neither the building owner, nor the builder – contractors

are made responsible for their lives. Workers are forced to fend for themselves.

The Composition of Construction Workforce

There are endless categories of construction workers in terms of their trade or profession. They are generally organized based on labour districts or localities. We have to try to categorise them based on their employment and workplace to understand the composition of workforce and to formulate strategy to organize them. Six major sections of workers were identified as part of the composition of workforce - workers employed in government-owned infrastructure projects such as construction of dams, roads, etc., workers engaged in private-owned large projects, workers engaged in quarries and brick kilns, workers engaged in emerging industries like readymix concrete manufacturing, migrant workers, workers employed in small-scale construction activities, and wage earners like electricians, plumbers, etc. There are several other categories of construction workers as well. Still, the above are the broad categories that comprise majority of construction and building workers in the country. We must take a relook at our practice and keep moving towards organizing workers of the first five categories. Such altered priorities and thrust on organizing above sections of workers can be the basis of reorientation of our work and can also be a big step towards politicization of the construction

CLICK HERE TO READ THIS ARTICLE IN BROWSER

workers movement.

Major Changes in Laws

The paper on existing laws, codes and implications for construction workers was presented by Com. Balasubramanian. The Code on Social Security contemplates formation of a single welfare board at state level for all categories of unorganised workers by dismantling several boards that exist now. It's welfare functions are being restricted and reduced to the lowest. The provision of providing basic amenities and rest rooms that was mandatory has been completely relaxed and is almost left to the whims and fancies of the employers.

Earlier, a construction worker was basically defined by the nature of employment. Now, the construction activities for less than 50 lakh rupees is exempted from the definition of building and construction work and thus, workers employed in such projects are out of the purview of the laws. In addition, a threshold of number of workers are introduced for application of the labour laws. For example, workers are entitled to ESI benefit only if more than 10 workers are employed and entitled to PF only if more than 20 workers are employed. With these changed definitions, a vast majority of construction workers are rendered outside the purview of labour laws., according to the Labour Codes. According to the Labour Codes, only a worker engaged in a project that employed more than 10 workers in the previous 12 months will be considered as a construction worker. This change in definition is a major blow to workers.

Group Discussion

The participants were divided into six groups led by Comrades Mukesh Mukti, PPApanna, RNThakur, Saurabh Naruka, Mahendra Parida and VKS Gautam to brainstorm on four

important aspects - introspection of existing work in each state, practical implications of Codes on construction workers, suggestions for possible reorientation of work in the newer situation and on politicization of construction workers movement. After the discussion, the leaders from each group presented the summary. Com. Manjulata from Rajasthan and Com. Ram Singh presented their opinions in addition to group leaders. The group discussion was very lively, encouraging and inspiring and helped the cadres to develop more insights and understanding of their own work as well as on the topics of the workshop.

In the concluding speech, AICCTU President Com. V Shankar said that we are confronting a situation where all the rights are being snatched away and all welfare benefits are being robbed away. The Modi-led BJP government and also the governments at the states are geared up towards facilitating the bourgeoisie by providing the 'ease of doing business' while the workers lives are turned much more difficult. Profits are multiplied by depressing wages and deceiving workers. In such a context, we are bestowed with the task of making construction workers movement a political movement that can challenge the powers that be and that can secure welfare as a benefit provided by the government and the employers. He called upon construction workers to turn the movement into a movement for social change and for a better society.

In the construction workers movement, we have also witnessed several positive experiences of politicization. In some places, the workers enrolled in the union in some workers districts have become leaders of the people of the localities. In the process, workers confronted saffron forces coming in the way of

organizing the people. They were advised only to organize unions and not to organize the people for a progressive and revolutionary politics and movements but the construction workers defied the diktats of the fascist forces and the masses were mobilized against them.

We have seen construction workers offices serving as centres of revolutionary politics. The construction workers unions have also maintained whole time political and trade union activists by providing allowances. We have witnessed spontaneous struggles against big builders by the workers who lived in subhuman, unhygienic sheds. Construction workers have joined en masse in the struggles against the saffron fascist forces. Such positive experiences are countless.

AICWF decided to hold similar workshops at district and state levels. It also decided to hold its fourth All India Conference at Bhubaneswar in May 2023 with a membership target of two lakhs. The workshop was a grand success generating a lot of enthusiasm to transform the construction workers movement.

AICWF formulated the following as central slogans for the campaign towards the conference :

- Fight for Higher Wages, Housing, Better Living Standards, Social Security, Safety and Dignity of Construction Workers!
- Stop Dismantling of Welfare Boards!
- Turn Construction Workers Movement into an Independent Political Force and Vanguard of the People!
- Scrap the Anti-Worker Codes, including the Social Security Code against Construction Workers!
- Defeat Anti-worker, Anti-people Modi-led BJP! ■

ON THE POLITICIZATION AND REORIENTATION OF THE CONSTRUCTION WORKERS' MOVEMENT

PART 1

[This is a paper presented by Comrade Shankar V, the President of AICCTU (All India Central Council of Trade Unions) in an all-India workshop of construction workers held at Ranchi, Jharkhand on 9 – 10 Nov. 2022. This paper shall be read with the Bhubaneswar paper on "Politicization of the Working Class"]

Dear Comrades,

We are confronting a situation where all our rights are being snatched away. All welfare benefits are being robbed away. The Modi led BJP government and the governments at the state are more geared up towards facilitating the bourgeoisie by providing the 'ease of doing business' while the workers' lives are being made much more difficult. Profits are being increased by depressing wages and by deceiving the workers. In such a situation, we are bestowed with the task of making construction workers' movement a political movement that can challenge the powers that be and that can secure welfare as a benefit provided by the government and the employers. The need of the hour is to develop construction workers as an independent political force, as an independent political movement.

In the construction workers' movement, we also have witnessed several positive experiences of politicization. In some places, the workers enrolled in the union at some workers' corners have become leaders of the people of the localities. In the process, workers confronted saffron forces coming in the way of organizing the people. We are advised only to organize unions and not to

organize the people for a progressive and revolutionary politics and movements. The construction workers defied the dictates of the fascist forces, and the masses are mobilized against them.

We have seen construction workers' offices serving as centers of revolutionary politics. The construction workers' unions have also maintained full time political and trade union activists by providing allowances.

We have witnessed spontaneous struggles against big builders by the workers' who lived in their inhuman, unhealthy sheds.

Construction workers have also joined en masse in the struggles against the saffron fascist forces.

Such positive experiences are countless.

This paper presents an assessment of the current situation of construction workers and discusses the way forward towards building a construction workers' movement.

Issues of Politicization

The issues of politicization of construction and building workers' movement, in general, has emerged as a major challenge. Construction workers are numerically huge, next only to agricultural workers in the country. Still, they are one of the most de-politicized sections of workers today. There are various factors for such a situation. Construction workers are mostly self-employed or employed as a part of small groups. They are a highly unorganized section

of the working class. The employer – employee relationship is too blurred. Being seasonal, unorganized and uncertainty of continuity in the job, they are a most difficult section to be organized. Still, compared to other sections, they are comparatively easier to be identified with the welfare board membership and it becomes the axis for organizing them as well. Unlike other workers, they are contacted and organized at the level of labour chowk (labour corners) or localities and are, generally, not being organized based on the location of their employment. The fundamental reason for depoliticization is the welfare board centric work on the one hand and lack of participation in trade union activities on the other.

Vanishing Role of Unions

The job of enrolment in welfare boards is being snatched away from the trade unions. In many cases, the rule to certify workers by the unions are changed. As enrolment is also becoming increasingly online, workers' unions are at disarray, or they also tend to perform the role of internet cafes where the registration in welfare board is done for a price. Workers are also comfortable in employing some of the activists as facilitators for their registration in welfare boards. Now, the same role is being replaced by the internet centers.

Middlemen Vs Trade Union Activists

In the absence of any real class struggle, workers too are happy with paying some money to

middlemen to get them enrolled instead of losing a day's wages for doing the same work. Against such a backdrop, the relationship between the middlemen and workers turns into that of between a master and a servant and it ends when the money is paid for the work and when the job is done. The relationship in most cases does not extend to organizing struggles against the forces of domination in the building and construction industry. This is the irony of the situation.

Welfare Board Members Vs Union Members

In some cases, not all, we also notice that most of the welfare board members recruited are not members of the union. Rather, only a small percentage is recruited to the union while the percentage enrolled in welfare board remain very large. There is a need to reverse this situation as well.

The Class Struggle Centric Union – First Step Towards Politicization

As most of the union work is concentrated in rural or semi-urban areas and where most of the construction workers are engaged in smaller size constructions and engaged by some small players like maistris, the scope for any class struggle in true sense, becomes much more limited. In such a backdrop, striving to make the construction workers movement a class struggle centric one, assumes great significance. Making our union a class struggle centric organization is the first step towards politicization of the

movement.

Dismantling of Welfare Boards

The new portal 'e-shram', with much limited scope and no benefits, is replacing welfare boards meant for various categories of unorganized workers. The government is planning to make 'e-shram' as the only nodal agency to distribute welfare benefits. Several welfare boards operational under various acts, including Beedi and construction, are being systematically dismantled. The Code on Social Security has made welfare akin to purchasing some insurance policy. The more you pay, the more the benefits. Neither the government nor the employer is responsible for the welfare and social security of workers. Hence, it is the responsibility of the workers to challenge and stall this Code. In fact, the Code on Social Security is a direct blow on the building workers.

The workers' welfare and social security should be the responsibility of the government and should not be made the burden of workers. Such an attempt by the Modi government should be stalled at any cost.

Welfare Board Funds Only for the Welfare of Construction Workers

Welfare boards have thousands of crores lying with them. Already, the central and state governments have started using them for purposes other than the welfare of construction workers. It is the need of the hour to intensify struggles against the governments to stop it.

Fund Managers Swallowing Welfare Funds

Another major issue is the fate of huge reserve fund lying with the welfare board. The government has not yet

spelt out its stand on this. There are apprehensions that the entire welfare fund may be handed over to some private fund management companies in the name of preserving them. The fund managers are allowed to have a free run to invest the funds in the market. The market driven fund management can very well be swallowed by the private companies very soon and the construction workers are bound to be cheated in this process.

Increase the Cess and the Collection

The rate of cess fund collection has been kept at the most minimum while trade unions are demanding collection of 3 percent and to increase it. Buildings below 50 lakhs are spared from paying any cess and the government has reserved its right to further decrease even the meagre 1 percent cess being collected whenever it deems fit. Thus, the system of collection of cess is almost in the process of being abandoned.

PART 2

The Composition of Construction Workforce

There are endless categories of construction workers in terms of their trade or profession. They are generally organized based on labour corners or localities. We may now try to categorize them based on their employment and workplace to understand the composition of workforce and to formulate the strategy to organize them.

- A sizeable section of workers is working in big infrastructural projects like constructing roads, dams, bridges, airports, etc. Such works are basically government owned and are assigned to the builders or contractors for its execution. Here, the respective

governments shall be treated as principal employers and shall be held responsible and accountable for all problems of workers, including regularization, wages, working conditions, social security, etc. Such workers may be organized based on their employer or worksites and against the governments.

- Another large section of workers is employed by builders of large projects in cities and towns through contractors and other categories of middlemen. These workers are also entitled to all legal benefits including job, wage, and social security. They may be organized based on their employer or worksites. The said builder shall be treated as principal employer and be made responsible for all their issues as mentioned above.

