



WORKERS RESISTANCE

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THE CALL OF AICCTU **MAKE THE ALL-INDIA STRIKE** **A GREAT SUCCESS!** **28-29 MARCH 2022**

- *Save the People and Save the Nation!*
- *Save Workers, Save Employment, Save Rights! Save Nation's Resources, Save Public Sector!*
- *Save Agriculture, Save Peasantry!*
- *Uphold Worker-Peasant Unity! Thwart Modi Regime's Divisive, Communal Designs!*
- *Defeat the Modi led Company Raj! Free India from the Clutches of Modi-shahi!*
- *Work to Every Hand; Same Wages for Same Work!*
- *For Scrapping 4 Labour Codes, Against record-high unemployment, skyrocketing Price-rise, Privatisation and sale of the nation's resources*
- *Resist the attack on the Constitution and Democracy*

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The Modi regime has been waging unrelenting attacks on the rights, lives and livelihood of the working class of the country. Destructive policies are the hallmark of Modi Regime. The democracy and constitution are being bulldozed, secular fabric of the country is being torn apart. In response, working masses are braving the onslaughts with a determined resistance. The one-year long historic farmers struggle has decisively forced the arrogant Modi government to repeal 3 farm Laws, which were enacted to hand over the entire agriculture sector to corporates and ruin the peasantry. Their determined struggle continues to press upon their hitherto unfulfilled demands (and now, the killer of farmers in Lakhimpur Khiri Ashish Mishra has also been let free on bail). Last year (2021) ended with a massive, successful strike on 16-17 December by ten lakhs of bank employees against privatisation of banks forcing the Modi government to defer the tabling of the Bank Privatisation Bill in winter session of the Parliament. The resistance against privatisation has become an omnipresent phenomenon. The outburst of anger of unemployed youth is widespread. Various sections of informal workers from honorarium to contract workers are on path of determined struggles including strikes. Now, the entire working class of the country, on the call of platform of 10 central trade unions, has decided to go on a 2 days all-India general strike on 28-29 March in continuation of its persistent struggle against the onslaught.

Attacks on Working Class under the Modi Regime

Repeating slogans and promises by the Modi government - 'Achche Din' (good times), 'Sabka Sath - Sabka Vikas', etc. have already become a mockery. Rather, the Modi govt. has become a synonym of devastation and destruction. Under Modi Regime, while crores of working people have been further drowned into poverty and hunger, the few super rich have increased their wealth by billions, with 1% possessing 77% property of the nation. Mukesh Ambani, India's

richest man, added Rs. 90 crore per hour to his wealth even in the times of lockdown. And yet, lakhs of migrant workers are still reeling under the impact of destruction of lives and livelihood they faced due to cruel and sudden lockdown during the first wave of Covid. The frontline workers against Covid, particularly lakhs of ASHA workers, are feeling betrayed at the hands of the central and state governments. Leaving the working people to lurch under miseries, the Modi government has done nothing to financially support them in the times of Corona, not even attempting to fulfil its promises. When the country was witnessing the procession of deaths, particularly during 2nd wave of Corona, mainly for want of Oxygen and medical facilities exposing the criminal apathy and ignorance of the govt. towards the people, the government was using Corona crisis as an opportunity to strengthen its 'Sath and Vikas' of corporate and super-rich and pushed the working people into penury and slavery.

Again, contrary to the promise of providing '2 crore employment every year', the policies of Modi government, including Notebandi (demonetisation), has led to mass destruction of employment and livelihood amounting to more than 20 crore job losses in just last few years, with retrenchment and closure becoming the norm of the day. Lakhs of vacant sanctioned posts in government departments are not being filled. Despite the much hyped mantra of development 'Make in India', the MNCs are closing their production in India, rendering large number of workers jobless. Crores of unorganized workers are forced to survive on starvation wages and uncertainty of work. And to rub the salt on their wounds, the government in order to facilitate corporates to make profits, deliberately let the prices of fuel (diesel, petrol, gas, etc.) skyrocket leading to all round, back-breaking price rise.

With the Modi government's flashy words, misleading talks and high-sounding jargons, central budget 2022-23 has come as another blow on the hardworking people of the country.



Workers lives are being devastated because of ever rising unemployment, inflation, loss of income and wages. The drastic decline of economy is only adding fuel to the fire. Instead of getting the working people out of this crisis and suffering, this budget is only digging deeper holes into their pockets. When the common people are actually being devastated in this "Vishkaal" (Era of miseries), the Modi government is shamelessly calling it "Amrit Kaal" (Nectar Era). This budget is offering nothing but "poison" for labourers-farmers and "nectar" for corporates.

While the employers are always given free hand to flout labour laws, now the Modi government has done away with all labour laws themselves and replaced them with 4 Labour Code Acts and is all set to implement them. These codes are nothing but Codes of Workers' slavery, enacted to facilitate the corporate mantra of 'Ease of Doing Business'. They will snatch away the right to unionise and collective bargaining, right to legal minimum wages, right to social security and occupational safety, legalisation of "hire and fire" and insecurity of jobs through "fixed term employment", further aggravate the precarious and unsafe conditions of women workers, etc. The government claims that they are the "New Codes for a New India" but actually they are the "New Codes for a Corporate India".

Under Modi government, the rampant drive of privatisation (and now, LIC has also been thrown open) of all PSUs and government departments has culminated into the "free sale" of national assets and natural resources to the likes of Ambanis, Adanis and Tatas through the policy of "National Monetisation Pipeline" (NMP). This policy package of India's sale will not only lead to the destruction of the infrastructural assets built through decades of hard toil of the people of country, but at the same time, will also be a devastation of their lives and livelihood including taking away constitutional right of reservation in government jobs for Dalits, tribals and other downtrodden sections of society. It will make all essential services - from health and education to transport and power - very costly and thus

inaccessible to the people.

So, Modi's 'Minimum government and Maximum governance' has turned out to be 'No Government and Only Corporates'. It is waging a war on working people to serve its corporate masters.

To aggressively push its pro-corporate agenda, Modi govt. is crushing even the right to dissent and protest by establishing a "Raj of Repression and Repressive Acts". Modi's Raj has become an era of undeclared emergency. It is hell bent on systematically and aggressively pushing its trade mark agenda of communal polarization, the latest example being fomenting communal hatred under the pretext of Dharam Sansads organized under the patronage of RSS-BJP and also in the course of ongoing election campaign of BJP in U.P.

Gear up to make Strike a great Success

AICCTU calls upon the working class in the country to make 28-29 March 2022 two days strike a grand success. Samyukt Kisan Morch has already pledged its support, to the call of strike by the working class, upholding worker-peasant unity developed through farmers' historic struggle. AICCTU calls upon the entire toiling masses, agricultural workers and farmers, student, youth and women to give all-out support to the call of strike. Only through the people's united struggles, the bulldozing by Modi Government on livelihood and rights of people can be stopped. Let us come together to smash the communal and divisive designs of the Modi-Shah Regime, to powerfully assert the essential issues of bread and jobs, basic rights and democracy and to reverse the destructive policies of the Modi government.

Strike Charter

- Stop Rising Unemployment, Retrenchment and Closure! Arrest Skyrocketing Price-Rise!
- Scrap 4 Labour Codes! NO to 12-hr. work-day! Withdraw Essential Defence Service Act! Guarantee Labour Rights and Regularization and Equal Pay for Equal Work!
- Guarantee Jobs and Right to Employment!

Revive and Re-start Sick and Closed Industries and Plantations! Strengthen NREGA and Ensure work to all needy people! Extend this Act to the urban poor.

- Stop Privatisation including 100% FDI and Corporatisation! Withdraw National Monetisation Pipeline (NMP)! Withdraw Electricity (Amendment) Bill!
- Guarantee Statutory Minimum Wages and Social Security to all Scheme/Honorarium Workers! Insurance and Protection to every frontline worker!
- Stop Cuts in Wages and Social Security!

Implement 26,000/- Minimum Monthly Wage and 10,000/- monthly Pension! Withdraw NPS and Restore OPS!

- Rs. 10,000/- per month Income Support and Free Ration to all unorganized including agricultural and rural workers! Strengthen PDS and Food Security!
- Withdraw all cases against farmers! Sack the Minister of State (Home) Ajay Mishra 'Teni'! Ensure legal guarantee of MSP!
- Repeal Sedition Law, UAPA and all Draconian Laws; Free all political prisoners.

Unite to Fight! Fight to Win! ■



ITI WORKERS STRUGGLE UPDATE: CONVENTION AGAINST CONTRACT LABOUR SYSTEM AND EMERGING FORMS OF BONDED LABOUR

★ MAITREYI KRISHNAN

The struggle of the workers of the Indian Telephone Industries Limited (ITI) that started on 1st December, 2021, after 80 workers were terminated for having unionized, continues. On its 86th day of the struggle, a historic convention was organized jointly with Samyukta Horata, a coalition of Farmers, Dalit and Workers Organizations against the Contract Labour System and other forms of bonded labour opposite to the ITI Corporate Office in Bengaluru.

