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THE WORKING CLASS

MONTHLY JOURNAL OF THE CITU



UNORGANISED SECTOR WORKERS MARCH TO PARLIAMENT

YET ANOTHER REDUCTION IN EPF INTEREST RATE!

TUs UNITEDLY CALL FOR COUNTRYWIDE PROTEST

After the meeting of the Central Board of Trustees (CBT) of the Employees' Provident Fund held on December 7, 2005, the Labour Minister announced that the interest rate for the year 2005 – 06 would be brought down to 8.5 per cent. The Minister had taken this arbitrary step of inflicting a further cut in the interest rate against the unanimous plea of all the central trade union organisations (CTUOs) represented in the CBT.

In fact, the decision of the CBT meeting on the interest rate was recorded as under:

"The EPFO proposed an interest rate of 8 per cent for 2005 – 06.

The employees' representatives in the CBT opposed the proposal.

The CBT authorised the Chairman, CBT to take a decision on the rate of interest, keeping in view the concerns expressed by the employees' representatives. The CBT also requested the Chairman to seek the intervention of the Prime Minister to maintain the interest rate at 9.5 per cent, as obtaining for the year 2004 – 05".

In this backdrop, the announcement of any interest rate less than 9.5 per cent by the Minister of Labour is not befitting.

The CITU, in a statement issued the same day declared: "We, along with other central trade unions, will firmly oppose any reduction in the rate of interest on EPF and will take the issue to the mass of the workers and continue the struggle outside the forum of the CBT, EPF".

This issue was vehemently raised by all the CTUOs before the Prime Minister during the inaugural session of the Indian Labour Conference on Dec. 9, 2005. However, the Prime Minister vaguely assured to look into the issue in consultation with the Labour Minister.

But the stand of the Finance Minister, subsequently endorsed by the Prime Minister, that it is for the EPF organisation to find resources for paying the interest, is nothing but a bald rejection of the demand to restore the 9.5 per cent interest rate.

In a joint statement issued on 12 December 2005, Swapan Mukherjee (AICCTU), D.L. Sachdev (AITUC), Girish Awasthi (BMS), Chittabrata Majumdar CITU), A.D. Nagpal (HMS), G.Devarajan (TUCC), Aboni Roy (UTUC) and Krishna Chakraborti (UTUC-LS) said: "The resources of the EPFO have been depleted by the arbitrary reduction of the administered rate of interest and lowering of interest rate on Central Government securities. Hence, the Finance Ministry should accede to the unanimous recommendations by the CBT, EPF to enhance the rate of interest on Special Deposit Scheme (SDS), where over 80 per cent of EPF corpus stand invested, enabling the EPFO to maintain the interest rate at 9.5 per cent". They also called upon all sections of workers to observe an All India Protest Day on December 20, 2005 by staging massive rallies, demonstrations etc. in pursuance of this demand and to protest the move to reduce the interest rate on EPF.

Besides, all trade unions have been requested to send telegrams to the Prime Minister, requesting his urgent intervention to maintain epf interest rate at 9.5 per cent.

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THE WORKING CLASS

CITU MONTHLY

JANUARY 2006

YOU SAID IT by Laxman



It is becoming impossible. I'm going to pay something to the MP and ask him to raise the question in the House as to when the poverty will be removed here as promised!

Courtesy: The Times of India

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EDITORIAL

Ringing in 2006:

PREPARE FOR INTENSIFED STRUGGLES

"Renewing our commitment to
Relentlessly work for a world without want and wars
And build solidarity with all those committed to rid humanity of its sufferings,
Let's rededicate ourselves, this New Year 2006!"

This message in the CITU greeting card is not a mere exhortation but a pledge to relentlessly carry forward the tasks facing the working class movement, both internationally and at the national sphere.

The prime task of an enlightened and class conscious trade union in any part of the globe is to join forces with all the anti-imperialist forces. The Indian ruling classes are keen on forging closer and closer strategic alliance with the imperialists and the US administration in particular. The UPA regime has been reneging even on its commitment to pursue an independent foreign policy. The main opposition led by the BJP is more than eager to chant praise for such a policy and worse still find fault with the ruling combination of attempting to distance from the USA under pressure from the Left.

In this backdrop, it is a welcome augury that 2006 will witness the National Committee for solidarity with Cuba hosting the 3rd Pacific Regional conference of the solidarity organisations at Chennai on January 20 – 21, 2005. CITU is actively associating in this effort. We hope that this event will lead to further unity of the anti-imperialist forces and strengthen the fight against imperialism.

At the national level, the communal forces belonging to the 'sangh parivar' are keen to revive their divisive agenda under one pretext or the other, in the process trying to waylay the core economic issues of concern to the mass of the people. Even the national Parliament is, more often than not, stalled over non-issues. The minority fundamentalists, with the frequent targeting of innocent people for their subversive attacks, are providing grist to the mill of majoritarian communalists. This has become a major challenge for the trade union movement in its efforts to unify and mobilise the working masses in the fight against imperialist globalisation.

The UPA assumed office in the wake of the decisive defeat inflicted by the people on the BJP led NDA dispensation during elections 2004. But the UPA regime is keen on pursuing the self-same economic agenda of its predecessor government, inflicting burdens on the people and mounting severe attack on the rights of the workers, causing disillusion among the people. In this context, the fight against the disastrous economic policy regime of the rulers is assuming more significance.

As we ring out 2005 and step into 2006, we need to intensify vigil and step up our preparedness to take on the offensives and forge ahead with ever enlarging mobilisations in the resistance struggle.

40TH SESSION OF INDIAN LABOUR CONFERENCE:

CHANGES OF LABOUR LAWS OPPOSED

In the present era of neoliberalism, the employers have been clamouring shamelessly for full freedom of retrenchment and closure. Now the same clamour is echoed from the highest seat of governance in the country exposing complete domestication of governance by capital. The inaugural address by the Prime Minister in the 40th Indian Labour Conference (ILC) held on 9th and 10th December 2005 at Vigyan Bhawan, New Delhi reflected such servile resonance of employers' chants for labour-market-deregulation. The ILC ended without much substantive conclusion in the absence of any consensus among the three parties – the government, workers and employers. But the conflicting expression signals a greater onslaught by the employer-government combine in the offing on the working class.