- A section of workers is engaged in formal sectors such as quarries, brick-kilns, etc., that require mandatory registration or license, but they remain the most unorganized section of workers. Such workers are found mostly in semi-urban, semi-rural areas. Here, employed by whichever contractor, the owners of the kiln or quarry shall be treated as principal employers or employers. Such workers too are entitled to all above said rights and benefits. As the workers are completely denied such rights and benefits as a rule, we also witness spontaneous outbursts on several occasions across the country.

- There is also an emerging section of most advanced of construction workers engaged in ready mix concrete industry. They are manufacturing concrete in a company plant, transport to construction sites in trans-mixers and pump the concrete on the sites. This an emerging section as the share of ready-mix concrete penetration in the total concrete manufacturing is only 15 percent as on date. This

section of workers is entitled to all legal benefits but are denied those benefits as they are mostly unorganized.

- There is a large section of migrants in the above categories of workers. There are several issues specific to migrants which needs to be given a greater attention. We should make use of all available benefits for migrants under the law right from their registration as migrants to securing migrant benefits for them.

- A vast majority of workers are employed in small constructions, petty repairs and renovation works. The employer is not identifiable and mostly like a self-employed. Their demands can be achieved only by mobilizing them against the government. We should keep demanding expansion of horizons of welfare benefits to them. The primary unit for organizing them is their localities or labour corners.

- There is also another vast section of building workers engaged in electrical, plumbing, carpentry, steel, and iron work, etc., in rural, semi-rural and semi-urban areas alongside other construction workers. They may also be organized based on their trade or profession. Their demands too are mostly against the governments.

There are several other categories of construction workers as well. Still, above are the broad categories that comprise majority of construction and building workers in the country. We must take a re-look at our practice and keep moving towards organizing workers of the first five categories. Such modified priorities and thrust of organizing above sections of workers can be the basis of reorientation of union work in construction sector and can also be a big step towards politicization of the construction

workers' movement.

Politicization of Construction Workers' Movement

Politicization essentially means, in short, imbibing the class consciousness to overthrow the regime of the bourgeoisie and the capture of political power by the working class. i.e., to establish a government of the working class. Establishing a state (government) of the working class can only pave the way for the emancipation of the working class. The process of politicization becomes complete if workers can attain such a consciousness of the capture of political power.

Following are some points of reorientation on which the construction and building workers' movement shall focus on:

At the level of construction workers' union activities...

- The construction workers' unions shall recruit workers to the union first and involve them in trade union activities.

- Assisting workers to get them enrolled in welfare board, as they are members of the union, may be made as a secondary activity. The welfare board enrolment activities may also be assigned, generally, to some non-exploitative internet cafes and labour officers so that workers can approach them directly under the guidance of trade union leaders.

- In case of any corruption, misappropriation, diversion of funds, refusal to disburse benefits by authorities or others, the union should organize mass of construction workers to fight against it, instead of relying mainly on petitioning through individual workers to get the benefits. In fact, this struggle should be made the primary aspect of functioning at

trade union level.

- If we expand our work to organizing workers under builders, construction companies, brick kilns and other formal sectors, then we have a greater scope of raising various issues including wage rise, ESI, PF, pension, and other issues related to social security. Trade unions should gradually move towards organizing such sections.

- Make it compulsory to open bank accounts in the name of the union, deposit all the money in the account and spend only through withdrawals from bank, submit accounts every six months to the respective committees.

- Form teams for auditing – right from the center and up to district level – to audit accounts of the union and submit report to the central headquarters of the union.

- Introduce the system of allowance to construction union leaders. All money collected from workers, as per decision of the committee, shall be deposited to the committee (bank) and the committee shall take care of the welfare of its cadres.

Aspects of Class Struggle

- Struggles against the state for the expansion of welfare benefits and for strict collection of 3 percent of construction expenses as cess.

- Struggles against the nexus of real estate mafia, bureaucrats, builders, and contractors.

- Struggles to hold the owners of the construction, builders, and contractors responsible for any death or disablement while on duty and for the welfare. The owners of the construction and builders shall be held responsible as principal employers.

- Organize struggles of

construction workers for decent wages, improvement in living standards, better working conditions, proper housing and for the dignity of labour.

The struggles against the government (anti – state struggles) can be organized at all levels, both in rural and urban areas.

For the struggles against the nexus mentioned above, the union work maybe focused on some cities and towns and against some building owners and builders who violate applicable laws. Each state should make an investigation and choose the cities and towns and builders for organizing workers and to organize struggles under the banner of the union.

Various Aspects of Politicization

- Organizing the construction workers in the union, forming branches in worksites, labour corners and localities and activate them to address the problems of the local people in coordination with progressive and Left parties at respective levels. Construction workers should lead the struggles of the people.

- Organize workers against the policies of the central and state governments that affect them. Launch struggles to withdraw the Social Security Code and to withdraw its negative provisions, to make the state responsible for the welfare and security of the construction works. Organize struggles of migrant workers and others against the anti-labour provisions of the Codes that affect migrant workers.

- Make the construction workers join hands and extend solidarity to struggles of all workers. Integrate construction workers' movement with the struggles of all

workers in urban areas.

- Integrate the construction workers' movement with the movement of agricultural labourers and rural workers in rural areas.

- Exposure Campaign against saffron fascism and against the Modi led RSS – BJP government that is snatching away all rights of construction workers.

- Organize Mass Pledge Taking programmes to defeat the Modi led BJP in 2024 General Elections.

- Form an intermediate forum of construction workers that may undertake activities as mentioned below:

- o Organize classes for workers about social change, role of working class in the capture of political power, etc.

- o Organize discussions, public meetings, and seminars on workers issues regularly

- o Bring out folders regularly on workers issues and explaining the stand of the union

- o Organize shows of progressive films depicting workers' struggles and workers' sacrifices and organize discussions.

- o Organize workers' cultural troupes for propaganda in workers' corners, localities, big constructions, etc.

- Make a definite distinction between a welfare board enrolment agent and a trade union leader, an internet business center vis-à-vis a trade union organization.

- Make a clearcut distinction between an organization offering welfare service and a union leading class struggles of workers.

We are for making construction workers as vanguards of the society.

ALTERNATIVE MODEL OF STRUGGLE AGAINST THE MODI'S VISION 2047 FOR LABOUR?

[A speech by Comrade Shankar V, the president of AICCTU at the inaugural session of the 42nd conference of AITUC at Alappuzha, Kerala on 17 December 2022]

Dear comrades of presidium, my colleagues of all central trade unions, the General Secretary of WFTU, the representative of ILO and other international guests and more importantly, all delegates who are not only delegates of the conference of AITUC but also the representatives of the working class of the country, I extend my revolutionary greetings to you all, on behalf of AICCTU, the All India Central Council of Trade Unions.

We are discussing about halting neo-liberal policies and anti-labour Codes but the Modi government is analysing the implications of the implementation of labour reforms. The so-called labour conference, without any labour representatives, but with state labour ministers and officials, held at Tirupati in August 2022, says that the impact of reforms is very positive in states where the reforms are partially in force. Neither the statistics nor practical experience displays anything to substantiate such an argument of fallacy.

The said analysis claims that the Codes will help in the formalisation of the industry. It is obvious that industry may get formalised if dominated by corporates while the workforce is completely informalised which is the norm of the day. When the Codes exempt industries employing less than 300 workers from adherence to labour laws, more than 70 percent will be out of the purview of any law. Hence, it is not formalisation but informalisation and extreme levels of exploitation are the motto of the Modi government. The government

says that they are the “New Codes for a New India” but actually they are the “Corporate Codes for a Slave India” which are implemented by the rulers. They are not labour laws anymore.

Privatisation is in full swing now. The Modi government began the same even when people were reeling under Covid 19. As the bourgeoisie in India cannot purchase a huge and mammoth sector like railways, the same is being divided and handed over to Modi's corporate friends. Tracks for Adanis trains for Ambanis and stations for Tatas – this is the formula being adopted. As it is easier to hand over government-owned, profit-making companies and corporations to the private, Mr Modi has also invented a new route of National Monetisation Pipeline (NMP) to hand over all infrastructures and wealth of the country like roads, minerals, and natural resources.

The concept of social security is turned topsy-turvy. The responsibility to provide social security to the toiling millions is not that of employers or the government but that of workers themselves. Social security is not a benefit for contributing to the generation of wealth of the country and of the employers through the blood and sweat of workers but it is contributory. The workers should pay out of their pocket and buy an insurance scheme from the government under the Codes. The amount of return depends on how much a worker is willing to part with. More the payment, the more the benefits.

Tirupati labour ministers conference

has also made it very clear that the e-shram, which is supposed to be the portal for migrant workers' data collection, will be turned into a single window agency for delivering social security to the workers. The inference is obvious that all sector-wise social security boards, including construction, beedi and other unorganised workers welfare boards and funds are bound to be dismantled. The fate of crores and crores of rupees lying with such welfare boards is not yet spelt out. The private fund managers are waiting on the wings to grab all the funds lying with welfare boards and throw them into the speculative financial market.

Trade union rights, particularly the right to strike is being snatched away. Right from introducing a cumbersome process of registering a union to the crooked procedure to go on a strike, every right is being snatched away. Earlier, at least, there was a penal provision to fine and jail employers for any major violation of applicable labour laws which was never really enforced anywhere across the country. Now, all employers are exempted from any penal provisions while clauses are introduced to penalise workers and unions for going on strike. The Codes say that workers can be fined Rs 10,000 for organising a strike and that the leaders may even be arrested for any irregularity in following the mindless procedures. Modi's attack on workers in favour of the corporate bourgeoisie is comprehensive.

The Vision 2047 being proposed by Mr Modi is perceiving a work model of gig and platform workers where employer – employee relationship is much blurred. They are entitled only to social security insurance

CLICK HERE TO READ THIS ARTICLE IN BROWSER

benefits and even the employer is not responsible for their social security. Other labour laws applicable for industrial workers are not applicable to them while the same has been applicable in several western countries. Vision 2047 claims that the present strength of 77 lakhs of gig and platform workers will be increased to 2.5 crores in 10 years and the same will be the model for the proposed world of work. This section of workers is not only denied several rights but also refused any decent wages or decent life. This is the model of employment, equivalent to self-employed (the pakora wallahs), being dreamt by the Modi government to get rid of unionisation and any decent life for workers.

Moreover, this kind of pattern further accentuates informalisation of employment, informalisation of work relations and lumpenisation of the workforce that is considered to be a hotbed (fertile ground) for the growth of anarchy and the politics of Hindutva. The kind of Vision 2047 perceived by Modi is only creating a vast army of the unemployed and unorganised workforce in order to enable an objective and inclusive growth of the politics of Hindutva. This is the most dangerous aspect of Mr Modi's Vision 2047 for labour. Against the backdrop of growing corporatisation and informalisation, stringent laws are needed to streamline industrial relations to protect labour. On the contrary, Modi's Vision 2047 only advocates informalisation and anarchy against streamlining the relationship.