The Convention was attended by workers who were forced to work under such bonded labour conditions across the city - workers from public sector undertakings like HAL, sanitation workers, housekeeping and D-group workers from hospitals, workers in private companies, garment workers, etc. The convention brought together farmers, Dalits, workers, women and slum organizations, who came together to stand against such forms of bonded labour.

The Convention recognized that with the advent of liberalization in India, contract, casual and fixed-term employment were further accentuated, which were characterized by lack of job security, starvation wages and lack of social security.

It recognized that the workers engaged in contractual work and other forms of bonded labour mainly came from historically oppressed communities, including Dalits and women. The fundamental right of association for them is under serious assault. Workers are not only terminated and victimized, but also made to face criminal charges for organizing.

The Convention extended its full support not only to the ITI workers struggle, but also resolved to stand against this new form of slavery. A unanimous resolution was adopted demanding immediate abolition of the system of contract labour, outsourcing, fixed term employment and other forms of bonded labour, and that all these workers must be immediately recognized as permanent workers. A strong message was also sent against efforts to divide workers in the name of religion and caste and a resolution was made to fight in a united manner against communal forces.

It was resolved that farmers, Dalits, workers and women organizations would stand together in this fight against such wretched practices and struggle together for working class rights, dignity, justice, democracy and socialism. ■

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RAILWAYS IN BUDGET 2022: A ROAD MAP TO HANDOVER RAILWAYS TO THE CORPORATE CAPITAL

★ NN BANERJEE



Can the people feel assured of safe and comfortable rail travel because of budget allocation of Rs 1,40,367.13 Crores for 2022-23? It's really a question mark. In fact, this allocation is a part of the Prime Minister's Gati Shakti Master Plan for multi-modal connectivity announced on the day of the country's 75th year of Independence. PM Gati Shakti Master Plan to upgrade infrastructure (Railways, Roads, Airports, Ports, Public Transportation, Waterways and Logistics) is described as "seven engines" for economic growth and development leading to huge job opportunities. But, the ground reality tells a different story. The aforesaid seven engines are likely to handover 15 lakh hectares of land, evicting 44 lakhs of people and rendering them as 'development refugees' with no livelihood support. Now, let us take a look at some of the key announcements of the Finance Minister for Indian Railways for

the fiscal year 2022-23.

Logistics for Corporate Loot and Plunder

The national transporter will develop new products along with efficient logistics services for small farmers and medium enterprises, apart from taking lead in integrating postal and railway networks in order to find solutions for the seamless movement of parcels. The concept of 'One Station, One Product' will be popularised in a bid to help local businesses and supply chains.

The proposed logistics services without guaranteeing Minimum Support Price for farmers and integration of postal and railway networks will only pave the way for a rapid privatization of railways and corporatisation of agriculture. When small farmers with less than five acres of land are so distressed due to rise in input costs, commercialisation and corporatization can only spell a doom to

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agriculture and the people dependent. The potentially sick and suffering MSMEs may not gain anything out of the so-called logistics infrastructure. The whole scheme and master plan can only help big corporate companies to transport their purchases and products of contract farming. Rather, the plan appears to be nothing but facilitation of super profit and loot by corporate companies.

The Farce of Rail Safety and Kavach

2,000 kilometres of railway network is proposed to be brought under the 'Kavach' Technology for safety and capacity augmentation in the financial year, 2022-23, as a part of Modi government's 'Atmanirbhar Bharat' initiative. Kavach is nothing but a technology being adopted to prevent collisions of trains.

Out of the total 67,956 KMs route length of rail network, only 2000 kms length is being proposed to be brought under 'Kavach' technology and such a pathetic coverage of anti-collision technology cannot be expected to provide any real safety and self-reliance as announced by the finance minister. In fact, such safety provisions are meant only for elite and new generation trains like Vande Bharat Express. Moreover, RDSO (Research Designs and Standards organisation), the premier research organisation of Indian Railways has been innovating on anti-collision and other signaling devices for the last 10 years. With RDSO technology, rail line capacity and coverage can also be phenomenally increased. What is required is allocation of sufficient funds to this research institution, which precisely the government is refusing to do. Phasing out of old ICF (Integral Coach Factory) coaches and replacing them with LHB (Linke Hofmann Busch) coaches of German technology, as recommended by Kakodkar Committee, is of significant importance in averting train accidents, which is also being

ignored by the government.

New generation Elite Trains and Loss of Livelihood

Introduction of 400 new generation Vande Bharat express trains in next 3 years is proposed to be developed and manufactured indigenously. Initially, it was decided to import this set of trains from Spain and France. Such imports, through FDI (Foreign Direct Investment) route, were stalled mainly because of agitations by rail-workers, particularly by workers of ICF-Chennai and continuous protest rallies and movements organised by the IREF (Indian Railway Employees Federation) at Kapurthala Coach Factory on the one hand and also because of strong resentment among a section of Railway Board officers on the other hand. In the Budget 2022-23, there is hardly any mention of much trumpeted bullet train - the dream project of Modi - between Ahmedabad and Mumbai.

It appears that the high speed bullet trains are being replaced by the introduction of Vande Bharat Express trains that are expected to be run at 160 KMPH, only to avoid rising people's anger. It is crystal clear from the government's policy of privatisation coupled with complete sell-out of national assets, such modern train sets are expected to be handed over to private corporate companies. Such companies are expected to be provided all liberty to fix fares at an exorbitant rate beyond the reach of the poor, including the low income groups like migrant labourers and lower middle classes. Essentially, rail being the most popular mode of transport for the poor and middle classes in India, it is being converted into a mode of transport for the rich and the elites. The poor and middle classes are left in the lurch.

Besides this, the Budget targets 100 percent electrification of all broad gauge routes by 2030. Indian Railways also plan to modernise and transform more railway stations like airports under PPP (Public - Private Participation) mode and thereby making it out of the reach of the

vast public. One hundred Cargo terminals for multi-modal logistics facilities are also developed in subsequent years. All these projects are aimed at handing over all infrastructure to corporates and to facilitate corporate loot and plunder while denying the vast public of their most affordable mode of transport. This project is also expected to render lakhs of poor and the downtrodden as refugees in their own land without any rehabilitation plans for their life and livelihood.

Shrinking Opportunities and Vanishing Jobs

When the Modi led BJP government came to power in 2014, the total workforce in Railways was more than 13.5 lakhs and now, in 2020-21, after 7 years, it is reduced to 12.52 lakhs by adopting various measures including indiscriminate contractorisation, outsourcing and ban on recruitment. This drastic reduction of manpower in almost all government and public sectors aggravated the situation. The crisis of unemployment amply reflected in the violent agitations of unemployed youth and students at Gaya in Bihar and also in Prayag in Uttar Pradesh where 125 lakhs candidates were competing for 35,281 jobs in railways that are

mostly non-technical popular categories of posts such as train Guards, Station Master, Clerks, etc. Even vacancies in technical categories like assistant Loco Pilot, Technicians in Electrical, Mechanical and Civil engineering are being curtailed and as a result of which as many as 1462 empaneled candidates selected by Railway Recruitment Board - Ranchi, Hajipur and Malda - have been waiting for absorption since 2018. In such a backdrop, the raging anger among unemployed youth is very much justified .

In this situation of worst ever crisis of employment, the budget could project a pathetic employment generation of only 60 lakhs of jobs and the crisis is turning into a nightmare for the youth of the country. Even if it is materialized, 76 percent of employment is to be generated in informal sectors where it is of poor quality and low wages coupled with the risk of potential occupational hazards. Social security benefits are nothing but a mirage for workers in informal sector.

In fact, the Budget 2022 failed to address the issues of COVID induced job crisis as well. It is not a 'turnaround' budget for Indian Railways of the Indian people, rather, it is only a road map to hand over railways to the corporate capital. ■



NATIONALIZING LOSSES, PRIVATIZING PROFITS: THE LOGIC BEHIND BANK PRIVATIZATION

★ ATANU CHAKRAVARTY

India's Finance Minister, while presenting the Union Budget in February 2021, had announced the privatization of Public Sector Banks (PSB) as part of the disinvestment drive to garner Rs 1.75 lakh crore. The Banking Laws (Amendment) Bill, 2021, which the government will soon introduce, is aimed at facilitating this process. This amendment seeks to bring down the minimum government holding in the PSBs from 51% to 26%.

This privatization process has been in place for a while. Earlier, the parliament had passed a bill to allow the privatization of state-run general insurance companies. The General Insurance Business (Nationalization) Amendment Bill, 2021, removed the requirement of the Central Government to hold at least 51% of the equity capital in a specified insurer. Government think-tank NITI Aayog has already suggested to the Core Group of Secretaries on Disinvestment that two banks – Central Bank Of India and Indian Overseas Bank – and one insurance company, should be treated as prime candidates for privatization.