The main agenda items before the ILC were: 1) Social Security for unorganized sector workers including agriculture sector workers covering their service conditions, social security and other benefits and 2) Amendment of labour laws.

The CITU delegation to the ILC comprised M K Pandhe, President, Chittabrata Majumdar General Secretary, W R Varada Rajan, Tapan Sen, Dipankar Mukherjee, all Secretaries and Raghunath Singh, Vice President.

INAUGURAL SESSION

Prime Minister, Manmohan Singh, addressed the inaugural session on 9th December 2005. Prior to the his address, leaders from the Central Trade Unions made brief interventions on the issues facing the working class and the trade union movement. M K Pandhe, President CITU, pointed to the growing onslaught on workers rights and livelihood, in the form reckless spree of contractorisation, downsizing, retrenchment and desperate violation of labour laws and attack on trade union rights by the employers with direct patronage of the Central Govt and most of the governments in the states. At the same time, the employers are demanding further dilution of the existing labour laws to legitimise and institutionalize labour-law-violations under the unscrupulous plea of encouraging investment, employment generation and upliftment of standard of living, Pandhe asserted. Pandhe also denounced the decision of the government to reduce interest rate on provident fund from 9.5% to 8.5% that too announced just on the eve of the ILC session. Pandhe demanded of the Prime Minister to review such unjust decision and restore the interest rate at least to 9.5%. Thampan Thomas (HMS), Gurudas Dasgupta (AITUC), Girish Awasthi (BMS), Sankar Saha (UTUC-LS), Ashok Ghosh (UTUC) and Naren Sen (NFITU) made similar demand during their interventions.

The Prime Minister, in his address, practically echoed the demands of the employers for diluting the existing labour laws to introduce a 'hire & fire' regime. He was so generous in stating that "the working people supply the blood in the veins of the economy and they should get a better deal" but at the same time preached for the 'extreme urgency' for "flexibilising" the labour laws to introduce "hire & fire" in line with and almost in the same language as employers preach on the plea of encouraging investment, employment generation and meeting competition. Responding to the EPF interest rate issue, raised by the trade unions, the Prime Minister stated: "All I can say right now is that I can discuss with Labour Minister what can be done within the resources of EPFO". But he preferred to remain conveniently silent to the categorical pointer by CITU President that the unilateral decision by his interventions in reducing the administered interest rate and consequently on Special Deposit Scheme (SDS), in which major part of the PF accumulation has been parked, has sucked the EPFO of the required resources to maintain a stable interest earning for the crucial social security scheme for the workers.

The main session of the ILC began with the general intervention by the trade unions, employers' organisation and the State governments. Md Amin, Labour Minister of West Bengal, chaired the session in the absence of the Union Labour Minister. In his brief remarks, Amin pointed out that the present day ills of unemployment, closures, downsizing etc afflicting our country are the fall out of the economic liberalisation policies. He asserted that all these are clear manifestations of the crisis of capitalism.

M K Pandhe debunked the theory propounded by the Prime Minister that so called 'flexibilisation of labour laws' (read hire & fire) will encourage investment and employment generation and upliftment of standard of living. Such theory does neither stand the test of logic, economics or empirical evidence anywhere in the world including in India and it is unfortunate that an economist by profession as well as Prime Minister of the country could unhesitatingly preach for such illogical proposition, Pandhe retorted. It is the neoliberal economic policy regime that is responsible for gloomy investment scenario, aggravation of joblessness and deepening poverty in the developing countries including India and what is needed is a directional change in that retrograde policy regime. The UPA government does neither have the moral right nor the authority to plead for "hire & fire" as per the National Common Minimum Programme (NCMP), Pandhe pointed out.

CITU VIEWS

CITU submitted its views and comments in writing on the agenda note circulated by the Labour Ministry. At the outset, The CITU recorded its anguish over several of the recent unilateral actions initiated by the present government both on the economic policy fronts and labour-related matters and such unilateral actions have been against the basic spirit of 'consultation and consensus' underlined in the National Common Minimum Programme (NCMP). Such unilateral moves in the economic policy front include pushing through PFRDA Bill, Airport Privatisation, so called Banking sector reforms articulately designed for facilitating mega-merger of nationalised banks and take-over of private sector banks by foreign financial giants, hike in FDI cap in telecom and offering the cable-network created by public sector telecom companies for cheap exploitation by their private sector competitors, disinvestments move in profit-making PSUs, further move to liberalise imports both in industry and agriculture under pressure from MNCs etc.

In the labour related matters as well, the Govt has been indulging in unilateral moves in clear violation of NCMP. Two Bills, both pertaining to basic labour rights, have been introduced in Parliament without any consultation with the trade unions. The Bill titled "The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Amendment and Miscellaneous Provisions Bill 2005" provides handle to the employers to ignore most of the crucial labour laws with impunity. Another Bill titled, "Small and Medium Enterprises Development Bill 2005" contains dangerous provisions for taking away a large section of workers engaged in the Small and Medium Enterprises out of the purview of labour laws. CITU also resented over deliberate inaction of the Labour Ministry in not rescinding the notification on "Fixed Term Employment" introduced by the previous government despite the fact that the Labour Minister of the UPA government made announcement to that effect in Parliament in July 2004. CITU demanded immediate action in that direction.