The cruel incident of migrant workers walking thousands of kilometres during the Corona wave is still not erased from our memories. Only fifty percent or more of those migrants returned to their workplace while most of them are still longing for employment in their villages. Even

the budget allocation for MNREGA is already slashed and the workers are languishing without employment. Unemployment has ballooned to disproportionate levels. Even those workers who returned to their workplace, despite joining the same job, are getting only half of the wages that they were entitled to earlier. In such a situation, Modi's Vision 2047 is nothing but a slaughter of human beings.

Against the backdrop of the implementation of neo-liberal policies, we are witnessing raging outbursts that are very spontaneous, momentary, anarchic and outside the purview of established trade unionism. We have learnt reports of an HR manager's death at Pricol in Coimbatore. Two workers are still serving life terms. We are a witness to the incident in Yanam where the factory was burnt down by an angry mob. We have seen hundreds of workers languishing in jail as a result of developments in Maruti. We have seen workers teaching a lesson to the employer who indiscriminately fired at striking workers of a factory in NOIDA. These are not part of the struggles of established trade unions but are angry spontaneous outbursts of enraged workers. We are only afraid that if these point to the alternative models of struggles of desperate workers against the regime of industrial jungle laws like the Codes. The Modi-led BJP government is only advocating industrial anarchy against industrial democracy and is snatching away all possible avenues of legal remedy to the problems of workers.

In order to oppose the attacks of the Modi-led BJP government, the platform of Central Trade Unions has proposed an all-India workers convention in Delhi on 30th January 2023. The workers across the country will assemble to devise a counter

strategy to fight out the attacks by the Modi government.

We appeal to workers to turn the year 2023 into the year of workers' struggles which can ultimately enable people to overthrow the Modi regime from power in 2024.

The farmers of the country waged a historic, yearlong battle at Delhi borders to force the Modi government to withdraw the pro-corporate, anti-farmer legislations. They were victorious in their relentless struggle. The workers too expressed solidarity with the struggles of farmers. The working class salutes the victorious farmers' struggle. We also witnessed young women garment workers of Bangalore on a war path which forced the Modi government to withdraw the anti-worker circular on the PF issue.

But, workers, because of their nature of employment and livelihood, may not sit in the struggle for a longer period. But, a day will certainly come when workers will march to the Parliament, the corridors of political power. On that day, they will not only sit outside but would also seize and capture the parliament. They will capture political power. And on that day, they will pave the way for the emancipation of the working class from the clutches of the ruling classes, from their cruel exploitation, from the vagaries of the labour market. They will rewrite history. The days are not far away if the Modi government will continue to follow the beaten track of creating modern slavery.

I, on behalf of AICCTU, once again greet the 42nd all-India conference of AITUC a grand success!

Inquilab! Zindabad! ■

THE CONSTRUCTION SECTOR: CHANGES, AND THE UNION PRACTICES

[This is a paper presented by Comrade SK Sharma, the General Secretary of AICWF (All India Construction Workers Federation), affiliated to AICCTU in an all-India workshop held at Ranchi, Jharkhand on 9 – 10 Nov. 2022]

The construction industry is one of the main contributors to the country's Gross Domestic Product (GDP), being a key driver of the Indian economy after agriculture. The construction industry is a labor-intensive industry employing around 40 million people in the country. At the end of 2016, the construction industry in India had a turnover of around 157 billion USD and it was expected to grow at the rate of 8-10 % per annum over the next ten years. Covid-19 has slowed down the growth rate in 2020 & 2021.

The construction industry is divided into three sectors. The two primary sectors are Infrastructure and Real Estate. The infrastructure sector comprises of roads, power, bridges, ports, rails, and urban transportation & building projects. The real estate sector comprises of housing, retail, hospitality and commercial. Apart from this, the third sector is the private small and medium house building construction of individuals and small roads, bridges construction by petty contractors in urban and rural areas.

The construction sector in India is one of the largest employers of migrant and casual workers. It acts as gateway for urban employment once people seek a way out of agricultural work. Rise in migration is driven by growing opportunities in construction sector because of the rapid growth of small cities across the country.

The Major Large Indian companies in the construction sector are L &

T, DLF, SAFAL, SAVVY, Afcons, etc. The major foreign companies which have already arrived are Bechtel (USA), Hyundai (Japan), Mitsui (Japan), Obayashi (Japan), Sandesa (Sweden), Traffal House (UK), Dubai Port World etc. ACC, L&T, Birla cement, Ramco and other companies have introduced Ready Mix Concrete (RMC) and are promoting it in a big way, arguing that it can be laid faster than traditional concrete mixed on the site.

The report of the Second National Commission on Labour warns that "The present trend towards induction of modern technology in the construction industry is likely to transform the traditional labour market and indicates that there would be increased mechanization and manual and women workers would, therefore, be increasingly eliminated from large construction project."

There are two major players in the industry as far as decision making and implementation is concerned - builders or developers and labour contractors. The labourers and workers are not aware of industry structure or way of operation.

In most cases, the developer gives the contract to the labour contractor in two manners: -

- i) Material will be provided by the developer and the labour contractor would complete the work in stipulated times and of quality.
- ii) The labour contractor can

buy material as well as provide laborers to complete works.

Traditionally, the construction sector has been a highly profitable labour intensive industry whose profits have come largely from total exploitation of the work force. Even the minimum wages are rarely paid in this sector. No labour laws operate in construction sectors, not even on the large site and job security is unknown.

Workers' Composition

The recruitment to big infrastructural projects is undertaken through circuits that are regional and even national while the casual labour markets respond to specificities of local social history. The migrant workers in an infrastructural building site/mega project site are recruited through contractors who operate with workers across multiple sites in the country, thus involving the mobilization of large number of workers.

A small house building construction site, however, is deeply embedded in local relations of power where trade unions influence wages through everyday intervention in the casual labour market.

Some workers sell their labour power on a daily basis. They wait at intersections and junctions in cities in the morning to meet their employers and/or contractors. These meeting places are called labour chowk or nakas. Capital, faced with social history of labour in specific area, recruits workers from far away area, e.g. in Karnataka from north and north-eastern India.

There are three categories of

construction labourers:

- i) Local labourers who are from the city and nearby villages.
- ii) Seasonal migrant workers who migrate for the stipulated period other than the monsoon.
- iii) Long term migrant workers who work in the same place for over 5 years

A “migrant worker” is defined by the International Labour Organisation (ILO) as a person who migrates from one country to another (or who has migrated from one country to another) intending to be employed, and includes any person regularly admitted as a migrant for employment. Apart from workers who migrate from one country to other, workers migrate from one state to the other, as we observe in our country.

India's 4 crore construction workers are literally the builders of modern India. They build the roads and highways, the railway tracks, airport, and ports that connect the vast subcontinent and make India one country, spanning all its distances and diversities. Construction Workers are the backbone of the economy as they create the infrastructure necessary for industrial growth.

Yet these workers, about one third of whom are women and children, who are creating the base of the new economy, themselves live in a time warp, trapped in low skilled, low paid, insecure working conditions bound by feudal working relationship often in bondage.

Major Issues Being Confronted

Construction Workers face a lot of problems such as lack of work security, low wages, more hours of work and lack of social and medical welfare facilities. Generally, construction



workers face financial problems, health problems, diseases, mishaps and even loss of life. Moreover, the lack of any form of social security affects construction workers.

As per India Labour and Employment Report 2014 an overwhelming 92 percent of workers in India are engaged in informal employment, majority of them have low earnings with limited or no social protection. India has 36.2 million workers working in the informal construction sector. While the registered workers are covered under the welfare schemes formed under building and other construction workers (regulation of employment and condition service) Act 1996; the data shows a registration of a mere 30 percent of these workers. In 2014 in Orissa, it was only 2%. Though the government is collecting cess at the rate of one percent of the total project cost as per the building and other construction workers welfare Cess Act 1996, the expenditure of the fund for the benefit of workers stands at a mere 10%. In 2014 in Orissa, it was only 0.01%.

Payment of wage is one of the major issues being confronted. Another wage practice is that of not paying

wages at all. The culture of wages includes non-payment, under-payment, and various breaches of agreement by contractors/sub-contractors. The contractors promise a wage when they recruit workers and once the work starts, they delay the payment, pay less than what they promised and often do not pay at all. Breach of contract and cheating are considered outside the parameters of Capitalist rationality. Wages make us question the nature of agency of workers in surviving, resisting, and transforming capitalism. Unionized construction workers can defend wages. Wages figure as one of the forms through which landscapes of capitalist relations changes on the ground.

Other Major Issues

The Casual nature of Employment affects the family income and livelihood. Absence of Social Security – about 93 percent of the workers suffer due to lack of social security. Workers work under uncertain working hours, and they work more than the normal hours without any overtime payment. They work under unsafe working conditions. While some developers pay for insurance

of the labourers against any accident, provide safety guards like helmet, safety belt and gum shoes and provide sanitation, most developers do not provide any amenities or safety guards.

Workers suffer from various occupational diseases including cough, asthma, allergy, TB, Lung cancer, body pain and bronchial diseases. This is because construction workers work in unsafe conditions in mud, stone, cement, steel and iron nails, sand, bricks, and unhygienic water.

According to ILO, in Asia Pacific region 12.7 per lakh workers died in fatal accident during work and 3,80,000 workers die every year due to occupational diseases. According to the ILO, 6,00,000 lives would be saved every year if available safely practices and appropriate information to prevent occupational diseases is used. However, if capitalist profits determine the life of the workers, it is not possible.

The bricks kilns & stone quarry workers are usually far from human settlements, treated as bonded workers force to live in semi-internment conditions. Apart from the lack of shelter, lack of pure drinking water and electricity are the main issues being confronted by them.

Condition of Women Construction Workers

Women workers in the construction sector do the most strenuous and unskilled job like brick making, stone quarrying, assembling of construction material, lifting of stone, bricks, and cement etc. The situation of women labourers is restricted to defined tasks and low wages. The wages paid to women is less than that paid to their male counterparts. No special facility is

provided to pregnant women workers and no creche provided for children of women workers. Sexual harassment of women workers in the industry is also quite widespread. Women are most vulnerable to violation of labour laws and exploitative labour practices.

Sections of Construction Workers to be Mobilized

The workers engaged in construction sector are socially and economically marginalized in other ways too. Most of them are mainly adivasis, Dalits, backward castes, minorities, homeless and landless labourers. The biggest part of construction workers are migrant labours, due to which they are unable to organize themselves in pursuit of their common interest. This is because of certain constraints like casual nature of employment, illiteracy, lack of mobility, poverty, small, scattered size of establishment and lack of cooperation amongst workers. That's why 90 percent of them are still out of any trade unions or organizations.

Both migrant and non-migrant in the construction sector is largely informally employed with about 90% of migrants in rural areas and 67% in urban areas working as casual wage labourers. Migrant construction workers are mainly unskilled Seasonal migrant workers who work as wage labourers in agrarian sector.

Impact of the Labour Codes

After a long struggle, construction workers forced the Central government to enact "Building and Other Construction Workers' (Regulation of Employment and Condition of Service) Act 1996". Now the four Labour Codes being imposed by Modi government will repeal this Act achieved

by construction workers after hard struggle. The repealing of this Act will lead to closure of all the 36 state BOCW Boards, cancellation of about crores of registration of construction workers as beneficiaries with the Board, cancellation of lakhs of pension which are being paid to aged workers and disabled workers in different states and cancellation of millions of scholarships being availed as education assistance by children of construction workers, besides cancellation of several other benefits including health and maternity benefits.