The decision to disinvest PSBs is most unfortunate, firstly because PSBs have been steadily making profits. The net profit of PSBs surged to Rs. 14,012 crores in the first quarter of 2021 and further rose to Rs. 17,132 crores in the second quarter of last year. The combined profit (Rs. 31,114 crores) of the first half of the current fiscal is close to the profit earned (Rs 31,820 crore) in the entire previous financial year (2020-21). This is the highest profit made by PSBs in the last five financial years.

Despite these statistics, the government's moves towards privatization have been strongly supported by a range of policymakers, and advisors. Notably, Dr. Krishnamurthy

Subramanian, India's Chief Economic Adviser till October 2021, while presenting the pre-budget Economic Survey in 2020, had told the parliament, "If the government invests Re. 1 in the Public Sector Banks (PSB), the government loses 23 paise, but if the same amount is invested in private banks, the Government gains 9.6 paise." Such official propaganda against PSBs has helped to create a climate of opinion in favour of bank privatization.

The recent fall of the Yes Bank – a private bank – gives a lie to the pro-privatization claims. After the great fall of Yes Bank, the government asked the State Bank of India (SBI), the biggest PSB, to rescue Yes Bank from this catastrophe. The value of Yes Bank's every share during the collapse came down to Rs. 2 only. But SBI bought every share at Rs. 10 and in total it purchased 255 crore shares. This was 49% of the total shares of Yes Bank. SBI invested Rs. 2,450 crores to salvage the sinking ship of Yes Bank. SBI wasn't alone in this; a consortium of public sector banks and companies, including Life Insurance Corporation (LIC), were pressed into action to save this bank from perpetual bankruptcy.

This is a perfect instance of nationalizing the losses and privatizing profits. The same logic lay at the heart of bank privatization. Governmental practices of crony capitalism have dried up the PSBs. Despite that they continue to make profit. Yet the government chooses to privatize them. It shows the great disregard of the government for public assets and its subservience to corporate capital.

Talking of crony capitalism, a few days ago the union government informed the apex court that the Enforcement Directorate had confiscated Rs 18,000 crores in money laundering cases from Vijay Mallya, Nirav Modi and Mehul

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Choksi and returned it to the banks. That is a small percentage of the total amount reported against these figures in money laundering cases - approximately 67,000 crores, as reported by the union government to the Supreme Court. The government also informed the Supreme Court that 4,700 cases for the alleged offense of money laundering are being investigated by the ED. In all these cases taken together, only 313 people have been arrested since the enactment of the Prevention of Money Laundering Act (PMLA) in 2002.

Observing this lackadaisical attitude in the entire investigation process, the apex court stressed on the need to hasten the investigation process, because “cash travels faster than light”. Together with the staggering amount of Non-Performing Assets, these money laundering cases have bled the PSBs dry, and the Central Government is singularly responsible for pushing the PSBs into positions of difficulty.

Generally, privatization has been adopted to sell banks that are in trouble. The present policy is however different. The Industrial Development Bank of India (IDBI), whose government shares look likely to be sold soon, has seen its stock appreciate by 44.2% in the last one year through improved financials and provisioning of bad loans. It turned profitable in FY 2021 after five consecutive years of loss. For the moment, the government is open to selling its entire 94.71% stake in the bank, which includes LIC’s 49.24% equity stake, which comes with management control. The union government holds another 45.48%. The non-promoter shareholding in the bank currently stands at only 5.29%. The union government, in this case, is adopting a tactic of diluting its shares instead of resorting to direct privatization.

Interestingly, the de-facto privatization of IDBI would not violate the existing laws. But in the case of IDBI, its privatization would not violate this law because, though it is still a bank with majority government ownership, for historical reasons it is no longer an entity requiring parliamentary approval for transfer

of ownership to the private sector. The original IDBI was established in 1964, as a development bank which was fundamentally different from commercial banks, whether public or private. It was a fully owned subsidiary of the central bank, and it was not a typical deposit taking institution.

With financial liberalization, the financial policy started changing and the distinction between development banking and commercial banking gradually got blurred and abolished eventually. The parliament passed the Industrial Development Bank (Transfer of Undertaking & Repeal) Act in 2003, by which it allowed the transfer of the erstwhile IDBI to a new government company, IDBI Ltd., established under the Companies Act.

Further, in 2005, IDBI Bank Ltd, established as a subsidiary of IDBI Ltd. to undertake commercial banking activities, was merged with IDBI Ltd., under the voluntary amalgamation provisions of the Banking Regulation Act. Finally, in 2008, the name of the company was changed from IDBI Ltd. to IDBI Bank Ltd. to reflect its changed functions. IDBI Bank Ltd. is now a company in which the government has the right to reduce its stake without parliamentary approval, but such moves are subject to the Reserve Bank of India (RBI) provisions with regard to bank ownership and control.

Thus, the choice of IDBI Bank Ltd. as the target for privatization is explained by its special status given its unusual history that frees the government from the need for parliamentary approval at this stage. The stage is therefore set for selling IDBI, and disinvestment of the LIC is complete. The developments surrounding IDBI shows how shrewdly the government is proceeding in the mad rush to privatize PSBs. Only a powerful peoples’ struggle can stop the government in its tracks. ■

ECONOMIC SURVEY AND THE UNION BUDGET 2022: RUBBING SALT ON PEOPLES' WOUNDS

★ SAURABH NARUKA

Ushering in Amrit Kal

Amidst the pain and misery of the covid pandemic, the Economic Survey, and the Union Budget of 2022, have essentially rubbed salt on peoples' wound by claiming to usher in Amrit Kal. Through the Economic Survey, the Union Budget, and the debate after their presentation, the Bhartiya Janata Party (BJP) government tried to present a rosy picture of state of the economy, with the underlying message that worst of the covid pandemic is over due to shrewd and effective management by the government. Despite the government's best efforts to hide the truth, the grim reality of covid and its aftermath is difficult to hide.

To begin with, the revised real Gross Domestic Product (GDP) for FY 2021-22 has merely touched the pre-covid levels even though growth in last pre-covid financial year was pegged at only 4%. The real GDP numbers (revised) of 2021-22 is estimated at around Rs. 147 lakh crores while it was more than 145 lakh crores for FY 2019-20. This clearly indicates economic stagnation. But it has not stopped the government from providing a bright picture of economic growth.

The harsh reality is that many important economic indicators such as employment, tax numbers, and inflation have not reached pre-covid levels and many other important measures such as fiscal deficit, public capex, confidence level of decision makers, rupee-dollar exchange rate, are hardly at a comfortable level.

It has been clear for a while that the days of easy credit are over. However, the government did not admit that in the Economic Survey. The budget too seems to disregard this harsh reality. The fiscal deficit is on the rise and the growth that the government is boasting about is essentially in the nature of borrowed growth. It

is not a genuine growth based on normal levels of economic activity.

The citizens' expectations amidst the pandemic situation called for a pro-people budget, but that is a far cry. The government is cutting subsidies on food, fertilizers, petrol, diesel, and gas. It is lowering the budget allocation for the procurement of agricultural goods at the Minimum Support Price (MSP), and for rural development. At the same time, the government is extending tax favors to big corporates in name of promoting start-ups. This is happening when the fiscal deficit is still projected at 6.4% of the GDP for the coming FY 2022-23. In other words, out of a total budget size of 39.44 lakh crores, as much as 16.61 lakh crores, i.e., more than one third of the budget (around 42%) will be borrowed.

Uneasy Numbers

The budget papers state that the nominal GDP growth is likely to be 11.1% in FY 2022-23. Whereas the Economic Survey stated that the real economic growth is likely to be in the range of 8.0% to 8.5% percent. With the Wholesale Price Index (WPI) at double digit and the Consumer Price Index (CPI) barely crossing 6% even before FY 2022-23, the projected GDP figures imply that the inflation will be about the level of 3% during FY 2022-23. This is an unlikely scenario, especially given the emerging global economic landscape.

Once we factor in the hardening interest rates in the world economy and the rising crude oil prices, it will become evident that the economic growth figures have been projected at a much higher level than what is realistically possible. The objective is to score important political points with elections approaching in five states. The interest figures also point to a complicated

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fiscal situation. The historical baggage of earlier borrowings, coupled with three years of the pandemic, have created a situation where interest payments account for almost one fourth of the total budget. The interest payments are pegged at 9.41 lakh crores while the budget for total central schemes is 11.81 lakh crores.

The tax-GDP ratio of the central government is projected at a mere 7.5%, with additions to the central tax revenue projected at Rs. 19.34 lakh crores. Adding non-tax revenue, capital receipts and borrowings to it, revenues amount to Rs. 39.45 lakh crore (i.e., only 15% of the GDP). Despite these grim figures, the government is reluctant to tax corporates and High Net-Worth (HNI) individuals. In fact, public assets are being sold to corporates at an increasing pace. The sales of Air India and Life Insurance Corporation are cases in point.

The corporates continue to enjoy India's low corporate tax rate, while the people are made to share the revenue burden through indirect taxes which have now reached the same level as direct taxes. The middle classes were expecting some relief through this budget, as they also suffered during pandemic, in form of relaxation in income tax rates, but government hasn't changed the income tax slabs.