It has also been pointed out that the approach of the government towards the urgent task of drawing a comprehensive legislation on social security and service conditions of the unorganised sector workers and agricultural workers, to which the UPA government is committed per the NCMP, is a deliberate non-serious one. During the span of their 19 months-long governance, the UPA government has been energetic enough to bring bills on SEZ/EPZ, on SMEs and on granting exemptions to employers from their obligations under various labour laws - all affecting the labour in a big way, but they could not feel the urgency of finalising the draft of

the Bill on unorganised sector workers representing 93 per cent of country's workforce and contributing 65% to country's GDP. Despite unanimous recommendations made by all the trade unions on the provisions to be incorporated in the proposed Unorganised Sector Workers' Bill on a number of occasions, whenever asked for, the government went on forwarding repeatedly almost the same draft to the trade unions without making any substantive changes. The government had just been playing with drafts, posing to be serious on the issue, with least seriousness on the subject. In this ILC agenda note, four drafts were circulated without making any effort to synthesise the same to facilitate meaningful discussion to arrive at a quick consensus. For a successful exercise on the subject, government must make clear commitment on funding and a well defined modality of resource mobilisation for the social security corpus to be constituted and the unanimous suggestions made by the trade unions must be factored in into the proposed scheme.

On the proposals made in the agenda note on the wage related labour laws, CITU pointed out that the present wage ceilings in various labour legislations have become obsolete in the present day income levels of the workers for whom they are intended to apply. Hence, the upward revision of the existing wage-ceilings in all the labour laws should be decided on the basis of rise in the price index from the date of its last revision and thereafter the said ceiling should be inflation-indexed. The current upward revision of ceilings in the Payment of Wages Act 1936 should be reworked on the basis of above parameters. It was also stressed that the Payment of Bonus Act should be amended without further delay to remove all ceilings.

In respect of amendments suggested in the Minimum Wages Act 1948, the CITU urged that the Act must incorporate clearly defined parameters for fixing the minimum wages by the State governments as well as by the Central government to avoid arbitrariness in the same wage-fixing exercise. Such parameters should be based on formulations made by the 15th Indian Labour Conference together with the direction given by the Supreme Court judgement in the Raptakos Brett case. The Act also must provide for statutory periodic inspection on the implementation of the Act by the enforcement agency and time-bound dispute solution machinery along with stringent provisions of penalty for violation.

In respect of major amendments suggested in the Industrial Disputes Act 1947, the CITU noted that the government had adopted the charter of demands submitted by the employers' organisations on the issue as its own while the proposals made by the trade unions were totally ignored. The proposals made in the agenda note in this regard are designed to introduce 'hire & fire' regime in 85% of the establishments in the organised sector itself and to empower the employers to play with the service conditions of the workers at their whims and fancies. The tenor of the proposals in respect of basic changes in the ID Act unfortunately reflects ganging up of the two social partners, the government and the employers against the third partner, the workers.

CITU opposed the very idea of declaring the industries/ establishments in Special Economic Zones, Export Processing Zones and 100% Export Oriented Undertakings as 'public utility services' under ID Act. CITU also maintained that the establishments pursuing profit should be kept out of the purview of consideration as 'public utility services' or 'essential services'. The approach behind the proposals made in the agenda note aims at liberally branding all kinds establishments as 'public utility services' or 'essential services' in order to restrain trade union activities and curtail labour rights irrespective of the fact whether those establishments are having any real import with public utility or essentiality of services or not. CITU rejected such an approach outright. CITU also suggested that the provision for empowering governments to grant exemption from the purview of any or all provisions of the ID Act should be dropped altogether.

In the era of globalisation driven economic policy regime, the working people are the hardest hit. The productivity of the workers increased substantially

and their earnings have simultaneously gone down in real terms along with phenomenal increase in joblessness both among the workers and fresh entrants in the job market. Quality of employment has also gone down substantially. The size of permanent and regular workforce have declined drastically while casual and contract employment increased in large proportion reflecting sharp decline in quality of employment and severe decent-work deficit. In this background, the overall profit has been increasing by leaps and bounds. In such a paradoxical situation, all exercises for labour law changes must be oriented towards widening the protection coverage to the most vulnerable section - the workers in the instant case. CITU, therefore, made a few illustrative suggestions for such directional changes in the legislative exercises pertaining to labour as under:

- The employment level in an establishment for not requiring prior permission for retrenchment and closure as provided in the ID Act should be reduced from existing 100 to 20
- All Labour Laws must have universal coverage, i.e., there should be no stipulation on minimum employment level of any establishment for granting coverage by all Labour Laws
- The provision for granting exemption to any establishment either in public or in private sector should be dropped from all labour legislations
- Provisions for regular statutory periodic inspection should be incorporated in all labour related legislations, wherever it does not exist.
- The Minimum Wages Act to be amended to ensure statutory periodic revision of basic wages along with automatic revision of the DA component linked to changes in price index.
- Wage ceilings in Payment of Bonus Act, Payment of Wages Act, Workmen's Compensation Act etc to be removed.
- Comprehensive Legislation on service conditions, job-protection and social security for Unorganised Sector Workers and Agricultural Workers
- Legislations for negating the pernicious impact of Supreme Court Judgment on "right to strike", the SC judgment nullifying earlier SC verdict on regularisation of contract workers deployed on permanent nature of jobs and also the recent judgment nullifying the right to 'equal wages for equal work'

CONFERENCE COMMITTEES

On the second day, the ILC was divided into three conference committees to discuss the proposals made in the agenda note on three different subjects viz., 1) Social Security and Service Condition for Unorganised Sector Workers 2) Amendment of Wage related labour laws and 3) Amendment of Industrial Disputes Act.

The first group recommended expeditious finalisation of the draft Bill on the social security and service conditions of the unorganised sector workers to cover all workers - including home-based and self-employed workers –and setting up of a tripartite committee to complete finalisation of a single draft within a definite time frame. The group also recommended that the central government should shoulder the funding responsibility for floor-level social security benefits. It should also bear the administrative and infrastructure expenditure for the initial period of five years.

In the Second group on wage related labour laws there was no consensus between the workers and the employers side on removal of all ceilings under Payment of Bonus Act and even in Payment of Wages Act as pressed for by the unions. Only in respect of Minimum Wages Act, some of the proposals for improvements in the administration of the Act as made in the agenda note, there were consensus.