It is necessary for us to come together to fight against the Labour Codes that has resulted in the complete decimation of the rights of workers. It is necessary to build a class struggle against employers, contractors, builders, big corporate companies, and the government demanding increased benefits, job security, wages, safety from accident and occupational diseases, better living standard, shelter, and rights to dignified working conditions. We must re-orient our practice of mobilization and work culture. Class struggle need not necessarily mean struggle only against employers, contractors, builders, big corporate companies etc. It can also mean the struggle against the state.

We should be prepared to function effectively even after the scrapping of Construction Labour Welfare Boards. Seriously pursuing the above reorientation in our practice and work style, may be helpful in retaining the movement vibrant and dynamic even in the absence of Boards. ■

DEFRAUDED AND DISORGANISED: GIG WORKERS IN INDIA

★ AVANI CHOKSHI

Who are gig workers?

Gig workers are a category of workers who have been placed at the height of structural vulnerability and state failure due to collaboration between exploitative platforms and a crony corporate anti-people state. Though definitionally, gig workers are entitled to far-reaching protections under existing welfare legislation, they have been deprived of their rights through de-facto exclusion. With the advent of the labour codes, their exclusion is being codified.

While there is nothing new in the Union Government's policy of precarity, the institutionalisation of fixed term employment, the entrenchment of rampant contractualisation and the commodification of labour has been seen in administrative and legislative changes across the country over the past few years. Similarly, gig workers are a massive category whose rights are being systematically negated. In fact, earlier this year, the NITI Aayog estimated that there were 77 lakh gig workers in 2020-21, which was expected to reach 2.34 crore by 2029-2030.¹ It is to this mass of workers, employed by platforms such as Uber, Swiggy, UrbanClap etc., that labour law protections are being denied.

The ground reality is that gig workers suffer from lack of steady wages, social security, paid overtime and safety mechanisms. A recent report prepared by the Indian Federation of App-based Transport Workers

(IFAT) in collaboration with the International Transport Workers' Federation (ITF) in respect of Uber and Ola drivers found that 95.3% of workers completely lacked insurance - accidental, health or medical.² It was also found that a vast majority of workers suffered from occupational health issues, including backache, constipation, liver issues, waist pain and neck pain. It found that the insecurity of employment is an impediment in unionising and engaging in collective bargaining. Importantly, the Supreme Court has held that non-payment of minimum wages would amount to bonded labour - but gig workers are not even guaranteed minimum wages.

Are gig workers already covered by labour legislation?

The corporates and the state operate under a fallacious assumption that the work performed by gig workers falls outside the ambit of existing labour legislation. Gig workers are termed as "partners" or "agents" instead of workmen, and the relationship between platforms and workers is not considered as a relationship of employment.

Is there an employer-employee relationship between the platform and the gig worker? If so, do gig workers fall under the ambit of existing law? Both these questions must be answered in the affirmative.

Whether or not there is a jural relationship of employer-employee between the parties is governed by a host of factors laid down by the Supreme Court in various cases. In different countries, the courts have developed different tests with many common factors. In India, some of the most common tests used to determine whether there is a relationship of employment are the following:

- Is the work of the employee controlled by the employer?
- Is the worker supervised by the employer?
- Can the employer take disciplinary action against the worker?
- Does the employer control not only the work done but also the manner of doing work?
- Does the employer pay remuneration?

None of these factors in themselves is decisive, but the question is one of fact, which is to be decided by balancing all the factors.

In one case, the Supreme Court was looking into the question of whether agarias were workers.³ These agarias were employed by salt companies, and were granted pattas of saline land from which to produce salt. The companies argued that such agarias were not workers/employees as they perform piece-rate work, and they are under no obligation to work

[1] NITI Aayog. (2022). India's Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work. June, 2022 https://www.niti.gov.in/sites/default/files/2022-06/25th_June_Final_Report_27062022.pdf

[2] <https://cis-india.org/raw/files/ifat-itf-protecting-workers-in-digital-platform-economy-ola-uber-occupational-health-safety-report/>

[3] Dharangadhara Chemical Works Ltd. v. State of Saurashtra AIR 1957 SC 264

for fixed hours or days and are to be paid wages not per day or hours. Hence, it was argued that the agaris are not workers, but could only be termed as independent contractors. The Supreme Court rejected this contention, holding that a person can be a workman even though s/he is paid not per day basis but by the job.

Importantly, the court also held as follows: “Rules regarding hours of work etc., applicable to other workmen may not be conveniently applied to them and the nature as well as the manner and method of their work would be such as cannot be regulated by any directions given by the Industrial Tribunal. These difficulties, however, are no deterrent against holding the agaris to be workmen within the meaning of the definition if they fulfil its requirements.”

In another case, the Supreme Court considered the question if bidi rollers were workmen, and held that if operation was of a simple nature and did not require supervision all the time, the control could be exercised at the end of the day by the method of rejecting bidis which did not come upto the proper standard. Such supervision by the employer was sufficient to make the workers, employees of the employer, and not independent contractors.⁴

Again, in another case, the Supreme Court held, “A person can be a servant of more than one employer. A servant need not be under the exclusive control of one master... There is, of course, no reason why a person who is only employed part time, should not be a servant and it is doubtful whether regular part time service can be considered even prima facie to suggest anything other than a contract of service,” while finding

that tailors were workers.⁵

Recently, the UK Supreme Court has concluded that the Uber drivers of Uber would be workmen falling within the ambit of labour legislation, using similar tests of control and dependence.⁶ Importantly, one of the factors that was considered was the hierarchical relationship between drivers and Uber. The court looked at the following factors:

1. The service contract entered into is prepared by the company, and workers are required to agree to the same. Many workers may not even read it, and there is no question of a worker playing a role in the contract.
2. Remuneration is fixed by the company in its sole discretion, as is the service fee, which will be deducted from the fare.
3. The complaints against drivers are made to the company, which can refund some amounts of the wages.
4. The workers have no choice to deny rides, and are not informed of the destination till the consumer is seated.
5. Ratings by passengers are used as a tool to penalise/ terminate drivers – this indicates control and subordination.
6. In this framework, drivers are seen as interchangeable and there is little scope for advancement.

The Court went on to hold as follows:

“it would be inconsistent with the purpose of this legislation to treat the terms of a written contract as the starting point in determining whether an individual falls within the definition of a worker. To do so would reinstate the mischief

which the legislation was enacted to prevent. It is the very fact that an employer is often in a position to dictate such contract terms and that the individual performing the work has little or no ability to influence those terms that gives rise to the need for statutory protection in the first place. The efficacy of such protection would be seriously undermined if the putative employer could by the way in which the relationship is characterised in the written contract determine, even prima facie, whether or not the other party is to be classified as a worker. Laws such as the National Minimum Wage Act were manifestly enacted to protect those whom Parliament considers to be in need of protection and not just those who are designated by their employer as qualifying for it.”

Vitaly, the court used the rule of purposive interpretation to interpret applicability of labour laws. It noted that the purpose of labour laws is to protect vulnerable workers, and held, “The reason why employees are thought to need such protection is that they are in a subordinate and dependent position vis-à-vis their employers: the purpose of the Regulations is to extend protection to workers who are, substantively and economically, in the same position.”

Gig workers in India fall within the same formula of control and subordination to platforms. They have no control over the employment contract, the remuneration, the penalties, etc. The IFAT report mentioned above discusses “the role of app-based companies in exploiting workers through an opaque algorithmic system, which determines who gets to work and how they will be compensated. These

[4] *Birdhichand Sharma v. The First Civil Judge, Nagpur* (1961) II LLJ 86 SC

[5] *Silver Jubilee Tailoring House and Ors. V. Chief Inspector of Shops and Establishments*, AIR 1974 SC 37

[6] *Uber BV v. Aslam* [2021] UKSC 5

systems also determine penalties and grievance redressal, which have an impact on the occupational health and safety. Critically, the design of systems and logics of compensation are completely invisible to workers, undermining their capacity to protect their rights.”

The control and supervision levelled by the companies over these workers leads them to fall within a jural relationship of employer-employee. Having answered the question of jural relationship in favour of the workers, they would be entitled to all protections under existing labour legislation.

What do the Labour Codes do?

Effectively, the new Labour Codes codify the illegal practice of denying labour law benefits to gig workers.

The Code on Social Security, 2020, defines a gig worker as “a person who participates in a work arrangement and earns from such activities outside of a traditional employer-employee relationship.” The Code also defines platform work as “a work arrangement outside of a traditional employer-employee relationship in which organisations or individuals use an online platform to access other organisations or individuals to solve specific problems or to provide specific services or any such other activities which may be notified by the Central Government, in exchange for payment’. Not only do the definitions of platform workers and gig workers overlap, but they are absolutely lacking in clarity of who such a worker is. The only concrete action appears to exclude such workers from the ambit of “employee”.

Thus, a formal employment relationship is now replaced by placing gig/platform workers on



par with unorganised workers. Gig workers are to be registered under e-SHRAM [National Database of Unorganised Workers], and schemes for their benefit may be framed by the Government. The only responsibility of the management to the worker is contribution towards the fund, which will be between 1-2% of annual turnover, but shall not exceed 5% of the amount payable to gig workers / platform workers.

Importantly, the term gig worker/platform worker finds no mention in any of the other three Labour Codes. Effectively, these workers are placed outside the ambit of all protections, including maximum work hours, safety measures, payment of wage regulations, working conditions, standing orders and registered trade unions. They are also placed outside the ambit of industrial dispute resolution methods under the Industrial Relations Code.

Conclusion

In his reply to a question in Lok Sabha, the Labour Minister stated, “The Code on Social Security, 2020, envisages social security benefits through formulation of schemes for gig and platform workers. However, no scheme has been finalized as the provisions under the Code relating to gig and platform worker have not come into force. For the purposes of

complaints, there is no definition of gig workers in the existing central labour laws.”⁷

We saw with the Unorganised Workers’ Social Security Act, 2008, that though the state was bound to frame schemes for the welfare of unorganised workers, it failed to do so. Now, with the lumping of gig workers into the category of unorganised workers, it condemns them to the same fate.

The proliferation of gig workers through the development of digital platforms has been tainted by the anti-people regime. Though definitionally and through established criteria laid down by Supreme Court, gig workers must be considered as engaged in a relationship of employment and entitled to benefits, they have been deprived of their statutory dues by these platforms, which term them as ‘partners’ to deprive them of their rights. The State has also miserably failed to implement the rights of these workers, which is only to be expected in a capitalist regime that openly places the ease of business of corporates over workers’ rights. These workers, who have been entrenched in disorganisation and vulnerability, must fight to claim their rights, with support from all sectors of the working class across the country. ■

[7] <http://164.100.24.220/loksabhaquestions/annex/177/AU3479.pdf>

A CONTRACTUAL SANITATION WORKER IN THE DELHI'S MCD ELECTION

★ AKASH BHATTACHARYA

Claiming the City Space

Sanitation workers form a key part of India's workforce. Alongside construction workers, domestic workers, waste pickers, and others, they are part of an army of labour that build and maintain our towns and cities. Majority of them work on contract, with no social security. Most of them are Dalits. They live amid enormous precarity and lack of dignity.