No wonder that the government has pinned its hopes on National Monetization Policies (NMP), i.e., to sell public assets through blatant and indiscriminate privatization. If you draw an analogy with family budgets, this amounts to selling family assets of your forefathers, and even your father, to pay for daily household expenses. Society portrays sons who do this as *nalayak*. One wonders what the basis is for the big claims regarding the economy's self-dependence, or *atmanirbharata*.

The government had made several big-ticket announcements in the recent past: doubling of farm income, housing for all, power for all, and so on. These were supposed to have been achieved by 2022. This is the penultimate full budget of the present government and yet not a word was heard on these promises.

One had imagined that with the impending state elections the government would have considered making some 'populist' announcements pertaining to previous promises and to give some immediate relief to the people. But the Economic Survey and the Union Budget was reduced to an exercise of making tall claims without providing either a roadmap or a framework for achieving the lofty goals. The promise of a 5 trillion economy by 2024 is a far cry. Crores of citizens are living amidst hardships and are unsure of their next meal and or of any stable employment. Yet the finance minister claimed that this lopsided budget is not merely for the coming year, but it presents a vision for the next 25 years.

Misleading Claims on Tax Revenues

The Economic Survey claims that the real growth in FY 2021-22 amounted to 9.2% and that this has taken the Indian economy above pre-covid levels. The fallacies in this argument have already been pointed out above. There is another important claim in the budget, which is as misleading as the claims regarding the growth figures. The government has claimed that there is a buoyancy in tax collection, with a jump of more than 67% in course of the last fiscal year.

Despite this claim about increase in tax collections, the fiscal deficit for 2022-23 has been projected at 6.4% of the GDP and revised estimate for 2021-22 stands at 6.9% of the GDP. Both are much above the targets set in the Fiscal Responsibility and Budget Management Act. The public debt of central government stood at Rs. 58.66 lakh crores in 2014-15. It steadily increased after the BJP government came to power and it now stands at 117.04 lakh crore.

This puts pressure on public finances and negatively affects the window for public and social welfare expenditure for the purpose of human development. The present budget has provided for several subsidy cuts and allocation for important sectors like agriculture,

education, health, and rural development has remained stagnant. The government plans to cut subsidies on food to Rs. 2,06,831 crores in coming year from revised estimates of Rs. 2,86,469 crores for 2021-22. Similarly, for fertilizers, it wants to cut subsidies to Rs. 1,05,222 from the revised estimates of Rs. 1,40,122 crores.

The allocation for agriculture and allied activities has been pegged at Rs. 1,51,521 crores, for health at Rs. 86,606 crores, for rural development Rs. 2,06,293 crores, and for education at Rs. 1,04,278 crores. In education, there is slight increase but because a lot of efforts are required to supplement the education of children who were affected by the pandemic, the allocation does not look sufficient. It looks quite low for all other sectors, especially health because the pandemic is not yet fully over.

The reality is that this supposed jump in tax revenue too is attributed to sucking people's savings and looting their little pockets even amidst misery of lockdown and pandemic. There has been a record increase in tax collection on essential items of day-to-day use, including petrol and diesel. This is reflected in the jump in the collection of the Union excise duties. In the revised estimates for 2021-22, this amount stood at Rs. 3,94,000 lakh crores. To put this in context, it was also higher in the previous pandemic year - at Rs. 3,91,749 lakh crores in 2020-21 - but it was only at Rs. 2.39 lakh crores in the pre-pandemic year of 2019-20. The second major basis of the claimed jump in tax revenues is the withdrawal from RBI surpluses. This was pegged at Rs. 1,47,353 crores (revised estimates) for 2021-22 and budgeted at Rs. 1,13,948 crores for 2022-23. This is a bit like selling household gold in distress.

No End to Unemployment

The finance minister announced that the government will create 60 lakh jobs but did not provide a roadmap for it. It looks like yet another fake promise. On the demand side,

the economic survey concedes that private consumption, which is the main driving force behind aggregate demand, is yet to pick up following the pandemic. This in turn shows dampened confidence, low household earnings, and a worrisome employment scenario. The pertinent statistics confirm this story. Data produced by the Centre for Monitoring Indian Economy (CMIE) confirms that 5.2 crore Indians were unemployed as on 31 December 2021. The unemployment rate is at a high level of 7.9 % in urban areas and 6.5 % in rural areas.

The labour force participation rate under the current government has come down to historic low of almost 40%. Can any economy prosper when 60% of employable persons have probably given up the hope of finding jobs? The labor force participation was declining even prior to covid and yet the government has not presented a clear roadmap for handling the situation. There has been no announcement regarding the filling up of 8.72 lakh vacancies in central government institutions. Allocation for the National Rural Employment Guarantee Act (NREGA) has been cut down. Small and Medium Enterprises have taken a hit in terms of closure, decline in revenues, and so on but the government has not extended any emergency credit support to them. Under these circumstances, inequality is sharply on the rise.

The government is thus clearly following a starkly neoliberal agenda despite the immense crisis faced by the economy. Neoliberal policies have in fact played a key role in pushing the economy towards a crisis. How can it be the solution? Perhaps the government is too keen to please its corporate masters which have played a key role in generating institutional support for the government. With the lopsided policy framework in place, one wonders how the Indian economy will attain the projected growth rate of 8 to 8.5% in 2022-23. ■

BONDED LABOUR IN THE KARNATAKA SUGARCANE HARVESTING INDUSTRY

AUTHORITIES AS AGENTS AND PERPETRATORS OF BONDED LABOUR!

★ AVANI CHOKSHI



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Bonded labour comes in many forms, and does not require the chaining of a human or any physical constraints to be recognised and considered as such. It is a practice that allows for the subjugations of persons and the exploitation of their labour. The use of bonded labour is contrary to the dignity of the individual and a violation of their fundamental right. All bonded labour is constitutionally prohibited under Article 23 of and statutorily prohibited in the Bonded Labour Systems (Abolition) Act, 1976 (the 1976 Act).

Despite these legal protections, the sugarcane harvesting industry in Karnataka sees deeply entrenched systems of bonded labour each season. Workers are brought from other States on payment of an advance by Mukadam, an agent of the sugarcane factory, and made to work in absolute contravention of all base norms of labour without being informed about the rate of salary, the period of work etc. Despite the textbook examples of bonded labour prohibited under the 1976 Act, authorities are not only reluctant to perform mandatory duties under the statute,

but actually form part of the framework that implements these systems.

In view of two such incidents recently of bonded labour and child labour of adivasis from Madhya Pradesh, a joint fact finding was conducted by People's Union for Civil Liberties - Karnataka, All India Lawyers' Association for Justice and All India Students' Association. It was found that the workers were brought to Belagavi, from Madhya Pradesh on payment of advance of Rs. 20,000 per labourer, with almost half the team being minors. Prior to being brought to Belagavi, the labourers were not informed of the rate of wages to be paid to them or details of repayment or information of interest accruing to the advance given to them. Upon their arrival at Belagavi, the labourers were made to live in tarpaulin shacks around the fields they harvested. The labourers worked daily for almost 15 hours a day, harvesting sugarcane and loading the daily harvest onto the tractors, and were not paid at all by the contractor, but were paid small sums of Rs. 25-30 per person by the farmers on whose lands they worked, as tips. After working for 2 ½ months without pay, they enquired with their contractor about their wages, but were informed that they were still under the debt of Rs. 2 lakhs and that they could leave only after clearing this debt. This is clearly a 'bonded debt' as defined under the Bonded Labour Systems (Abolition) Act, 1976.

Shockingly, the Tehsildar of each taluk undertook spot enquiries with members of the labour and police departments and panchayat officials and gave reports that there was no bonded labour or child labour, on the grounds that the labourers were not physically restrained. On the basis of this, the Deputy Commissioner issued a report denying that there was any child labour or bonded labour, in violation of various guidelines issued by the Central Government. Even the police refused to register an FIR despite their obligations under the Supreme

Court judgement in Lalita Kumari v. State of U.P., (2014). 2 SCC 1, till pressure was placed by various social activists as well as the fact finding team. The repeated denial by various state authorities to recognise any occurrence of violation of the rights of adivasi migrant workers and their children as well as their denial to initiate proceedings against the accused according to the provisions of the law, coupled with the indifference and insensitivity that various officials displayed towards grave violations of the rights of one of the most marginalised communities, makes it evident they were attempting to sweep the issue under the carpet.

Our understanding of the violation of workers rights that took place must draw from an interlaced framework of rights, drawing from the Constitution, multiple statutes and policy documents. At the outset, Article 23 of the Constitution of India prohibits begar and other forms of forced labour. In fact, the Hon'ble Supreme Court of India in PUDR vs. Union of India [AIR 1982 SC 1473] and Sanjit Roy v. State of Rajasthan [AIR 1983 SC 328] has held that non-payment of minimum wages would amount to forced labour in terms of Article 23 of the Constitution. The treatment of the workers is also a violation of their fundamental right to live with dignity recognised by the Courts, as an aspect of the Right to Life under Article 21 of the Constitution. Additionally, Article 24 of the Constitution prohibits the employment of children below 14 years in any hazardous employment. Not only this, the Directive Principles of State Policy in the Constitution requires the State to provide for just and humane conditions of work (Article 42), and requires the State to endeavour to secure to all workers - work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities (Article 43). Similarly, the State is required to promote with special care the educational and economic interests of the weaker sections of the people, and, in

particular, of the Scheduled Castes and the Scheduled Tribes, and to protect them from social injustice and all forms of exploitation (Article 46).