In the third group on Industrial Disputes Act, there was consensus only on the proposals for improvement of the existing Grievance Redressal Procedure, on empowering the industrial tribunals to enforce their awards and decrees, on salaries and terms and conditions of service of the Presiding Officers of the Tribunals and on direct reference of the cases of termination/dismissal/retrenchment/discharge to tribunal. The Group also unanimously recommended that the central government should be the Appropriate Govt Central

PSUs and the state governments for the state PSUs. But under this item of discussion, the government had floated the substantive proposals for introducing 'hire & fire' regime and empowering employers to unilaterally changing the service conditions of the workers. It was proposed to amend the chapter VB of the ID Act to increase the employment-level in the establishment from 100 to 300, which will not be required to take prior permission of appropriate government for closure and retrenchment. This would result in ushering in 'hire & fire' regime in around 85% of the establishments. It was also proposed to change the section 9A of the Industrial Disputes Act to empower the employers to change the service conditions of the workers unilaterally. Along with, the Labour Ministry also sought to amend the relevant section 2(n)(vi) of the Industrial Disputes Act to empowering the appropriate governments to declare any establishment, all establishments in the Special Economic Zones, Export Processing Zones and all export oriented units even outside those zones as 'public utility services' and also section 36B of the same Act to empower state and central governments to exempt any establishment including those in private sector, all establishments in Special Economic Zones/Export Processing Zones, Information Technology Parks etc totally from the purview of the ID Act.

All these retrograde proposals, which are designed to empower the employers to retrench at will, change the service conditions of workers and take away all their rights under Industrial Disputes Act including right to strike, are the measures of so called flexibility in labour laws being preached by the Prime Minister in chorus with the employers under World Bank guidance. All those have been resolutely opposed by all the trade unions. Notable is that many of the state governments also opposed the proposals for amendment of chapter VB, section 9A and 36B of the Industrial Disputes Act.

Hence the 40th Indian Labour Conference ended with the outright rejection by the trade union movement of the atrocious proposals of the central government to impose the conditions of slavery on the working class. But the manner such all round onslaught on labour right is being planned and piloted from the highest seat of governance, signals the possibility of more aggressive move in the days to come. The working class must prepare for united countrywide resistance to such design of slavery.

ILO REPORT RECOMMENDS RIGHT TO STRIKE

International Labour Organisation has specifically recommended Right to Strike to the Government employees of India and necessary amendment to the Government Servants Conduct Rules and the ESMA in the 338th Report in November 2005 of the Committee on Freedom of Association of ILO. This has reference to the complaint of trade unions, including the All India Srtate Government Employees' Federation and the CITU, in connection with the victimisation of two lakh state government employees of Tamil Nadu.

The International Labour Organisation's Committee on Freedom of Association in November 2005 in its 338th Report has regretted that the Government of India has not bothered to reply to any of the complaints. Along with several pro-employee recommendations, the Committee report states: 'The Committee requests the Government to take the necessary measures to amend the Tamil Nadu Government Servants Conduct Rules and the Tamil Nadu Essential Services Maintenance Act so as to ensure that public servants, with the only possible exception of those exercising authority in the name of the State, and teachers may exercise the right to strike.' The Committee in defence of the striking employees also opines: 'The Committee requests the Government to give necessary instructions so as to ensure in the future that any police intervention is wholly proportionate to the threat to public order that may have been created by a strike action.'

These recommendations come as a big moral victory for the Government employees of India, who heroically fought for the Right to Strike. The Trade Unions International of Allied Employees and All India State Government Employees' Federation, besides the CITU, welcomed this development and urged the Governments at the centre and Tamil Nadu to take immediate actions on the Committee recommendations.

(We are giving below excerpts from the inaugural address of Jyoti Basu, former Chief Minister of West Bengal and Vice President, CITU, at the 47th Annual Conference of Indian Society of Labour Economics held in New Delhi on December 15,2005 - Editor)

LABOUR MARKET FLEXIBILITY DOES NOT STAND SCRUTINY

The working class is facing a severe onslaught, supported by a set of what I consider entirely wrong, unscientific and erroneous propositions. The government for instance is keen on introducing what is called "labour market flexibility", which included the complete freedom on the part of employers to "hire and fire" their workers. The overall effect of "labour market flexibility", it would be readily recognised, is to raise the rate of surplus value in the economy, to shift income distribution in short from wages to profits. Now, if a higher rate of profit ipso facto meant a higher rate of growth of the economy, and if this in turn translated itself into a higher rate of growth in labour demand than would have prevailed otherwise, then there could be a case. ... But the assumption is not valid.

We have already seen, from our experience of "jobless growth", that a higher rate of output growth does not translate itself into a higher rate of growth in labour demand. In addition, a shift from wages to profits, far from giving rise to higher output growth, has the opposite effect of reducing demand in the economy and therefore lowering the growth rate. Of course the proponents of "labour market flexibility" claim that such a shift from wages to profits, by making it possible for capitalists to compete more effectively in the international market (through an increase in their capacity to lower prices), will boost exports. But the determinants of exports are more complex, and the wage rate, compared to efficiency of the workers, is by no means a decisive factor. Indeed had it been such a decisive factor, or even a major factor, determining export performance, then countries like India would have out-competed the advanced capitalist world long ago.

Moreover, even assuming that exports get a boost from labour market flexibility, there is no reason to believe that this would happen to a degree sufficient to overcome the demand reduction on account of the income redistribution, mentioned earlier. In short, an attack on the living and working conditions of the workers is being sought to be launched on the basis of a theory that does not stand scrutiny.

Of course, it may be argued that since other countries are introducing "labour market flexibility" we have no option but to follow suit, for if we do not then we will lose markets to them. But if all countries adopted such a policy then the claimed benefit from it has even less reason to materialise for any of them. In short, the argument becomes absolutely invalid when applied to all countries. Workers everywhere in such a case end up being absolutely worse off in terms of both wages and employment.

Instead of playing this capitalist game of frantically competing against each other to bring about a pointless (from their perspective) push of the wages to the bottom, it becomes necessary for workers in each country to fight against such policies. Ideally of course such fights should be co-ordinated, but even if such co-ordination does not happen, it is better from the point of view of the workers in each country to fight for protection against competition from other countries where labour market flexibility has driven down wages than to accept such flexibility in a defensive manner as a fait accompli and pursue other workers in a race to the bottom. For a proper understanding of the issues involved however it is necessary that the falsity of the theories which promote such policies is first exposed through deliberations at forums such as this one.