After years of organizing contractual workers – waste pickers, sanitation workers and others – in Jawaharlal Nehru University (JNU), CPI-ML decided to contest the municipal elections from Lado Sarai ward, which includes JNU. The ward includes working class residential areas such as Kusumpur Pahari and Motilal Nehru Camp where several JNU workers live, and lower middle-class localities in Ber Sarai, Katwaria Sarai and parts of Lado Sarai. The ward also includes elite residential areas of Vasant Kunj and Saket which are dotted with small temporary residential sheds (called jhuggis in local parlance).

JNU is known as a premier academic institute, but it took a series of powerful workers' movements since 2008 to ensure minimum wage and social security benefits for the contract workers on campus. Till date, the workers are not paid regularly and arbitrarily transferred between departments in order to prevent collectivisation at worksites. Women workers, who usually finish their morning chores at home before coming for work, were recently given morning duty. Workers face

regular harassment of this kind from the administration, ostensibly as retaliation against a strong student-workers' united voice on campus.

Over the last few years, CPI-ML has added significantly to its presence in the Lado Sarai area over and above its presence in JNU. Participation in the CAA/NRC movement took our activists beyond the university campus, to the nooks and crannies of South Delhi, especially to the urban villages that dot the area. Later, students and trade union activists reached out to the working classes of the area through covid relief. Of course, there was already a regular interaction between students and JNU workers beyond the campus, in the workers' neighbourhoods around the university. The election campaign grew organically out of this process.

The campaign team agreed to put up a worker leader who had been politically active inside JNU campus and beyond, as a candidate. After months of delay, the elections were announced on 4 November, and scheduled for 4 December. Parties and candidates were left with barely a month to file nominations and to campaign for the election. It was during the filing of nominations that the campaign team got a first-hand view of how the electoral system is tilted towards big parties and against the working poor.

Contract Workers: Little else but vote banks?

For our working-class candidates with little personal resources, contesting elections in a meaningful manner was a challenge. The nomination forms

asked for a range of paper documents. Many would consider these documents to be basic: date of birth certificate, bank details, documents certifying even minimal forms of property ownership (land, house, jewellery etc.) However, India's poor is also document poor. This issue had come up sharply during the country-wide protests against the National Register of Citizens (NRC). It has also been highlighted in campaigns against making Aadhar mandatory.

There was a strong possibility that the Returning Officer would reject our nominations because of inadequate paperwork. This meant that the campaign team had to zero in on two candidates instead of one, and consequently find twenty proposers who were registered voters of the ward and had their voter identity cards with them. CPI-ML being a state recognized party in a state other than Delhi, each of its candidates required ten proposers.

If you are wondering why these requirements can prove to be rather difficult for contesting candidates, here are some pointers for you. One of our candidates – Ms. Urmila Chauhan – is a retrenched worker of JNU. She was retrenched for being a militant union leader. JNU has even declared her out of bounds, to prevent her from continuing to provide leadership to workers on campus. How could she update her passbook from the JNU branch of State Bank of India (SBI) in a time bound manner, when the guards stopped her whenever she tried to enter the campus?

As far as the twenty proposers are

CLICK HERE TO READ THIS ARTICLE IN BROWSER

concerned, each had to fill a form and then travel in person to a designated office a few kilometres away to collect a Certified Voter Copy. Only then they became eligible to propose a candidate or contest the election. With contractors threatening to throw workers out of jobs for minimal absence, most workers wondered if they could risk this visit.

Finally, two people filed nominations – Ms. Chauhan and Mr. Jitender Kumar, another worker leader of JNU. Mr. Kumar, a Dalit, is a sanitation worker on contract. He was the party's first choice candidate. We found a way to make sure that he did not miss duty even once during the nomination process and during the campaign. He joined the campaign after the duty hours. Yet, within a week of filing the nomination, the contractor under whom he worked – Rakshak – issued him a show cause notice for contesting the election.

The notice claimed that any involvement in elections went against Rakshak's code of conduct which was binding on its employees. When pressurized to explain such a blatantly illegal and unconstitutional move, Rakshak failed to produce any pertinent clause in their code of conduct and indicated that the notice had been issued at the behest of the university administration. The notice meant that Mr. Kumar could be suspended from work within three days and eventually retrenched.

The campaign team immediately issued a response threatening legal action against Rakshak and appealed to the RO to take immediate action against the agency for going beyond their jurisdiction and challenging a nomination which had been approved by the RO. Notably, the model code of conduct issued by the Election Commission mandates a no-objection certificate from the employer if the candidate is



employed by the government. No such requirements exist in case of private contractual employment. This intervention by the campaign team led to the prompt withdrawal of the show cause notice. Mr. Kumar was able to contest as a CPI-ML candidate, but a question was firmly planted in our minds: if it is so difficult for contract workers to participate in the election process as anything other than voters, are they mere vote banks?

Elections and After

Mr. Kumar's campaign pitch highlighted the history of union activities in JNU and promised to extend it to other areas of Delhi, especially among sanitation and other municipal workers. Aam Aadmi Party has been promising to make sanitation workers permanent but has so far reneged on the promise. The campaign focussed on our union's (All India Council of Trade Unions: AICCTU) track record of campaigning for workers' rights, to emphasize the fact that we are more of an around the year fighting force and not a one-dimensional election focussed party.

In areas such as Kusumpur Pahari, where workers do not have access to tap water, sewer lines, and where residents have not been granted land rights despite living there for

generations, we strongly supported these demands. In the process, we raised the need for a party which represents workers' interests to claim their space within electoral politics. This brought us in direct conflict with the Aam Aadmi Party in working class localities, where there was already a significant anger against the ruling Bhartiya Janata Party (BJP) due to price rise, unemployment, and fall in living standards. There was also genuine concern about the possibilities of demolition of working-class colonies if the BJP were to be empowered again in the municipality. We highlighted the issue of slum demolition to emphasize on the need to vote out the BJP. Comrades from Dhobi Ghat (near Jamia Milia Islamia) whose houses were bulldozed last year and who are now with our union, joined the campaign in Kusumpur.

Our campaign focussed first of all, on the need to keep the BJP out. However, when the question of alternatives came up, we were able to highlight the limitations of the Aam Aadmi Party. The fact that our candidate was a sanitation worker, for whom the broom is an everyday reality and not a mere election symbol, struck a chord in sanitation workers' colonies. We highlighted the fact that AAP had been silent on the bulldozing of houses and

has not installed clean tap water in workers' colonies. The regular visit of water tankers is an improvement indeed, but a local water mafia has grown around them causing much inconvenience to people.

Our team was quite energized by the positive reception our campaign received among the Dalits and working people in the ward. It was also encouraged by the students,

teachers, and permanent workers of JNU. The reception was not fully reflected in the vote share. The use of money power and alcohol to influence voters was rampant. Voters also sensed that the Aam Aadmi Party (AAP) was a more "winnable" alternative to the BJP at present.

The election was still very important for us in terms of political outreach in the area. Our young activists also

got a sense of the political terrain in Delhi. During the election campaign we felt a strong need to focus on area-based organizing alongside unionization of workers. Above all, we felt that a political space does exist for a Left-oriented democratic politics to emerge as an alternative to the BJP in urban and semi-urban areas of the country, if we can build a base among the working classes, Dalits, and women. ■

THIRD ALL-INDIA CONFERENCE OF IREF

The 3rd all-India Conference of Indian Railway Employees Federation (IREF), affiliated to AICCTU, was held successfully on 11-12 December 2022 at Dhanbad, Jharkhand. The conference began with an open session of well decorated mass meeting on 11th, against New Pension Scheme and Privatization of Railways. The mass meeting concluded with a clarion call to wage a determined struggle against the attacks on working class by Modi led BJP government.

The mass meeting was inaugurated by the General Secretary of AICCTU, Rajiv Dimri, and was addressed, among others, by Sarvjeet Singh, the GS of IREF and Manoj Pandey, the president of IREF, Vijay Kumar Bandhu, the President of NMOPS (National Movement for Old Pension Scheme), Amrik Singh, the president of the Front Against NPS in Railways (FANPSR) and Vinod Kumar Singh, CPI (ML) MLA from Jharkhand.

The Delegates session began in the evening with inaugural address by Rajiv Dimri, followed by presentation of work report by Sarvjeet Singh. After deliberations and contributing to enrichment of report by several delegates, the report was passed unanimously. Followed by this, a 65-member national executive



committee was elected. Manoj Pandey and Sarabjeet Singh were re-elected as President and General Secretary of IREF. More than 200 delegates participated in the conference.

Congratulating the newly elected committee, Rajiv Dimri said that IREF has been able to develop and assert its identity of an alternative federation in Railways, in a situation when all major and recognized unions have surrendered before the anti-worker policies of government. IREF, through its consistent struggle against privatization, including 100-days Action Plan and National Monetisation Policy,

has championed the cause of young employees, who are affected the most by NPS. IREF has also emerged as the only federation fighting for the cause of contract labour in various zones. He Underlined the role of IREF as the first federation in the current situation to take an exemplary initiative of launching NMSR (National Movement to Save Railways). NMSR was launched with the aim of uniting Railway employees and common masses against the privatisation of railways. He called upon railway workers to make it a mass movement against the sell-out of railways by the Modi government. He also emphasised the need for

CLICK HERE TO READ THIS ARTICLE IN BROWSER

strengthening and streamlining the organisation as a pre-condition for raising the struggles to newer heights and for establishing IREF as a real alternative centre, in the coming days.

The conference concluded with passing of resolutions against the NPS, rampant privatization of railways, contractualisation of workforce, 4 labour codes, etc. The conference also resolved to stand

in solidarity with the struggling workers of railways at international level. Comrades from Dhanbad were felicitated for playing a major role for the successful conduct of conference at the end. ■

NATIONAL SITUATION AND THE WORKING CLASS MOVEMENT

[Presented at the 3rd all India Conference of IREF (Indian Railway Employees Federation), affiliated to AICCTU, at Dhanbad on 11-12 Dec. 2022]

The present situation is characterised by unabated corporate-fascist onslaught on lives, livelihood and rights of the working class and the toiling masses, on our national property and resources, on the secular fabric, constitution, and democracy. The declining Indian economy coupled with back-breaking price rise, loss of income and wages, rising hunger, malnutrition, inequality and poverty, record unemployment with massive destruction of jobs and retrenchment, all-out contractualisation of workforce, etc., have become a hallmark of the Modi government. In fact, the Modi govt. has become a synonym of devastation and destruction.

While workers and toiling masses continue to suffer, the Modi government is working overtime to snatch workers' rights through implementation of 4 labour codes, to pursue the drive of unbridled privatisation and to gift away the nation's property and wealth through National Monetisation Pipeline to his friends like Adani and Ambani. From Notebandi (demonetisation) to cruel and whimsical deshbandi (Lockdown) - the policies and measures of the Modi government have proved to be catastrophic to

the lives and livelihood of working masses. Particularly, the Covid crisis and lockdown were used by the sadistic Modi as an opportunity to aggressively force its corporate, anti-worker agenda. Today when the economy is nose-diving, the entire burden of Modi-made crisis is being shifted on to the shoulders of toiling people.

The country is plagued by unemployment. More than 20 crore workers have lost their jobs in last few years. 8 years of Modi regime has taken the unemployment rate to around 8 percent. The posts in the government departments are being done away with. Even in the post-COVID period, the contractual and other informal workers are being thrown out of jobs in thousands. In this situation, Modi government's "Rozgar Mela" (Employment Fair) is nothing but a mockery, a contempt for the unemployed. After more than 8 years in power, Modi govt. has offered a 'gift' of just 75,000 jobs in place of 16 crore jobs (2 crore per year) that he promised in 2014.