Statutorily, the above mentioned incident is a classic example of 'bonded labour system' forbidden under the Bonded Labour System (Abolition) Act, 1976. Under the act, if a worker is forced to render labour for the benefit of the creditor for an unspecified period without wages, in consideration of an advance being made to them, it will be termed as bonded labour. The child workers were also working in violation of the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. The other statutory rights of the workers under the Minimum Wages Act and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, were wholly contravened. The fact finding team calculated the pending dues of each workman to be Rs. 1,18,878.8/-. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, was also violated as was Karnataka Grama Swaraj and Panchayat Raj Act, 1993. Both these laws place extensive responsibilities on the shoulders of the district administration to ensure implementation of law.

The rehabilitation to these workers, had they been recognised as bonded labourers by the District Administration, would have been in terms of the Central Sector Scheme for Rehabilitation of Bonded Labour 2016, which does not require any state contribution. The Scheme mandates payment of rehabilitation package of Rs. 1 lakh per adult male bonded labourer and Rs. 2 lakh per woman or child bonded labourers, in addition to

- Allotment of house site and agricultural land
- Land Development
- Provision of low cost dwelling units
- Animal husbandry, dairy, poultry, piggery etc.

- Wage employment, enforcement of minimum wages etc
- Collection and processing of minor forest products
- Supply of essential commodities under targeted PDS, and
- Education for children

Moreover, the procedure to be followed by all enforcing agencies in case of any complaint of bonded labour is detailed in the Standard Operating Procedure for the Identification and Rescue of Bonded Labourers and Prosecution of Offender, 2017 issued by the Ministry of Labour, Government of India. The entire document has been comprehensively violated by the Belagavi administration. Importantly, even the National Human Rights Commission has issued Advisories to Identify, Release and Rehabilitate Bonded Labourers dated 31/05/2021 and 08/12/2021 regarding bonded labourers. One important direction is that in all actions, the district administration/ state government should direct its officials to treat the bonded labourers with dignity and respect. However, in the cases in Belagavi, without even speaking to the workers, the DC of Belagavi deemed fit to issue a report stating that no bonded labour has been found, and denying them all or any relief.

It is apparent that the problem is not constrained to institutional apathy. In fact, officials at each level are players in the game, whose inaction is not a failure to act but an active denial of rights that further entrenches bonded labour. The dogged refusal to comply with the law on the ground that the workers were not physically restrained is a disgraceful position for the so-called implementing agencies to take. Despite the abundance of statutory and policy guidance, the ground situation is that far from being an implementing agency, the district authorities act as agents and perpetrators of bonded labour. ■

TEA (PROMOTION AND DEVELOPMENT) BILL 2022: A NEW TESTAMENT OF PRIVATION

★ ABHIJIT MAZUMDAR



The Ministry of Commerce and Industry, Government of India, has decided to repeal the ‘archaic’ legislation, Tea Act of 1953, that deals with matters of tea cultivation, management, control of tea undertakings, control and export of tea seeds etc. Tea Board of India, in its press release, declared that “after more than 68 years, some of the existing propositions of the Tea Act, 1953 have become ‘redundant’ due to efflux of time, for which it has been proposed to bring a new act in place of the present act under which Tea Board will act as a facilitator for the benefit of the tea industry.” This decision has already got the shape of the draft proposition of a bill that is being circulated as Tea (Promotion and Development) Bill 2022 to all the stakeholders of the tea industry.

But the quantum of desperation seen in the whole process to turn the bill into a full-fledged act is quite remarkable. The bill has been uploaded to the official website of the Ministry

of Commerce and Industry on 10 January 2022 and the public/ stakeholders have been asked to send their considered comments within 21 January, with a scanty window period of 10 days only!

10 out of 11 Central trade Unions had reacted vehemently to this unwarranted haste in the procedure and could jointly draft a letter containing some preliminary observations on the draft bill. In the letter, the trade unions inclusive of AICCTU mentioned that the tea industry being a highly labour-intensive industry, the tea plantation workers must not be ignored and not expected to keep browsing websites of different ministries to be informed of their announcements. This hasty move defeats the very purpose of informed democratic participation in the decision-making processes. The trade unions noted that the Bill 2022 proposes the functions of the Tea Board to optimize the production, sale and consumption of tea as well as to promote

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economic, scientific and technical research. But the Tea Board's role in workers' welfare has been deliberately omitted. The trade unions also raised their objection against the obliteration of the regulatory powers to be conferred on the Tea Board, leaving it completely unarmed. This remains quite obvious as the proposed Bill 2022 excludes Chapter 3 (Control over the extension of tea plantation) and Chapter 4 (Control over export of tea and tea seed) of the existing act and by way of doing it takes away the regulatory powers of the Tea Board. Further they showed their dismay at the complete exclusion of Chapter 3A that deals with 'management or control of tea undertakings or tea units by the central government in certain circumstances'. This is seen as an abdication of responsibility by the government for protecting the interests of the industry, the huge land resources deployed in it and its huge workforce. To top it all, this Bill 2022 has not included the worker community as a stakeholder!!

Since this proposed bill is completely silent on the rights of workers and the worker communities exclusively dependent on these tea plantations, the trade union leaders considered it unacceptable and they also apprehended that it would create a situation for gross violation of labour rights and human rights.

It seems all the more relevant to remind our readers that in a gazette notification issued on August 23, 2021 the Union Ministry of Commerce had suspended the operations of sections 12-16 of the Tea Act, 1953 and its corresponding penal provisions under section 39-40 of the said act. Following the cessation of these sections concerning control and limitation of plantation, there would be no bar on expansion of estates and grant of permission to grow tea on a 'non-tea land'. This will have a negative impact both on laboring communities and the environment.

It is also very important to comprehend the depth of schism inherent in the preparatory stages of this new formulation. History has it that since the 1980s, lakhs of tea growers have planted hectares after hectares of tea in Assam,

North Bengal, Kerala, Arunachal Pradesh and Mizoram without any legal permits. Large swathes of agricultural land were devoured by land speculators and sold to new entrepreneurs for trying their fortune in tea production and sale of tea leaves. A brand-new phenomenon emerged where the erstwhile owners of conventional 'Set gardens' invested money in erecting an isolated factory for tea processing, procuring tea leaves from a number of small tea growers. In this unique, yet informal demand-supply relationship, the owner-employers could absolve themselves from their responsibility towards the workforce registered under the scheduled employment. This new production relation between the producer and the processor, popularly known as 'Kerala Model', enabled employers to bypass the stipulations under the Tea Plantation Labour Act 1951. The employers could very successfully minimize their overhead expenses against fixed wages, housing, rations, supply of drinking water, education for kids and providing health care services for the workforce and their dependents. And amazingly so, the Tea Board which was constituted under Tea Act 1953 for the benefits of both the employers and the tea communities, took it upon itself to facilitate and promote this phenomenon and added momentum to profit maximization of the unscrupulous employers, flouting all the established rules of the land.

Hence, this proposed Bill 2022 may be ascribed as a New Testament of privation and future destitution, as it categorically annuls workers welfare. By paving a route for a compulsive environment where a worker engaged in scheduled employment are being turned into a labour under bonded conditions without any legal entitlements, this bill necessitates providing deprivation points to get the scheduled benefits pertaining to the 2nd largest labour-intensive industry after Indian Railways. This schism of the Modi government at the centre ought to be seen as complementary to the notorious provisions of the Labour Codes affecting the legitimate rights of the tea workers in particular. ■

PUNISH KEJRIWAL'S PARTY FOR ITS BETRAYAL TO WORKERS

DTC Workers Campaign in Delhi and Punjab

★ SUCHETA DE



The DTC Workers Unity Centre (DTCWUC), affiliated to AICCTU, conducted an extensive campaign from the beginning of February against the blatant betrayal of workers by the AAP (Aam Admi Party) led Delhi government.

Systematic Destruction of DTC and Violation of Workers Rights: The AAP had promised in its manifesto, before getting elected to Delhi Government in 2015, that it will regularise the services of all contractual workers of the Delhi Transport Corporation (DTC). The AAP is now enjoying the second consecutive rule in Delhi, but the promise of regularising contractual workers has long been thrown to the winds. The DTC is also gradually being handed over to the private. The buses that were bought during the Commonwealth Games in Delhi have become outdated to run on roads. Rather than buying new buses for

DTC, the management and the government are opening up entry for privately owned buses.