15TH WORLD TRADE UNION CONGRESS

M K Pandhe

The 15th World Trade Union Congress held in Havana (Cuba) on December 1-4, 2005 brought together over 600 participants from more than 80 countries. Centre of Cuban Trade Unions (CTC) hosted the Congress and effectively intervened in formulation of policies of the WFTU. The 60-member delegation from India included 17 from CITU. Delegates from Pakistan and Indonesia could not participate owing to visa probelms. There were more observers than delegates, with a majority from developing countries, indicating the wider response to the Congress. Some ICFTU affiliates also participated.

Pedro Ross, General Secretary CTC in his welcome speech elaborated the steps taken by the Cuban trade unions to improve the standard of living of the working class and the people of Cuba. He pointed out the role played by the working class of Cuba in building a strong Socialist economy. He narrated the struggle of the Cuban people under the valiant leadership of Fidel Castro against US imperialism.

Ross emphasised on rejuvenating the WFTU as a militant organisation of the working class. He hoped that the Congress would lead to pave the way for a new worldwide unity of the class conscious working people in the worldwide struggle for social justice.

Alexander Zharikov, General Secretary WFTU presented a Report reviewing the international situation and the struggles being carried all over the world against the policies of globalisation, besides a review of activities since the 14th Congress held in New Delhi 5 years ago.

Zharikov noted the negative attitude of the ICFTU in building unity of the trade union movement at a global level to oppose the policies of global finance capital.

Convenors of the 5 Regional Committees of the WFTU and leaders of the Trade Union Internationals also presented reports of their activities. This included one from Sukomal Sen, General Secretary TUI of Public Employees.

Representative of All China Federation of Trade Unions greeted the Congress on behalf of their 11 crore members, emphasing the need for strengthening the international co-operation of trade unions. An ILO representative conveyed greetings on behalf of Director General .

Over 80 speakers spoke on the Report of the General Secretary, narrating the struggles conducted by the working class in their countries against the policies of globalisation. Every delegate, including one from the USA, condemned the blockade against Cuba and congratulated the Cuban people for their heroic struggle against US imperialism.

M.K. Pandhe, President CITU greeted the Congress emphasising the urgency to revitalise the WFTU. Venugopal, General Secretary, All India Insurance Employees Association explained the struggles conducted by the Insurance Employees along with other sections of the working class. .

UPSURGE IN LATIN AMERICA

The Congress was over shadowed by several rousing speeches of participants from Latin American countries, who expressed depredations by US imperialists and CIA imposing poverty and destitution on the vast majority of the population. The Congress reflected the growing ferment in Latin America where working class and the people are increasingly coming in direct actions to oppose the machinations of US imperialism. The growing influence of Cuba, Venezuela, Brazil and Uruguay on the working class of Lain America was clearly reflected in the speeches of the participants. Latin America, once a bulwark of US imperialism, has now become a stronghold of anti-imperialist movement. The delegates from outside the American continent were deeply inspired by these developments.

Rieardo Alareon, President of the Cuban National Assembly, conveyed warm greetings to the Congress on behalf of the Government of Cuba. He condemned the draconian policies of US imperialism all over the world and called for an international movement to defeat the conspiracies of the Bush administration. He also explained in detail the case of 5 Cuban patriots - Reve

Gouzalez, Autonio Gwevreso, Fernando Gonzalez, Gerardo Haernandez and Ramon Labanino who have been falsely implicated on criminal charges and convicted to long term imprisonment. They are not even allowed to meet their family members. The whole trial was a sheer farce and no concrete evidence could be produced in the Miami Court.

Alazeon appealed to the WFTU to launch a world wide campaign against the gross injustice done to the Cuban patriots and demand their unconditional release. The delegates responded with slogans condemning US imperialists and demanding release of the 5 Cuban patriots.

During the Conference, participants visited the Latin American Institute of Medical Sciences, which is training about 12000 doctors free of cost from the Latin American countries. The delegates also saw a film depicting the help given by the Cuban doctors to the Latin American countries in extending medical facilities to the poor people.

The Congress adopted about 30 resolutions expressing solidarity with the struggling people all over the world. They included resolutions on Iraq, Iran, Syria, Palestine, Sudan, Nigeria and other countries where imperialists are conspiring against the people of those countries. It condemned the blockade of Cuba and demanded its immediate withdrawal. By another resolution the Conference condemned the Government of Australia for adopting laws to suppress the TU rights of the workers.

The Congress gave a call for observing May Day in 2006 as a day against globalisation and to condemn imperialist conspiracies all over the world. It was agreed to approach trade unions of all affiliations to join the observations so that the voice of the entire working class is powerfully heard all over he world.

INTERNATIONAL UNITY AND STRUGGLE

The Congress adopted a Declaration called as Havana consensus which emphasised that "we care convinced that we can be victorious only through struggle and unity."

It noted, "The aggravations of the economic crisis of which financial crime is the engine, offers no alternatives for capital than to continue to exercise pressure on labour. In fact, the logic of profit maximisation underpinning the strategy and practices of transnational corporations, IMF, World Bank, structural adjustment programme, WTO free trade areas, unilateralism corrosive measures, sanctions and blockades, and imperialist wars imposed on the peoples and their states have destabilised international relations and multilateralism. It has increased inequalities to the detriment of the sovereign rights of the peoples and nations, their right to self-determination and control over their national wealth and resources, their environment, their culture and the fundamental rights of the minorities.

Appealing for world wide unity of the working class to fight these policies the Declaration stated, " Is not that the paradox of globalisation having strengthened the need far greater solidarity among the workers and trade unions worldwide?"

It emphasised, "There is broad range of economic and social objectives in respect of which trade union organisations share the same approach. This is true for the struggle against unemployment and for full employment, for the elimination of exploitation, poverty and misery, for the nationalisation and development of public services, against privatisation and relocation, for the improvement of real wages for a high level of social protection, respect for collective bargaining and labour legislation as well as respect for labour and trade union rights."