On the other hand, the earnings of 23 crore workers are depressed to levels much below the prevalent statutory minimum wages. Modi's promise of providing Lockdown wages to workers never saw the light of the day. India's downslide on the Global Hunger Index continues uninterrupted.

The 4 labour Code Acts, along with FTE (fixed term employment) that force workers into slavery, have been enacted by way of repealing 29 existing labour laws. These codes will snatch away all the legal protection and rights. The government claims that they are the "New Codes for a New India" but actually they are the "New Codes for a Corporate India" enacted to facilitate the corporate mantra of 'Ease of Doing Business'. Also, EDSA (Essential Defence Services Act) was brought for one year to snatch away the right to strike including protest by Defence workers.

The unbridled process of privatization has, through the policy of Monetization (NMP), reached the level of virtual free sale of all public and national property to the corporates (including sectors of strategic importance life, like Railways, Defence, Banks, Insurance, Mining, etc.).

The rampant contractualization of work force has reached the extreme level of contractualizing the jawans of Indian Army, in the name of Agnipath, putting an end even to the dream of permanent and dignified job in the Army.

As these miseries aggravate and attacks escalate, the Sangh brigade-Modi regime, especially in view of coming 2024 parliament elections, is leaving no stones unturned in

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

fomenting communal hate and polarization on a regular basis centring on the politics of Hindutva. This is clearly a nefarious design of the Sangh Brigade - Modi regime to divert the attention of working people from their real issues and struggles, to side-line them and to divide their struggling unity. At the same time, the Modi regime is stifling the voices of dissent and protests with all kinds of repressive measures, branding any opposition to its policies as anti-national activities. Under the said plea, the government is making indiscriminate use of repressive Acts including UAPA. Thus, a regime of Hitler-shahi is being desperately established in the country to confront the rising people's issues and movements against the Modi regime. So, while resisting the pro-corporate agenda and repressive Raj of the Modi government, in equal force, the working class should also combat and thwart the all-pervasive communal agenda of the Modi government.

Braving the combined onslaught of corporate capital and repressive Modi regime, the working class is

resisting these attacks at various levels unitedly and determinedly. In recent past, the platform of ten central trade unions which includes AICCTU, organized a series of strikes apart from other forms of protests, including successful all-India strikes on 8-9 January 2019, 8th January 2020, 26 November 2020 and the latest one on 28-29 March 2022. Also, various sections of working class - from organised to unorganised and contractual - came to roads in protests which also include massive country-wide strike actions by workers of Bank, Insurance, Coal, Defence and Scheme sectors. The state govt. employees in different states and Vizag steel plant workers waged relentless struggle against privatization.

In the meantime, the historic farmers' movement has forced the Modi government to repeal 3 anti-farmer Acts. Forced by the movements of working class and the youth, the issues like unemployment, price-rise, restoration of OPS, etc., have been able to find their echo in political discourses, in several assembly

elections in this period. Some non-BJP state governments have also gone to the extent of declaring withdrawal of the NPS. Also, the central government has been forced to slow down or defer some of its pro-corporate measures. Amid these struggles, the IREF has played a leading role in resisting the ongoing privatization / corporatization and the latest attack of National Monetization Pipeline in Railways, apart from struggle against NPS.

But, decisively pushing back the Modi government's blatant corporate agenda still remains the major task before the working class movement.

Definitely, the working class movement today is facing the most difficult situation and serious challenges ever. Only through the united struggles of workers and other sections of the people, the bulldozing by Modi Government on the livelihood and rights of people, its destructive policies, its communal, divisive and fascist designs can be stopped, and finally, the anti-people government can be ousted. ■

RAIL WORKERS AND THE INTERNATIONAL SCENARIO

[Presented at the 3rd all India Conference of IREF (Indian Railway Employees Federation), affiliated to AICCTU, at Dhanbad on 11-12 Dec. 2022]

Unlike in the past, the rail workers all over the world are on a path of struggle because of privatisation and implementation of neo-liberal policies. We are witnessing higher degree of turbulence and churning in rail workers movement across the world.

The COVID19 pandemic only exacerbated the crisis in the railway

sector, which had been already reeling under the impact of privatisation and neo-liberal policies. The countries like Britain, that once championed the privatisation of railway, modelled after the United States, the country with largest railroad network in the world, are now moving towards reversing their decision and towards nationalisation of the sector as ordinary passengers and railway workers face the brunt of profit oriented policies of the corporate sector. The privatisation of railways in these countries is a living reality

for the world to witness the impact of privatisation in a crucial transport sector on lives and livelihood.

The Costlier Rails – The Cheaper Labour

In the US, it is cheaper to travel by flight compared to train and in the UK, the rail fare is more than 30 percent excess compared to other European countries with a public railway sector. On the other hand, the railway workers in these countries continue to face wage stagnation and

CLICK HERE TO READ THIS ARTICLE IN BROWSER

job losses. BNSF Railway, one of the largest railroad freight networks in North America, owned by billionaire Warren Buffett's Berkshire Hathaway, reported record profits in 2021, with operating income increasing 13.7% to \$8.8bn while reducing the workforce by 20 percent. 12 hour workday for rail workers is becoming a forced reality now. But, the American president Joe Biden and his 'Presidential Emergency Board' are only busy protecting the interests of the rail companies rather than discharging their duty of protecting workers. There is an increasing attempt by the railway industry to pass the crisis onto the workers and passengers.

IMF Loan with a Condition for Privatisation of Indian Railways

Meanwhile, post pandemic, globally we are witnessing a new push by the IMF and World Bank to force countries to privatise their crucial transport sector. In June this year, the World Bank approved a \$245 million loan to Indian railways to modernise rail freight and logistics infrastructure with the aim for more private investment in the sector. The World Bank document on the loan to Indian railways notes, "A major focus of the project will be on harnessing commercial financing by engaging the private sector and developing customer-oriented approaches." Across the world, the World Bank, along with its Public-Private Infrastructure Advisory Facility (PPIAF) is pushing the new railway privatisation model under the tag of 'energy efficiency, reduced greenhouse gas emissions'.

The Historic Rail Workers Strike in Britain

Britain witnessed a historic railway strike this year, largest in three decades. Thousands of railway



workers in the United Kingdom embarked on a historic national strike on June 21, 23 and 25 against the attempts by Network Rail (that operates and develops most of Britain's railway infrastructure) and train operating companies to cut thousands of jobs. The union and railway workers are also demanding pay rise, social security and better working conditions as the inflation figures in Britain reached close to 9 percent in April 2022, marking a 40-year high. As prices of food and other household items are increasing rapidly, the RMT (National Union of Rail, Maritime and Transport Workers) is demanding a minimum of 7 percent pay rise and a complete stop on all job cuts by the companies. The railway workers in the UK are preparing for further strike as the Conservative government in the country refuses to negotiate.

American Workers Work Towards Strike

In the US, the railway workers are also organising. More than 100,000 rail workers, under the banner 12 major freight service workers' trade unions, are preparing to embark on strike, first time since 1992. Their demands include better working conditions, more sick pay and more

flexible schedules in the aftermath of the pandemic. More than 17,000 workers are employed in the 'temporary' route and are denied any written contract. Workers objected to the interference of the Biden government in favour of companies and the prohibition of proposed strike on 16 Sep. 2022 by the Court. The workers said they cannot be denied of their right to strike.

In July 2022, a Ohio based railway workers union also authorised a strike with a huge margin.

In such a backdrop of international situation, in India too, we need to think of integrating rail workers movement with workers and movements of other sectors of transport including road and maritime transports. More importantly, the time is ripe for developing cooperation and solidarity with struggling rail workers and their unions all over the world. IREF shall form a special cell dedicated to the purpose of developing international relations with rail workers movement.

Long live the Solidarity with Struggles of Rail Workers Across the World! ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER

THE STRUGGLE OF COAL PICKERS IN JHARKHAND

★ SUVENDU SEN



As the process of privatization of coal industry is gaining momentum, the situation of workers of coalfield is becoming more and more similar to the scenario of pre-nationalization era. The grip of coal mafias over the entire process of production as well as dispatch is getting stronger day by day. As a result, the struggle of livelihood of coal pickers, the most wretched section of toiling masses in the coal field sector, has become a significant phenomenon in recent years.

In some cases they work as a self-employed lot, but mostly they eventually become a part of some or other mafia network and work there as unofficial casual employees due to lack of regular livelihood opportunities. Illegal mining and illegal transportation of coal has always been very risky job. A lot of coal pickers are killed every year in the process in various districts of Jharkhand. The private companies running outsourced

collieries often contribute to the mechanism of extreme exploitation by retrenching their employees at their will and by not paying them minimum wage decided by high power committee of CIL.

The accidental death of miners engaged in so called illegal mining is a regular phenomenon. Recently the situation has further deteriorated. On 19th of November, 4 coal pickers, described as unsocial elements by the administration and media, were killed by CISF firing without any valid order from administration at Baghmara colliery (BCCL). One newly appointed and trigger-happy commandant of CISF ordered the firing only to ensure his share of booty from the mafia gang for whom the victims were working. Many more people remain untraced till date.

The gravity of the incident has definitely made the task of working class movement more challenging. The revolutionary trade union

movement possibly cannot move an inch forward without building an effective resistance against the unholy nexus of mafia, management, administration, and politicians who are responsible for such unfortunate development.

Coal Mines Workers Union (affiliated to AICCTU) and Dhanbad district committee of CPIML, after conducting serious investigation, had organised protest against the horrible incident of mass killing. Comrade Vinod Singh, CPIML MLA from Bagodar, raised this question in Jharkhand assembly.

Struggle of Coal Workers for Time bound and Just Wage Agreement (NCWA-11)

Coal workers organised protest demonstrations to press for their demand of speedy conclusion of wage agreement (NCWA-11) in all the subsidiaries of CIL. Their demand is that wage agreement must be concluded at the earliest on the basis of at least 28% minimum guarantee benefit (MGB). CMWU (affiliated to AICCTU) participated in the joint program which took place on 9th Dec, 2022. CMWU is carrying forward the process independently even after. In case of failure of next round of meeting of JBCCI, scheduled on 3rd of January, 2023, there is every possibility of a strike that can shake the industry any time in the near future. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER

LABOUR SNIPPETS – JANUARY 2023

Week-long Strike of British Rail Workers

With inflation at an all-time high and the stagnation of wages, Britain has witnessed several workers strikes for the past couple of months. The British Rail workers have begun 2023 with a week-long strike from Tuesday, thus disrupting railway services to all those returning to work from the Christmas vacations. There have been several rail strikes in the recent past, and workers in ports, telecommunications, postal, nurses, airport staff, paramedics, teachers, among others have joined the demand for higher pay to tide over the skyrocketing inflation, which is at a 40-year high, reaching 10.7% in November 2022. ■

Gig-Workers & Street Vendors join to 'Make Amazon Pay'

As part of the 'Make Amazon Pay Coalition' – a global movement protesting against the e-commerce giant, covering 40 countries, workers in India joined this movement as well. 'Make Amazon Pay' is a coalition of over 80 unions, civil society organisation, environmentalists, including greenpeace, Amazon Workers International, etc., and is co-convened by UNI Global Union, who are demanding that the workers be paid fairly and that the right to collectivisation be recognised, along with showing its commitment to environmental sustainability. In India, the Indian Federation of App-based Transport Workers, Telangana Gig and Platform Workers Union, Hawkers Joint Action Committee and Gig Workers Association planned to join the protest, which includes gig-workers and street vendors from Maharashtra, West Bengal, Bhopal, Bihar, Uttar Pradesh, Rajasthan, and Uttarakhand. ■

'No Lay-Off Without Govt Nod in Firms With Over 100 Workers'

The Union Minister for Labour Bhupender Yadav has said that retrenchments and lay-offs have to be carried out as per the law laid down in the Industrial Disputes Act, otherwise the same would be illegal. He made the statement in light of the multiple lay-offs in multinational and prominent Indian companies (Wipro, Byjus, Unacademy, etc.) in the country. He stressed on the re-employment of retrenched workmen, while responding to questions during the session in Rajya Sabha, and added that the state governments are the

jurisdictional authorities in sectors of EdTech, social media, information technology and other such related sectors. He added that the Union government has not maintained any data on mass retrenchments in regard to the digital/technology sector.