The buses run by the DTC have been playing crucial role for running the city. The buses are the main mode of transport for the city's working population and common masses. Delhi, which is one of the most polluted cities in the world regularly sees jammed roads due to dominance of private cars. At a time when massive expansion of public transport such as DTC buses has become the need of the hour to provide accessible transport for the city's population and control pollution, the Delhi Government and the DTC management have been destroying the very public nature of the Delhi Transport Corporation.

The importance of the DTC has once again come to the fore during last two years of

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lockdown and pandemic. The drivers and workers of DTC have been providing the crucial mode of transport for workers engaged in essential services during lockdown. Despite this, the very core infrastructure of the DTC is being destroyed.

The Kejriwal government has not only betrayed the DTC workers regarding regularisation, it also engages in illegal practice of discriminatory pay structure to the contractual workers. Due to rampant privatisation of DTC, several workshops and depots have got adversely affected. To top it all, the Kejriwal government has repeatedly denied to talk to the union of DTC workers and address their grievances. The Transport Minister of Delhi, Shri Kailash Gahlot, is also the Managing Director of the DTC. Yet, the DTC workers remain unheard and ignored.

‘Pol Khol’ or Exposure Campaign against the Delhi Govt and the AAP by DTC Workers:

Faced with repeated denial of their rights, the DTC Workers Unity Centre decided to conduct an exposure campaign against the Delhi Government and the AAP.

The first phase of the campaign was conducted in Delhi from 2nd to 10th February. Dozens of gate meetings were held in the gates of DTC depots. The DTC workers took out ‘Shav Yatra’ or symbolic funeral of the Delhi Government for repeatedly betraying the workers.

The second phase of the campaign was continued in poll bound Punjab. The people of Delhi have noticed how the AAP has been repeating the same hyperbole in Punjab election as it did in Delhi. For last seven years, the workers of Delhi have experienced the betrayal of the Kejriwal government. Thus,



it was imperative that the reality of AAP rule is exposed to the workers and the people of Punjab.

A team of DTC workers led by Comrade Abhishek, Delhi State Secretary of AICCTU and Comrade Rajesh, General Secretary of DTCWUC campaigned among sanitation workers, contractual workers and common people of Punjab. The campaign started from Sunam, the birth place of revolutionary freedom fighter Sardar Udham Singh. After five days of campaign, the AICCTU team held press conference in Mohali on 16th February on the occasion of Ravidas Jayanti. While addressing the press conference, Comrade Rakesh said that AAP rule is antithetical to the vision of Sant Ravidas who envisioned an egalitarian world where there will be no exploitation. The fight against betrayal and exploitation is ingrained in the soil of Punjab. He appealed to the people of Punjab not to get illusioned by the false promises of AAP and listen to the workers of Delhi who are being systematically denied of their rights.

The DTCWUC will continue its struggle against privatisation of DTC and exploitation of contractual workers. ■

THE SURAT DISPLACEMENT VERDICT: WORKERS' RIGHT TO THE CITY UNDER ATTACK

★ MAITREYI KRISHNAN



In an unfortunate development, the Supreme Court of India has refused to entertain the right to housing for city's working class in a matter related to impending displacement of around 10,000 people in Surat, Gujarat who live on a land, for over 60 years, belonging to the railways. These are the people who run the city by their labour. They are mainly unorganised workers and several of them are also engaged in railway related activities.

A Public Interest Litigation was filed before the Gujarat High Court for the protection of their right to shelter. A Division Bench of the Gujarat High Court passed an order dated 19.08.2021 rejecting this petition. While rejecting the Public Interest Litigation, the Court held that “since the people belonging to this class do not have any proprietary rights over the said land in question, they cannot be granted any injunction against the Railways, so as to delay or stall such project of larger public interest”. While refusing to even acknowledge the rights of those residing herein, the Court even placed a pre-condition for them for making a representation stating that the same could be done only on the condition that “this will not entitle them in any manner to stay back at the site in question so as to thwart, hinder, stall or stop Surat- Udhna upto Jalgaon

Third Railway Line Project, in which a larger public interest is obviously involved, in the timely and expeditious completion of the said Project.”

This order was challenged before the Supreme Court in *Utran Se Besthan Railway Jhopadpatti Vikas Mandal Vs. Government Of India & Ors.* [SLP (CIVIL) Diary No(s). 19714/2021]. The SC disposed the challenge through an order dated 16.12.2021. The Supreme Court in its order refused to interfere in the order of the Gujarat High Court rejecting the Public Interest Litigation, and directed the Western Railway to immediately issue notice and vacate not only those who are residing in the belt required for immediately commencing the project, but also to vacate those who were residing in land not immediately required for the project. The court even directed the Railways to forcibly dispossess the residents and to demolish their homes if they do not move after issuance of vacation notice. The only respite provided was that the details of the persons must be collected for considering their eligibility for being provided residential accommodations and to pay them an amount of Rs. 2,000/- per month for 6 months. If they fulfilled the eligibility for rehabilitation, they would be considered and if there was no scheme,

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they could apply to be considered under the Pradhan Mantri Awas Yojna Scheme, and could not claim any right over housing in the same area. The Court further directed the Railways to initiate civil/criminal action against those on the Railway property and to initiate action against persons who failed to remove such encroachments.

It is important to state here that the Supreme Court in *Sant Ram v. Rajinder Lal And Ors.* stressed on the need for “poverty jurisprudence” and states that “none but those who live in ivory towers can refuse to look at the raw realities of life while administering justice”. And yet in the latest verdict, the SC itself refuses to see the realities of the social and economic injustice being faced by the majority in the country.

The urban poor are reduced to “encroachers” without rights. There is a refusal to recognize them as rights-bearers whose constitutional rights are to be protected and enforced. The Supreme Court in this order does not even mention the word “right”, except while critiquing the railway officials for failing to remove the encroachments in “right earnest”. Further, the continuous reference of the homes of the persons as “unauthorized structures” is another refusal to acknowledge them as human beings and equal citizens. In *Almitra H. Patel And Anr. v. Union Of India* the Supreme Court held that “Rewarding an encroacher on public land with free alternate site is like giving a reward to a pickpocket”

The above mentioned orders by the Gujarat HC and the SC that pit those residing in slums against ‘development’ fail to recognize that it is those residing in slums, who are literally building and running the city itself. All markers of ‘development’ are the result of the hard labour of various sections of city’s workers- be it the construction workers, domestic workers, sanitation workers, daily wage workers or workers in the gig economy. It is no coincidence that the majority of this urban poor in the country belong to historically deprived sections of the society.

The Court also fails to recognize that the poor are pushed into poverty by the conscious policy of the Government, a policy that is justified by the Courts. These policies that allow for skewed development, push people into distress migration and enforces poverty on them by denying secure working conditions and minimum wages.

Those who build and contribute to the social and economic life of the city are themselves denied the right to the city. In *Ajay Maken and Ors. v. Union of India and Ors.* [260 (2019) DLT 581], the Delhi High Court held that:

“83. The RTTC acknowledges that those living in JJ clusters in jhuggis/slums continue to contribute to the social and economic life of a city. These could include those catering to the basic amenities of an urban population, and in the context of Delhi, it would include sanitation workers, garbage collectors, domestic help, rickshaw pullers, labourers and a wide range of service providers indispensable to a healthy urban life. Many of them travel long distances to reach the city to provide services, and many continue to live in deplorable conditions, suffering indignities just to make sure that the rest of the population is able to live a comfortable life. Prioritising the housing needs of such population should be imperative for a state committed to social welfare and to its obligations flowing from the ICESCR and the Indian Constitution. The RTTC is an extension and an elaboration of the core elements of the right to shelter and helps understand the broad contours of that right.”

Living in a slum is a life of grave precarity and insecurity, with the threat of eviction constantly looming. The Constitution through Article 21 imposes a positive obligation on the State to ensure the provision of housing to all to protect their right to live with dignity. However, the state has not only failed to take positive measures to protect their rights, but has actively and decisively violated the very rights it is bound to protect. The Courts which are meant to step in to protect these rights, effectively are also becoming protectors of violators.

The effects of forcible eviction on a family are devastating. It severely hinders the quality of a person's right to equality, livelihood, and to live with dignity. When a family is forcibly evicted, each member of that family loses a "bundle" of rights - the right to shelter, to livelihood, to health, to education, to access civic amenities and public transport and the right to live with dignity.

The Constitution avows to its people equality - social, economic and political. The fundamental right to life guarantees under Article 21 encompasses within it the right to live with dignity, which includes the right to shelter. The State has the duty not only to protect these rights, but the positive obligation to ensure the provision of housing. Article 243W read with the 12th Schedule of the constitution makes it a

constitutional obligation of the Municipality to ensure slum improvement and upgradation and urban poverty alleviation. When the State fails to ensure that this obligation is met, and instead undertakes forcible eviction, it violates these core Constitutional values. And when the court targets the slum dwellers rather than holding the government responsible for ensuring right to house, the injustice becomes paramount.