The Declaration further observed, "The politics of capital is inseparable from the aggressiveness and brutality that characterise imperialism at the international level. The blackmail against terrorist threats cannot mask the exactions, massacres and pillage carried out" by the first terrorist state of the world".

The Declaration concluded "The participants of the XVth World Trade Union Congress commit themselves to widely disseminating the present consensus so as to promote, with combativeness and conviction, this contribution of the Congress towards building a vital international trade union movement crucial for our epoch for the victories of workers struggles, and for realization of their dreams.

The Congress elected Mohammed Shabam Assouz (Syria) as President and George Markikos (Greece) as the General Secretary.

HONG KONG WTO MINISTERIAL

SURRENDER OF NATIONAL INTEREST

Tapan Sen

The WTO ministerial at Hong Kong has been over on 18th December 2005. As usual, the Commerce Minister Kamal Nath made a self-congratulatory boasting: "India hasn't got a bad deal at all". The CII, the FICCI et al, gave a warm welcome quite unconcerned of the grave consequences. Almost in an identical phrase, the minister had pronounced after concluding the Geneva Framework agreement in 2004, which had been a retreat in favour of the developed nations after failure of the previous Cancun Ministerial meet.

The outcome of the Hong Kong meet, leaves no room for cheers. The declaration failed to address the basic concerns of the developing countries and paved the way for a kind of trade deal to be finalized by end 2006 which would be detrimental to developing countries. The rich nations again had its final say in Hong Kong.

The developed countries agreeing to eliminate export subsidies on agriculture by 2013 is being blown up as a big victory for the developing countries. A very insignificant portion of the huge subsidies given to agriculture by the developed countries is under the 'export subsidy', an average of 2% of the total farm subsidies paid. And in lieu of this insignificant concession, they have been able to extract substantial concession from the developing countries.

Moreover, even this commitment of eliminating export subsidy has easy-escape-route for them. The date for elimination of export subsidies will be confirmed only upon the completion of the modalities. The ambiguity could give US and EU the scope to transfer the export subsidy to other boxes of huge domestic subsidies. And hardly before the ink dried up, the US Congress has decided to continue its agricultural subsidy programme unchanged till 2011 (Economic Times, 20-12-2005). This is against the text of declaration.

It is being claimed that India has also been given the flexibility to self-designate an appropriate number of tariff lines. This means that India can protect certain sensitive agricultural products vital for food and livelihood security through high tariffs. But the reality is that the tariff on agricultural goods in India has already been at a low level, many even below the WTO-permissible level. The 'special products'(SP) and 'special safeguard mechanism'(SSM) provided in the text will be of little use to India, can be made use of selectively and temporarily on only a few of the 680 products of our interest and the criteria laid down for the same is complicated and cumbersome. It is quite unlikely that an agricultural commodity like cotton would be counted as 'special product' in terms of the 'triple criteria prescribed for the purpose. A cruel joke for the Indian cotton farmers reeling under indebtedness, starvation and suicides! India have already agreed to further cut in agricultural tariff across the products line, inviting the ruin for the small and marginal farmers in the country who are going to be worst-affected.

There are no specific commitments on reducing subsidies by developed countries in the text.

The agreement on industrial tariffs under 'Non-Agricultural Market Access' (NAMA) will entail substantial cut in tariffs on industrial goods in India. Successive Govts in India have already reduced tariff on imported goods while increasing excise duty on the indigenous produce putting the domestic producer in extreme disadvantage. The commitment given in Hon Kong will further aggravate that situation.

Again, it is being projected that developing countries will get the advantage of 'less than full reciprocity' in their tariff reduction commitments. The whole concept of 'less than full reciprocity' in respect of tariff reduction is a deceptive one and blowing the same as a big success is an act of sheer deceit.

Fact remains that the import tariff is the main instrument of protection of market and industry for the developing countries. In the developed countries tariff on industrial goods has been already quite low and their main instrument of blockading their domestic market is through 'non-

tariff barriers' (NTB). Today 44% of Indian exports to US and 23% to the EU have to face non-tariff barriers. Technical barriers to trade and Psytosanitary (SPS) measures are the main NTB affecting Indian exports. The formulations made in the text expressed pious intentions and no concrete commitment to be negotiated upon. Hence, the developed countries may reduce tariff to some extent and can very well neutralize such reduction by resorting to NTB without disturbing the Hong Kong declaration. The net result is that despite all provisions of 'special and differential treatment', the developing countries would have to go for tariff cuts in wide range of industrial products without any benefit of increased market access in the developed countries.

The Declaration made the member countries committed for "higher level" of liberalization in services and laid down fresh deadline as July 2006 for making improved offer. This means that India has to agree for "enhanced level of foreign equity participation" and further relax the regulation on foreign service providers. These approaches imply that the burden of opening in the current round would have to be entirely borne by the developing countries only and developed countries would extract concessions from them.

A very extensive "offer list" has been submitted by India even before the Hong Kong meeting, which includes sectors like water, sewage, health and education, financial services and telecommunication etc. In the coming negotiation, naturally, the objective will be to get all limitations and regulations removed in respect of FDI caps. This pro-active approach reflects India's willingness to open up all the sectors of the economy in lieu of some concessions from the developed countries in respect of Mode 4 (movement of natural persons) and Mode 1 (cross border supply including BPO). The gloomy experience of privatization of water supply. health, education, power distribution etc in certain parts of the country is enough to guess probable impact of unregulated opening of service sectors of our economy. Burdens to be shouldered people as a consequence of this servile surrender will be enormous compared to illusory gains in the area of some more H1B visa to USA or in the form of Business Process Outsourcing.

And as per the Annual Report of Reserve Bank of India (2003-04), "US outsourcing in India reduces cost of the US companies by 40—60 per cent, improved quality by 3—8 per cent and improves productivity by 20—150 per cent; but out of every $1.45 value created by the Indian BPO units, only 33 cents remained in India and rest go back to USA". Hence for getting BPO businesses, India need not kneel down to any body.