Meanwhile, the Minister for Information Technology Rajeev Chandrashekhar has said that the government "probably cannot intervene" to stop lay-offs in the IT sector, but is working to ensure that the unemployment caused due to the job losses are "soft landings". He said that the "laid off employees are talented people and they will land on their feet and find their place somewhere else", and that the government has spent Rs. 460 crore to start a digital platform called 'FutureSkills Prime' to allow for youngsters within the industry to look for alternate skills and to generate opportunities.

The statement of the Labour Minister comes at a time when the labour laws have been overhauled to favour companies and the rate of unemployment is at an all-time high. In the recent past, several thousand people have lost their jobs due to lay-offs in companies like Facebook, Twitter, Google, Microsoft, Byjus, Wipro, Pepsico, etc. ■

Hyderabad Metro Workers Demand Increased Wages



The ticketing staff of Hyderabad Metro Rail Limited boycotted work on January 3rd, 2023 and went on strike demanding an increase in their wages, which affected the train operations across 27 metro stations, which therefore witnesses long queues and crowding at the station. The workers have not received a hike in their wages for the past 5 years, and have faced

CLICK HERE TO READ THIS ARTICLE IN BROWSER

difficulties due to non-payment of salaries. They are currently being paid Rs. 11,000/- and are demanding a basic pay of Rs. 18,000/- per month. The workers said that their working conditions were abysmal, including delayed salaries, no weekly offs, no lunch breaks provided, etc., and that their grievances were not being addressed by the Management. The ticketing staff are all employed through an agency of sham contractors. ■

Minimum Wages for Domestic Workers in Bengal

The Government of West Bengal announced in November 2022 that they will fix minimum wages for domestic workers within three months from the already published date of the gazette notification, and that they will be included under the Minimum Wages Act, 1948. Several states like Delhi, Kerala and Tamil Nadu have already prescribed minimum wages for domestic workers. Domestic workers earn meagrely for long hours of work, and face severe caste, class and gender oppression and exploitation during the course and due to their nature of work. They work without weekly holidays or any other employment

benefits. The domestic workers' unions have sought for Rs. 75 per hour to be set as the minimum wage and for four days holiday per month. ■

Govt Looks to Increase NREGA's Efficiency, Forms Panel

The implementation of the Mahatma Gandhi National Rural Employment Guarantee Act was implemented from 2005 and the Central Government has now constituted a committee to review the implementation of the scheme which guarantees 100 days of employment per year for every rural household. The Committee, headed by the former rural development secretary to the Union of India – Amarjeet Sinha will look into how the NREGA can be made more effective and what changes can be brought in in terms of focus and governance structures, and will also look into the “cost of providing work which has increased since the scheme was first implemented”. Reports state that in the financial year 2020-21, the number of person-days of work provided stood at 389 crores, as compared to 2021-22 when the demand for NREGA stood high creating 363 crore person-days of work. ■

STOP THE “SURVEY”, ANOTHER NAME FOR DENIAL OF WELFARE!

★ K G DESIKAN

AICCTU demands Tamil Nadu government to stop the state level survey regarding welfare board pension beneficiaries and to withdraw the GO 115 and 152 which allows outsourcing in place of vacancies of permanent workers.

The construction and other unorganised sector welfare board members of Tamil Nadu are entitled to a pension of Rs.1000 per month if they fulfil the eligibility criteria stipulated by the board.

The state labour commissioner, by his order dated 2.12.2022, has instructed the district board authorities to re-appraise the pensioners with field survey. Directive is being issued

to survey each pensioner with a 11 point questionnaire which includes questions regarding the income of the family APL/ BPL, number of gas cylinders, value of the property they own (10 L or above), linking of Aadhar, etc., among others. The officials are also instructed to take a photo with the pension beneficiary during the survey and get it pasted in the survey form.

The pension benefits are distributed only after verification by the board officials after ascertaining truthfulness of the claim. Ordering one more survey, that too without the approval of welfare board of trade union representatives, smacks of foul play. It appears that the government has ordered the survey with an

ulterior motive to illegally snatch away pensions of the senior workers.

The state Unit of Tamil Nadu AICCTU has protested the attitude of the government and has also issued a press statement to stop the survey forthwith. Demonstrations are planned in front of welfare board offices of the districts.

The GO 115 and 152, are allowing outsourcing in place of permanent vacancies of sanitation workers and drivers in local bodies. AICCTU calls upon the state government to withdraw these anti worker orders as it would mean a great social injustice against workers by a government of much trumpeted Dravidian model. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER

EXPANDING AMONG RUBBER PLANTATION WORKERS OF TAMIL NADU

★ ANTHONY MUTHU

The state government owned Rubber corporation, producing natural rubber, is situated at Kanyakumari, the southernmost tip of the country. The plantation corporation started its operations since 1984 and is spread over an area of 4000 hectares. It is engaged in growing and maintaining the plants, harvesting latex from matured trees and in uprooting the aged trees. As per the company's website it's objective was to provide employment to the locals of Kanyakumari district and to adapt repatriates from Sri Lanka. It employs more than 2000 workers including field workers. But the official claim is only 800 daily wage workers and 400 casual workers.

CPIML and AICCTU units in Kanyakumari district found a massive corruption in plantations which was possible only if the top management and the unions operated hand in glove. In the course of enquiry, it was revealed that only a portion

of the actually harvested latex reached the official records while the remaining was being eaten away by the corrupt officials. There were also fraudulent means adopted in the export to a Korean company. In 2018, large number of rubber trees were uprooted because of Okhi cyclone and the management - contractor nexus made huge money by selling them by fraudulent means. Money was being swindled in the name of maintenance.

On the other hand, we also found records for distributed umbrellas and bed sheets to workers which never was. Workers' colonies are in a dilapidated condition. Mandatory ESI benefit is not provided to workers while the ESI hospital did not even have medicines for venomous snake bites or animal bites which are quite common. More than 16 unions are operating in the plantations but none of them raised the issues of massive corruption.

In the meantime, we exposed the corruption in tender process in media at an appropriate moment with substantial evidence. We also filed writ petitions in the Madurai bench of the Madras High court to stop the scam and save workers and the state run corporation. On one such petition, the High Court ordered the executor of a tender to pay 10.75 lacs as compensation.

We supported workers when struggled for the implementation of wage revision as per settlement and organised solidarity movements. In this process, few hundreds of workers, disappointed with established unions, joined our union affiliated to AICCTU.

We are preparing for a bigger battle to ensure better wages, better working and living conditions of workers and to save the corporation from the nexus of corrupt bureaucrats and contractors. ■

FREE HAND TO VIOLATE LABOUR RIGHTS: BJP LED ASSAM GOVERNMENT TO "DECRIMINALISE" LABOUR LAWS

★ BIBEK DAS

In the name of 'Ease of Doing Business', the Assam government has tabled ten bills which seek to decriminalize the industrial and labour laws on 20th December, 2022 in the winter session of Assam assembly. This will effectively mean

violators of labour laws will escape imprisonment.

Law means the power to punish criminals or law violators. Punishment means the ability to impose jail and fines. But the recent amendments to the Labor laws seek

to abolish the essence of the law. In other words, the amendments seek to exempt employers or authorities who violate labor laws and thus deny workers their legal rights from imprisonment. The amendment increases the amount

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

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

of the fine several times instead of imprisonment. The Himanta Biswa Sarma government has argued that corrupt officials harass employers under the pretext of law. It also says that freedom from fear of imprisonment reduces employers' anxiety and makes it easier to do business. The government also thinks that employers violate law due to low investment in business, so such violations cannot be criminalized and imprisonment is undesirable.

Interestingly, all arguments of the government are focused on making life easier for the violators, at the cost of rights of the toiling masses. The rights of the people who run the economy with their sweat and blood are being dispensed with by those who have the power to make laws for them.

The entire logic system of the government makes their intention clear. Let us look at their argument one by one. To begin with, let us ask who shields the corrupt officials harassing the employers so dear to the government? The same government machinery that is

seeking to deny workers their rights today, shields the corrupt officials. Without government patronisation, it is not possible for officers to abuse the law. Only honest officers apply the law properly and take a tough stance against violations of the law by employers. So, the argument of corrupt officials harassing employers is clearly fallacious.

Secondly let us ask the government, can denial of workers' rights be a basis for increasing investment in business? This argument is nothing but a justification of the blood sucking profit mongering of companies.

It is worth mentioning that no state in India, even the most industrialized states, has introduced such an amendment and it can be assumed that the state of Assam is being used as a laboratory for this effort.

The proposed amendments by Assam government are nothing but an assurance to the companies and employers that they can freely deny workers their right because there will be no law to punish them. The companies and employers can carry on increasing their wealth

accumulation by cutting labour cost because they can now legally bribe the government by paying fine. They have been given freedom to escape any punishment for exploiting the workers.

The AICCTU and other central trade unions in Assam have opposed the amendment and said it would increase the incidence of violation of workers' rights. The central trade unions have demanded the cancellation of the amendment and the proposal of the amendment only based on discussion and consensus with the trade unions of the workers and employees.

Strict laws have become an obstacle to corporate plunder and this amendment bill is part of the dilution of the laws to pave the way for corporate plunder. The Government of Assam is also seeking to decriminalize illegal land acquisition by amending the Assam Revenue Act. Its objective is clear and that is to justify corporate land acquisition.

Let us strongly protest this amendment. ■

BIHAR STATE NON-GAZETTED EMPLOYEE'S CONFEDERATION (GOPGUT)

22nd state conference of Bihar State Non-Gazetted Employee's Confederation (Gopgut) was held on 18th November 2022 at Motihari, Bihar. The open session of the conference was inaugurated by Comrade Dharendra Jha, national General Secretary of AIARLA. The chief guest of the conference was Comrade Birendra Gupta, CPIML MLA from Sikta.

After the inaugural session, draft document for the conference was

presented by the outgoing General Secretary Comrade Premchandra Kumar Sinha, President Comrade Jiyalal Prasad and treasurer Comrade Satrughna Prasad Singh. Discussions on the draft document took place for two days. At the concluding session, the outgoing general secretary and treasurer responded to the deliberations of the conference. A twelve-point charter, including demands like reinstatement of the Old Pension Scheme, guarantee of permanent

employment for contractual, project, incentive based and outsourced workers and withdrawal of the New Education Policy, was adopted by the conference.