In *Harjinder Singh vs. Punjab State Warehousing Corporation* [AIR 2010 SC 6111], the Supreme Court held that it is the duty of judges "to uphold the constitutional focus on social justice without being in any way misled by the glitz and glare of globalization". It is necessary that the Courts view issues of social injustice in this light, and ensure that they don't become perpetrators in the same. ■

AICCTU STATEMENT ON THE RUSSIAN MILITARY INTERVENTION IN UKRAINE

- We stand with Ukraine against the war being waged on it by Russia, and demand that Russia immediately stop bombing Ukraine, and withdraw its military from Ukraine territory and airspace. All disputes must be settled only through diplomatic means.
- Russia must immediately call a halt to its aggressive military intervention in Ukraine, dubbed a 'special military operation' by Putin, withdraw its forces and return to diplomacy to de-escalate & resolve the current impasse.
- India must adopt a proactive role to stop Russian military intervention in Ukraine and the ongoing military mobilisation by NATO which can only push the region to a full-scale war with ominous consequences. Safe repatriation of Indians in Ukraine must also be a top priority.
- We also condemn interference and warmongering by the US and NATO constituents on the pretext of Ukraine. We demand that the US withdraw the sanctions it has declared against Russia, and NATO must call a halt to its eastward expansion. Contrary to claims by the US and UK that NATO is a defensive alliance, its record in Afghanistan, Yugoslavia and Libya over the last generation, not to mention the US-British attack on Iraq, clearly demonstrate its imperialist objectives.
- In his speech making the recognition of two autonomous eastern provinces of Ukraine as independent entities, Putin clearly states that Ukraine's independent existence was a result of Lenin's policy of respecting the autonomy of various smaller and oppressed nationalities – a policy that rejected "Greater Russia" nationalism. He even goes on to say that Ukraine came into existence as a result of the Bolshevik policy and can be called 'Vladimir Ilyich Lenin's Ukraine.' These words of Putin make it all too obvious that he is out to undo Lenin's legacy and the presence of Russian troops in Ukraine is certainly not meant for "peacekeeping" as he would like the world to believe.

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CHILE: **THE STRUGGLE FOR SOCIAL CHANGE WILL CONTINUE!**

★ TAMARAI

Sergio Reyes is a social and political activist from Chile. His father, a carpenter and member of the Communist Party, took him to his meetings with fellow workers. Later, he became a student organizer in high school. In 1973 during his first year in University, he was arrested by the Augusto Pinochet's military dictatorship that overturned the democratically elected presidency of Salvador Allende. He was sentenced to 5 years for his political activity and spent 3 years in various concentration camps until he was granted political exile in the U.S in 1976. In Boston, where he spent 4 decades, he was a founding member of the Boston May Day Coalition which worked in solidarity with immigrant workers. Previously, together with other Chilean exiles, he formed the Committee for the Unity of the Revolutionary Left in Chile. He worked with organizations that supported anti-imperialist struggles in Central America and the Caribbean. He also participated in the formation of Latinas/os for Social Change. In 2017 he returned to Chile. He is now active in the Former Political Prisoners Union of Chile, in the No + AFP (No More Pension Fund Administration Corporations) which is a platform to end Chile's private pension system. Tamarai spoke to Sergio about the recent changes in Chile.

October 2019 marked the "Estallido Social" or the Social Revolt, which was precipitated by an increase in metro fares in Santiago. High school students refused to pay and led the protest. This was followed by generalized resistance with 1.2 million people hitting the streets in the capital on October 25. Students had previously carried out historic protests in 2006 and 2011 in support of universal



and free education. What was different this time? What were the other organizations that were behind this 'revolt'?

Up to this point, there is no clarity about what other organizations, besides high school students, were behind this revolt. This is what made it difficult to repress and stop this revolt. Judging by the graffiti on the walls, one could infer that anarchist groups were the main force of this movement, which erupted in barricades and incendiary attacks on metro stations and other buildings. Then there was free for all looting. These actions were beyond the scope of the student movement for sure, although they began direct action. The reason why this can be defined as a revolt is precisely because there were no organized bodies claiming the actions and there was no clear set of demands coming from a non-defined leadership. As people from different sectors joined the protests, some demands coming from the streets emerged, such as an end to the private pension system, free health care, and a new constitution through a Constitutional Assembly. Interestingly, no demands for free public transportation appeared. This was a social catharsis that can be explained in the slogan "No son los 30 pesos,

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sino los 30 años”, it is not a fare increase of 30 pesos, it is all about 30 years of a system that begun in 1990, with the transition to capitalist democracy after the dictatorship gave way in 1989. The difference between previous student mobilizations and the revolt of 2019 was the scope of demands. This revolt went beyond the education system to question many other things. Yet, it did not go so far as to question capitalism as a whole. It did question though the entire “democratic” system and the politicians who administered it for 30 years, from the social democrat center left and the right.

129 organizations participated in a general strike on November 12, 2021 and workers from key sectors like mining, dock, transportation, banking, public sector and agro-industrial establishments participated in large numbers. There was large scale unionization of workers in the 1960s and early 1970s. After the Pinochet led, CIA supported 1973 coup, many union leaders were imprisoned or killed. How is the labor movement at this time?

The general strike, was not general but very partial. The dream of a general strike that comes from some sectors of the radical left and anarchists, it is easier proclaimed than achieved. The civilian-military dictatorship that ruled from 1973 to 1989 destroyed the labor movement. In effect, labor leaders and organizers were repressed, imprisoned, killed, or vanished without trace. The Central Union of Workers (Spanish acronym CUT, Central Unica de Trabajadores) was simply outlawed. Its successor, using the same acronym CUT but different meaning for Central Unitaria de Trabajadores, Unity Central Workers organization, was only formed in 1988, shaped by the limitations imposed by the illegitimate labor laws of the 1980 Constitution, approved in a referendum with machine guns intimidating voters. Today only 20% of the Chilean labor force is affiliated to a union. In general, the labor movement is weak. The agricultural workers had strong unions before the military coup

in 1973 and now there are hardly any unions representing them.

During Pinochet's brutal rule from 1973-1990, the 'Chicago Boys' economists trained in Chicago put together policies oriented around big business and privatization of several state businesses, education, social security and health care. One of the most infuriating issues for the people has been the privatization of the pension schemes during the dictatorship. 80% pensioners receive less than minimum wage per month and many have become destitute. You are active in NO + AFP movement which calls for the end of privatized pensions run by the Administrators of pension funds (AFP). Can you tell us about your work in this platform?

The pension reform under the dictatorship started to operate in May 1981, right after the Pinochet's Constitution of 1980 provided a “legal” framework that allowed for private administration of pension funds. The corporations that were entrusted to do this were the AFP, Administradoras de Fondos de Pensiones, or pension fund administrator companies. The main engineer of this system was Jose Piñera, the brother of outgoing president Sebastián Piñera. Interestingly, the only group that retained its old system were the armed forces. This system of private administration of pension funds was a magnificent pool of money to increase the financial market. The money of the workers would end in the pockets of large corporations as investments, if there were profits these went some to the workers accounts, and some to the AFPs. But the AFPs, assimilated none of the losses when companies didn't fare well in the financial markets. Furthermore, workers were the only ones to contribute to these funds, their bosses were not required to do so. In the 1980s the AFP marketing promised a return of at least 80% of the retiree's last salary. Well, as you say above, those promises failed and most people are getting less than minimum wage.

By 2016, millions marched on the streets of the

country demanding an end to the AFP system. Hence the name of the movement, NO+AFP, no more AFPs. All of this in spite of the efforts made by the center left state administrations like that of the socialist Michelle Bachelet, who had to create the “Pilar Solidario” or solidarity state fund, for those whose pension savings were less than \$150.000 pesos (about \$187 dollars) a month. What NO+AFP is proposing is to eliminate the AFPs, and create a three-way contribution system from workers, employers and the state, with intergenerational solidarity distribution, and a strong reserve fund. This system would guarantee a pension floor equal to a minimum wage. Its administration would be autonomous with democratic representation from the interested parties. The National Coordinating Organization of Workers NO+AFP, is formed by workers unions and associations and a large platform of independent workers. Its ruling body is a National Council with representation of regional NO+AFP organizations. It prides itself in not accepting control by political parties.

Following the protests in October 2019 by vast sections of the people, the ruling class had to concede to the major demand to vote for a new constitution. The plebiscite held on October 25, 2019 resulted in 78% of Chileans voting to draft a new constitution. Elections were held in May 2021 to elect 155 delegates for the Constitutional Convention where pro-reform candidates have received more than 60% of seats with the right being reduced to a minority. Could you tell us about the political affiliations of these elected delegates and what are the reforms you are hoping for in the new constitution?