The review and amendment of TRIPS (Trade Related Intellectual Property Rights) should have got priority in the Hong Kong deliberation. And such review and amendment of TRIPS with appropriate changes like exclusion of micro-organism, non-biological and micro-biological processes from patentability and other remedial measures and prompt transfer of technology as an integral part of the patent laws in each country etc. But India failed to bring up the issue of review of TRIPS in Hong Kong.

In totality, the Hong Kong Ministerial meet is a total failure so far as defending the interests of the developing countries are concerned. Although towards the end, unity of the developing countries got a shape through formation of G-110, unfortunately that could not be reflected in the Hong Kong declaration text owing to vacillation by some of the developing countries including India. Cuba and Venezuela categorically opposed these proposals.

The Hong Kong meet is a part of Doha round or the 'Development Round' to review the real impact of the WTO Treaty on them and for addressing the problems of development. But in reality the agenda of the giant MNCs have been successfully pushed through and development issues have gone to the backburner. Whatsoever noise Kamal Nath and co may say, in reality the developed countries conceded practically nothing for the developing countries but extracted much more than their expectation.

The WTO ministerial will again meet in October 2006 to finalise the treaty so called "development round". In our country, the movement of the toiling people must mount pressure on the Govt not to enter into any agreement without prior clearance of the text by the people and Parliament.

2005 IN RETROSPECT – A TRADE UNION OVERVIEW

Shri K.R. Narayanan, former President of India, passed away on November 9, 2005. Widely acclaimed as the People's President, Shri Narayanan will be gratefully remembered by all sections of the people for his sterling qualities, unswerving commitment to upholding the secular and democratic values and his total dedication to the cause of the poor, impoverished and oppressed.

A massively attended national convention of trade unions, called by the sponsoring committee on July 9, 2005, at the Mavlankar Hall in Delhi finalised a 16-point charter of demands and called for nationwide campaign to culminate in a general strike on September 29, 2005.

The countrywide general strike on September 29, 2005 evoked a tremendous response from around 6 crore workers and employees in various sectors, bringing the economy to a grinding halt. This strike was a warning for the UPA regime at the centre to change gears on the economic policy.

The 15th World Trade Union Congress held in Havana (Cuba) on December 1-4, 2005, which has witnessed a serious effort at restructuring the World Federation of Trade Unions towards carrying on the fight of the international working class against imperialism and the Fund-Bank driven 'globalisation'. CITU has pledged to continue our cooperation with the WFTU in this task.

The International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL) have moved further towards merger in one single entity and during 2005, steps have been taken to complete procedural formalities. This will strengthen the hands of employers in general and MNCs in particular.

Further to promulgation of the Patent Law amendment ordinance during the fag end of 2004, the government brought the related bill in Parliament. Though the enactment finally passed, during the budget session, has resulted in India giving in to process patent, many amendments pressed in by the Left parties have served to extract maximum safeguards to national interests. Still, the battle remains.

The UPA government under consistent pressure from the Left parties and mass organisations had enacted the National Rural Employment Guarantee Act, in the monsoon session of Parliament this year and was forced to incorporate beneficial amendments in the initially much diluted version of the Bill. Trade union movement has to press for faster implementation of the provisions.

The State of Tamil Nadu and Andaman Nicobar islands were worst affected, besides part of Andhra and Kerala, by the Tsunami that struck parts of Asia in end-December 2004. The CITU called for immediate relief efforts and the trade unions from China, France and Japan have also come out with fraternal contributions.

2005 IN RETROSPECT – A TRADE UNION OVERVIEW

The UPA regime resorted to Ordinance route, again during the close of 2004,.seeking to put in place the Pension Fund Regulatory Authority for the New Pension System aimed at privatising pension scheme and diverting employees' contributions to the stock market. Faced with stiff opposition from the trade unions and the Left parties, the government has not succeeded in getting the PFRDA Bill through the Parliament, as yet.

The two-day session of the Indian Labour Conference was held on December 9 – 10, 2005. The Prime Minister in his inaugural speech chose to echo the employers' demand for a change in labour laws, to usher in a hire and fire regime in the name of labour market flexibility. United resistance by the workers' side had thwarted the proposals mooted in the agenda note for anti-worker changes in Industrial Disputes Act. But, the threat of snatching away the hard earned labour rights still looms large and eternal vigilance and preparedness to launch resistance struggle is the need.

The UPA government in June this year unilaterally announced a further disinvestment of 10 per cent shares in BHEL – a 'navaratna' PSU, which led to the Left parties deciding to stay away from the UPA – Left coordination panel. The deadlock that persisted for months together was resolved when in the aftermath of the successful Sep. 29th strike, the UPA in writing assured to drop the proposal and stick to the NCMP commitment on Navaratna' PSUs.

The UPA government made yet another anti-people compromise at the Hong Kong Ministerial meeting of the World Trade Organisation held on December 13 – 18, 2005, in line with its earlier July Framework Agreement entered into in Geneva last year. This poses yet another challenge to the trade unions and mass organisations, calling for stepping up of popular mobilisations to defend the country's sovereignty and ensuring fair terms in international trade.

CITU held a national convention on right to work in March, 2005 at Kolkata, which decided to observe March 28 every year anti-unemployment day, besides chalking out a sustained campaign and action-plan.

CITU took several initiatives this year on the issues of unorganised workers. A CITU – ILO workshop on organising the workers in the informal economy was held on March 23 – 24, 2005. The second all India convention of unorganised sector workers was held in Ferozabad, U.P., on October 3 –4, 2005. At the call of the convention a nationwide campaign was conducted on a 15-point charter of demands, culminating in an impressive march to Parliament on Dec. 8th.

In October 2004, Jammu & Kashmir and the Pak Occupied Kashmir faced a devastating earthquake that has rendered several thousand homeless. In this case also the CITU rushed in with relief and our unions and state committees have come out with generous contributions.