The conference elected Rambali Prasad as the Honorary President, Niranjana Kumar Sinha as the President and Premchandra Kumar Sinha the National General Secretary. A five-member advisory board with Mahendra Rai as the Chief Advisor was also elected. ■

CLICK HERE TO READ THIS ARTICLE IN BROWSER

THREE DISTRICT CONFERENCES OF AICCTU HELD IN WEST BENGAL

AICCTU district conferences of North 24 Parganas, Kolkata and Howrah were held in West Bengal in the month of November.

The district conference of North 24 Parganas was held at Naihati on November 20. Prior to this conference, different unions organised their own annual GB / conferences and executive bodies of the unions were elected. Membership drive was undertaken as an important task onward to the conference. The unions chalked out their own course of action. Delegates from different sectors - Jute, Brick kiln, Mid day meal, Construction, Ordnance factory and Railways participated in the conference. The jute workers said that low industrial wage is not attracting young workers in this labour intensive industry. They added that industry wise charter of demand has been submitted before the Association of Jute Employers and State Labour Department, but till date no conciliation meeting has been convened. The construction workers expressed their dissatisfaction over the present policies of state government and mentioned how all their welfare benefits have been curtailed. The present lull in construction work, scarcity of job opportunities, curtailment in welfare project, cumbersome method of online registration are the present hurdles that need to be addressed. The brick kiln workers said, due to the present policies of the government, one after another brick kiln is shutting down. The delegates from Mid Day Meal sector exposed the role of both Central and State Govt. They pointed out that despite working for few decades, they are not getting minimum wages, deprived

of all social security and retirement benefits, and are facing all sorts of humiliation. Their paltry sum of honorarium are not paid on time.

The delegates from Cossipore Gun & Shell factory mentioned that after clamping of Essential Defense Service Act, a new version of ESMA, all sorts of Trade union activities within this industry have come to a halt. Despite management's extreme high handed attitude and crass anti employee role, the union led by AICCTU is striving to connect with the workers and are maintaining their day to day Trade Union activities. The Railway workers told all the important functions are gradually being handed over to the private sector and Central Govt has undertaken sweeping privatisation drive in the Railways.

Com Basudev Bose, General Secretary of West Bengal AICCTU was the observer of the conference. He exposed Modi Govt's anti people, anti worker industrial policies which are out and out pro- corporate. The Labour Codes, he mentioned, is a new form of slavery, denuding workers of all their hard earned legal rights.

Out of 119 delegates from different sectors, 28 women participated in this conference. The conference unanimously elected 53 member District Council, 27 member executive committee, 14 Office bearers. Com Narayan Dey, Jayshree Das and Com Nabendu Dasgupta were elected as President, Working President and Secretary respectively of the new Committee.

Kolkata District AICCTU organised their 9th Conference on November 20. Delegates from different sectors - workers of State Transport and

Jay Engineering works, Contract workers of Jadavpur University, Uber driver, Rickshaw puller and hawker, domestic workers, Mid day meal and workers of ICDS, Press worker, Construction workers were present in this conference. Out of 74 delegates 19 women workers were present. The retired workers of West Bengal State transport, who have been deprived of their post retirement legitimate dues, also participated in the conference. The participation of unorganised women workers for the first time, was an important development.

The Conference started with an inaugural address by the State President Atanu Chakravarty in which he mentioned the tragic death of the migrant workers at Qatar who were engaged to build the infrastructure of World Cup football, which began on that date, i.e 20th November. The total indifferent attitude towards these migrant workers, which was starkly exposed during the ruthless Covid Lockdown by the Modi govt was criticised. He also pointed out the adverse effects of four labour codes, dismantling of all the welfare boards, the plight of scheme workers and called upon to take up the challenge to thwart this fascist offensive.

The state transport delegates exposed the real state of affairs within this public sector. Informalisation of workforce is rampant in this sector. A section of drivers engaged during Covid have been retrenched completely illegally. Handing over of this state transport to private players through franchise is gradually gaining steam. The scheme workers complained of their precarious working condition, meager wage in the name of honorarium, sans social

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

benefit and realised united struggle is the only way forward to achieve their demands.

The conference resolved to enroll 6,000 members and 30 cadres before the forthcoming national conference. It also decided to organise the emerging scheme workers, casual contract workers and to expand in newer areas.

The conference elected 56 member district council, 26 member executive body and 13 member Office bearers. It re-elected Com. Prabir Das and Dibakar Bhattacharya as President and Secretary of the committee.

The 4th District Conference of Howrah was held on 27 November. The conference started after Com Tapan Ghosh veteran trade union leader hoisted the red flag and floral tributes were offered by the comrade delegates.

Com Atanu Chakravarty, President of State Committee gave the inaugural speech and said the Trade Unions of

the country are facing unprecedented challenge at present. The present government is conspiring to push the trade unions to the margins by ignoring and not inviting trade unions in the last National Labour commission conference. Of late the Finance Minister invited the TUs in a virtual meeting and allotted only 3 minutes for each CTU which was boycotted by all the CTUs.

The Fixed term employment, dismantling of welfare boards, informalising the formal work force, snatching the weapon of strike struggles are some of the attacks of this fascist dispensation. Com Basudev Basu, General Secretary and observer of the conference pointed out the need to organise scheme workers, the emerging social group in the country, and exposed the anti worker role of Mamata Govt. Senior state leader Com Meena Pal also attended the conference and gave her valuable suggestions. Com Nabendu Dasgupta, State leader and

President of Bengal Chatkal Mazdoor Forum addressed the conference and called upon the jute workers to join the demonstration on 8 December in front of the office of Labour Minister.

The delegates came from diverse sectors - Jute, construction, Mid Day meal, Domestic workers, gig & platform workers, contract workers of Railways, small engineering firms etc. Low wages, precarious employment, unsafe working condition, highly insecure job condition were the main issues raised by different delegates.

Com Debabrata Bhakta, President of Howrah District summed up the entire proceedings and emphasised the need to expand in newer areas. Out of 81 delegates, 27 were women. The conference unanimously elected Com Debabrata Bhakta and Partha Banerjee as President and Secretary respectively. The conference was presided over by the presidium consisting of Com NN Banerjee, Kalyani Goswami, Tapan Ghosh & Kishore Rajak as members. ■

OBITUARY

COMRADE N K NATARAJAN

A TIRELESS CRUSADER OF THE WORKING CLASS OF TAMIL NADU

★ KG DESIKAN

Comrade NK Natarajan who served as national and state leader of AICCTU in various capacities for decades, breathed his last on 10th December 2022 while attending a CPI ML district committee meeting at Dindigul district of Tamil Nadu. He was elected the state secretary of CPI ML in a just concluded state party conference.

Born in a remote village near Ottanchatram of Dindigul district, he extensively spent his lifetime among workers throughout Tamil Nadu in organising them for a revolutionary politics. He led a life of a professional revolutionary.

Adieu Comrade



NK NATARAJAN

CLICK HERE TO READ THIS ARTICLE IN BROWSER



Comrade NK Natarajan made it a point to attend the all India conference of AICCTU in 2020 at Naihati as a delegate despite his busy engagement as the state secretary of CPI ML, Tamil Nadu. He was also elected as a member of the National Council. He played an important role for the success of one all India conference at Chennai and several all India meetings of AICCTU in Tamil Nadu, including the recent national council meeting at Coimbatore in August 2022. He is known for his dedication and simplicity. He began his journey as full time activist organising workers of plantations in Valparai, Coimbatore. Then, he moved on to organising power loom workers of Namakkal – Erode – Salem districts. Later, he also organised textile workers of Coimbatore and spent several years among Pricol workers at Coimbatore, particularly in the most crisis period of the Pricol movement. He was part and parcel of the Pricol workers' movement from the beginning. He stayed in the union office itself for years and guided workers on their day today activities.

Many workers of power loom workers fondly recalled the days of their association in struggles with him. He not only developed trade union leaders from among the most downtrodden, illiterate section of powerloom workers but also facilitated in raising their literacy level to read and write.

In the backdrop of an unfortunate development of a death of HR manager of Pricol because of the management's adamant attitude, refusal to negotiate with the union of AICCTU enjoying majority and because of illegal victimisation of workers, the administration unleashed white terror.

Hundreds of frontline workers of the union were put behind bars under fabricated, false cases. The union

president went underground to evade arrest. In such a trying circumstances, comrade NK Natarajan led the movement. He was in the fore front in reviving the movement along with AICCTU's central leadership including Comrade Shankar. Comrade Swapan Mukherjee, the then General Secretary, too visited Coimbatore for a convention of Pricol workers against the police crackdown.

Comrade NK was also part of delegation to meet the then Deputy CM, Mr Stalin. AICCTU led the campaign against the illegal and undemocratic attitude of the Pricol management and anti – workers repressive measures of the state by enrolling the support of democratic sections of Tamil Nadu. All India body of AICCTU also built a powerful nationwide movement in support of pricol workers struggle. Only in the process of multi-pronged resistance led by AICCTU, the heat of administration's actions cooled down.

He was also leading workers struggles and the unions of textool, ITPL, Subha Plastics, LGB, etc., for better wages and better working conditions. His experience in conciliation proceedings and in handling the labour department brought some relief to scores of victimised workers of several engineering industries situated in Coimbatore.

He travelled the nook and corner of Tamil Nadu to organise workers, to agitate for their life and livelihood and to educate them to develop as vanguards of the social change.

His role in uniting the entire party, after he became the state secretary of CPI ML in a challenging situation, is really commendable. He pioneered the idea of anti-fascist movement in Tamil Nadu and took all efforts to earn

the support of Left and progressive forces in solidarity. He had a very warm relationship with leaders of the left and democratic parties in the state.

The memorial meeting at Coimbatore on 22 Dec 2022 was presided over by comrade Bala Subramanian, a close associate of NK and the state Vice President of AICCTU in Tamil Nadu. The meeting was also addressed by

comrade Dipankar, the GS of CPIML, Comrade Shankar, the president of AICCTU, Balamurugan, the national secretary of PUCL and host of leaders from left and democratic parties in the state.

Comrade Thenmozhi, the life partner of NK and a leader of AICCTU and NK's brother Vijayakumar also addressed the meeting.

The meeting was attended by

hundreds of workers, including construction, civil supplies corporation, engineering, electricity, textiles, transport and TASMAC from across the state, Kanyakumari to Chennai.

The revolutionary trade union movement and the working class of Tamil Nadu are determined to carry forward his legacy of simplicity, determination and hard work. ■





All India Central Council of Trade Unions

Workers Resistance

Editorial Board

Editor

Shankar V

Assistant Editor

Sucheta De

Editorial Board

Rajiv Dimri

Clifton D' Rozario

Uday Bhat

Maitreyi Krishnan

V. Arun Kumar

Atanu Chakravarty

Saurabh Naruka

Radhika Krishnan

Poarkodi Natarajan

Correspondents

Abhishek

Desikan KG

Uday Kiran

NN Banerjee

Rambali Prasad

Web Management

VKS Gautam

Art, Design and Web

V. Arun Kumar

Published by

Rajiv Dimri, General Secretary

on behalf of

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

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

Phone: +919205642035

Contact:

editor.workersresistance@gmail.com,

aicctu@gmail.com