People on the streets were demanding an autonomous, sovereign Constitutional Assembly. The social pact that was negotiated behind people’s backs, came out with Constitutional Convention, determined by old rules, such as the two thirds quorum to pass constitutional articles. But, that is a different story. The political distribution of constitutional members is as follows: About 77 come from a

more radical left or social movement activist groups. The right and center right forces obtained 37 members. The center left gained 25 members (of which 15 are from the Socialist Party). The rest are independents and reserved seats for indigenous communities. Every reform that I would hope for will be opposed with all the force of the ruling class, the wealthy, and politicians from the right and left who have profited from the system inherited from the dictatorship. This new constitution is not emerging from a revolution but from a revolt. A revolt is an incomplete revolution. Power still resides in the wealthy, the capitalist class. Even what our NO+AFP movement is hoping for is being fought against tooth and nail by the right-wing, with the support of center left politicians and even the so-called new left. Then there is also an anticommunist consumerist culture, a brain washed mass of people, who are also not prepared for a change in that direction. In fact, about 40% of voters favored a fascist candidate in the recent presidential election.

“Freedom of Unionization” laws like the right to work laws in the U.S. have weakened the labor unions in Chile as workers are free to leave unions if given enough individual incentive by their employer. Michelle Bachelet’s government was not able to pass labor reform in 2016 which would have strengthened unions as Chile’s Constitutional Tribunal ruled it unconstitutional. Is there hope that the new constitution will be able to stop employers from creating pro-company unions and open the door for militant trade unions to organize workers in different sectors of the economy?

There can be no more regressive labor legislation than what we now have. There are efforts underway to provide proposals to the constitutional representatives from labor organizations such as the CUT and ANEF, the state workers association. Again, a capitalist state will not promote militant trade unions. However, we hope that a more progressive

labor base emerges from the Constitutional Convention.

You worked in the Committee for the Unity of the Revolutionary Left in Chile when you lived in the U.S. How is the situation for the revolutionary left in Chile at this time?

The revolutionary left was strongly hit by the dictatorship. However, it was not the dictatorship that destroyed it. It was the social pact signed by the center left and the right wing that destroyed it. By 1986, the Manuel Rodriguez Patriotic Front had the capability of attempting to execute Pinochet, which he survived. At the same time confrontations with the military and police were taking place throughout the country, but particularly in poor neighborhoods in the capital- Santiago. All of that was halted with the social pact negotiated, where the center left promised to dismantle the resistance and promised the arrival of “happiness” (la alegría ya viene), with a return to democracy. By 1991, the transitioning presidency of the Christian Democrat Patricio Aylwin created the secret police called “The Office”, which in essence replaced Pinochet’s National Directorate of Intelligence, and set out to infiltrate and eliminate the Manuel Rodriguez Patriotic Front, MAPU Lautaro and the Movement of the Revolutionary Left. Therefore, the traditional revolutionary left doesn’t exist now beyond survivors maintaining their history alive. However, new radical forces that confront the capitalist state exist, such as the Mapuche organization Coordinadora Arauco-Malleco (CAM), formed in 1998, which claims the right to armed struggle to achieve their demands. The CAM has been active but has faced repression since its inception.

What is your analysis of the elections of the 35-year-old, Broad Front member, "leftist" Gabriel Boric and what are the changes that can come about under his administration which will start in March?

The Broad Front (Frente Amplio, FA), was an array of small, alternative, leftist organizations formed by young people coming from the

mobilizations that took place in 2006 by high school students. The 2006 mobilization was termed the “Penguin Revolution”, and sought to change the private school system imposed by the dictatorship and managed by the center left.

In 2011, university students mobilized. Among the leadership there were many of the people who gave way to the Broad Front, including the currently elected President of Chile, Gabriel Boric. The president of the university student federation was a charismatic young woman, Camila Vallejo, a Communist Party member. Many from her generation continued to be politically active. By 2016, the Broad Front begun to take shape. In 2017, they were ready to participate in the presidential elections with a journalist as their candidate, Beatriz Sanchez. She run on fresh program which incorporated women’s rights, environmental concerns, armed forces and police reform, economy based on sustainable development, and a new pension system based on the NO+AFP proposal. She came in third in the final results, with 20% of the electoral preference. This time, the base coalition that elected Gabriel Boric was formed by the Broad Front and the Communist Party, running on a program that is far more to the center than that of Beatriz Sanchez in 2017. Boric has tried to distance himself from radical politics in order to please the center left, the old guard of opportunist and pro-capitalist politicians that he criticized in the past. His chosen cabinet reflects that, including his choice as Economy Minister, Mario Marcel, at the time of his selection President of the Central Bank of Chile, who served well under former Presidents Bachelet and Piñera, looking after the interests of the wealthy, while being a Socialist Party sympathizer.

Boric is going to encounter a country in crisis, and with pressures coming from the right and the left. He will preside over the new constitution plebiscite around July or August. It is not unlikely that we will see new revolts taking place. Social movements are aware and vigilant. The struggle for social change will continue. ■

ACTIVITY REPORTS

VICTORY OF CONTRACT SANITATION WORKERS OF RAILWAYS IN ODISHA

★ MAHENDRA PARIDA

After a prolonged struggle for 28 days under the leadership of AICCTU, railway contract sanitation workers of Mancheswar, Odisha, achieved a significant victory. At the end of January 2022, all of a sudden, sixty-five contract sanitation workers - men and women - of the Mancheswar Rail Carriage Repairing Workshop of East Coast Railway (ECoR) were thrown out of their jobs and pushed to starvation and misery by the railway administration. They were terminated by changing the nature of the contract. These workers had been employed in the workshop for more than 10 years. Agitated by the whimsical and illegal order of the administration, workers resorted to sit-in (dharna) struggle in front of the workshop, from 1st February 2022, under the banner of “Thika Safai Karmachari Union”, affiliated to AICCTU.

With an obvious intention of getting rid of workers of several years of service who should have been otherwise made permanent, the Principal Employer, the ECoR, changed the very nature of the contract from ‘Service tender’ to ‘Work tender’.

By changing the nature of the tender, the administration aims to save nearly 63 lakh rupees but at the cost of the lives of sanitation workers who are not only poor but also from the most downtrodden sections of the society. In the previous practice of Service tender, the base expenditure amount was 1.88 crore per year whereas in the new tender the same was brought down to 1.25 crores which is an indiscriminate reduction by 33 percent. Consequently, the workers strength was



reduced to 20 from 65 rendering 45 of them redundant. Moreover, even those 20 workers were offered only 21 days of employment every month denying even a government stipulated minimum wage of Rs 546 per day.

The central labour department was forced to intervene because of relentless and determined struggle of workers and the administration was directed to reinstate the services of all workers who were illegally retrenched by restoring the previous practice of service tender. The administration agreed but sought a time of two months to reinstate the services of workers. The union refused to accept and demanded immediate reinstatement of all retrenched workers and continued with the struggle.

Finally, the union called off the strike on 28 Feb, only after the Chief Workshop Manager assured immediate reinstatement of workers. One month long struggle of contract sanitation workers of Mancheswar is another feather in the cap of the struggle of railway contract sanitation workers in the country. ■

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STREAMLINE THE UNSAFE MINES IN JHARKHAND!

★ KRISHNA SINGH

1 6 mine workers lost their lives on 1st February, 2022, on a single day, in different unsafe coal mining areas like Gopinathpur, Kapasara and Dahibari in Jharkhand. 10 workers died in Gopinathpur, 3 in Kapasara and 3 in Dahibari. The relatives of the deceased workers feel threatened to identify the dead workers as that may lead to getting framed under false charges by the police.

Other than those deceased, several workers were also grievously injured in the mine accidents. A team led by ex MLA of the MCC (Marxist Coordination Committee), Comrade Arup Chatterjee, plunged into the task of rescuing bodies of workers from the debris. A team of CPI(ML) -AICCTU, led by Comrade Dipankar Bhattacharya, visited the site of accident at Gopinathpur on 3rd February.

Comrade Dipankar said that calling such mining operations as “illegal” only helps the police and administration to terrorise the people, workers and their families involved. It is not justified to call them illegal but for calling them as “Unsafe Mines”. No one else but the central and state governments are responsible for this. The “Unsafe” mining is going on unabated in connivance with the nexus of police, coal mine administrations and politicians and thus making it no more “illegal”.

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

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

The unsafe coal mining in India produces a sizeable quantity of coal, with some estimates putting it at 25 percent, at least, of total coal production in the country. Jharkhand is the biggest centre of such illegal coal mining where several thousands of poor and unemployed people are compelled to toil in hazardous work conditions. This is a business totally controlled by the coal mafia in collusion with the governments and administration without even any semblance of safety measures. Thus, accidents are very regular that killed scores of workers and most of the deaths go unreported and covered up by the administration.

The Coal Mine Workers Union (CMWU), affiliated to AICCTU, has been demanding for long that the such unsafe mining in Jharkhand shall be streamlined. Such mines shall be run by co-operative societies of workers so that the grip of the coal mafia is loosened. The demand was also that the Coal India must ensure buying the coal produced by such co-operatives run by workers. The AICCTU has been consistently demanding an end to the raj of the mining mafia. Despite several demonstrations by the AICCTU, the dominance of coal mafia continued and workers continued to die and suffer. The Government of Jharkhand and Coal India must intervene immediately to end the Coal Mafia Raj and guarantee the safety and security of workers so that not even a single worker died anymore. ■

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