(Nine unions of workers and officers representing the 4 lakh strong workforce of Bharat Sanchar Nigam Ltd (BSNL) have jointly decided to go in for countrywide strike in all the units of BSNL throughout the country on 5th January 2006 against the anti-PSU policies of the Govt pertaining to telecom sector. The Joint statement on strike action dated 27-11-2005 was signed by V A N Namboodiri, (BSNL Employees Union), O P Gupta(NFTE-BSNL), K Vallinayagam, (NUBSNLW-FNTO), G L Jogi,(SNEA), S Basu (AIBSNLEA), V Narayana (BSNLMS). Raj Kishore (BSNLWRU), V Subbaraman (TEPU) and S C Gour (BSNLOA). We reproduce below the text of the joint statement issued by the unions of BSNL. - Editor)

TELECOM: COUNTRYWIDE STRIKE ON JANUARY 5

Serious developments are taking place in the Telecom Sector that will adversely affect both BSNL and MTNL and its four lakh executives and non-executives.

The issues causing grave concern are: 1) Decision of the Government to hike FDI ceiling in Telecom to 74% from the present 49%, 2) Statement of the Finance Minister that profit making non-Navaratna PSUs will be disinvested which may include BSNL, 3) Pronouncement of the Communication Minister that: a) ILD and NLD license fee will be reduced from Rs.25 crores and Rs.100 crores to a uniform Rs.2.5 crores, b) Obligation of the private sector to provide rural telephony of 10% will be scrapped, c) Reduction of revenue sharing percentage from 15 to 6, d) Permitting the private sector to use their NLD and ILD license to offer internet telephony, e) Introduction of one nation one rate. (One estimate puts the loss of revenue to BSNL of the order of Rs.11,000 crores), 4) Reports appearing in the press about National Telecom Policy 2005 mention a)Scrapping or drastically reducing ADC, by which BSNL will lose approximately rs.5,000 crores, b) Sharing the last mile copper connectivity (even though the Govt. has replied to the unions memorandum submitted to the Prime Minister that the suggestion of the TRAI in this regard is not accepted), c) Sharing the accommodation and infrastructure of the BSNL by private operators.

The indications are very clear that the assurance repeatedly given that, BSNL would be an important instrument in the hands of the Govt. for achieving its social objectives in regard to spread of telecommunication network in the country are not being honoured.

The performance of BSNL with regard to mobile telephony in the first two years was quite impressive Despite a time lag of 8 years, it reached the second position and would have easily surpassed the first operator but unfortunately the tempo was not kept up. Equipment could not be made available in time and we could not keep up the promise of providing connections within the time indicated, which resulted in migration of subscribers to private operators, even though they prefer BSNL.

One of the reasons advanced for setting up the corporation was to cut red tape and take quick decisions in an environment of competition. The purpose is defeated. In fact, the delay is more.

It is very necessary that BSNL should be conferred Navaratna status that will have the requisite flexibility and autonomy to carryout its objectives. It may be recalled that at the time of corporatisation, Minister Ram Vilas Paswan assured that Navaratna status will be given to BSNL. It is the biggest PSU with an authorized capital of Rs.10,000 crores and a paid up capital of Rs.5000 crores. It is consistently making profit for the last five years and in the last year it has earned a profit of more than Rs.10,000 crores. It paid a dividend of Rs.975 crores in the last year. Its income has almost doubled in the last 5 years. BSNL had sent proposal for the conferment of Navaratna status in 2002 itself. Some newspapers say that it has been rejected by the Govt as the conditions of MOU for 5 years and particular grading have not been satisfied. The Joint Forum urges the Govt. to grant Navaratna status by relaxing the conditions and full autonomy should be assured.

BROAD BAND: Holding up

bundling as recommended by TRAI and giving the BSNL the opportunity to expand the broadband services for which there were immense possibilities was a welcome thing. But this was not utilized. It is a big management failure. Immediate steps should be on a war footing.

EQUIPMENT: Introduction of inferior quality by BSNL WLL resulted in poor service to the customers. Unless improvements is made on this count, it will be difficult to compete with the private companies.

USO FUND: Rural telephony which requires great attention is sought to be supported by funds from the USO. Contribution to USO Fund is according to the revenue of the various service providers. The benefit from the USO is according to the number of connections given and it is made available to all the service providers. BSNL is making a huge contribution based on its revenue, but the amount it gets is disproportionate to its contribution. It will be better off without the obligation of contribution. Now USO fund is given only to land lines. Perhaps the system itself requires change.

OUTSOURSING: Lot of work that can be done by the existing work force is given to outside agencies at a huge cost. This should be stopped.

AMC: Annual Maintenance Contract has become a regular feature. Even routine maintenance, for which staff is provided, is given on AMC. It is a waste of funds. (For example in Pondicherry, the expense which was of the order of Rs.1 lakh has now shot up Rs.43 lakhs annually).

The workers and officers have to realize that their future lies in the survival and growth of BSNL. We have to keep our subscriber base and also win over subscribers of other service providers. We have to be active participants and not passive spectators looking helplessly at wastage, corruption etc.

As the stakes are very high for the people and the future of the workers and their families are involved. We have to fight against the nefarious move to kill the Public Sector.

The Joint Forum is of the considered view that only by a determined and sustained struggle including a united indefinite strike the serious issues can be resolved. The Joint Forum calls upon you to organize the following agitation programmes to save BSNL.

1. Lunch hour Demonstration and Meetings : 8.12. 2005
2. Dharna : 21.12.2005
3. One Day Strike: 5.1.2006

The challenges and dangers are grave. We have to react in a powerful manner. We are united. We are determined. We have to defend the BSNL and our workers. Succeed we must. The close unity of all workers and executives is the surest guarantee for all succes. Make the programmes success!

(As per the reports received on 21.12.2005, Dharnas were organised all over the country in front of telephone exchanges and offices. Thousands of workers participated some officials also participated in the Dharna.

Loco Running Staff and Guards Demands Scrapping of 'Running Allowance Committee Report'

All India Loco Running Staff Association and All India Guards' Council jointly organised a National Convention at New Delhi on 29th November 2005 to protest against the recently published report of the 'Running Allowance Committee' set up by the Railway Board, the recommendations of which if implemented, will drastically reduce the pay packets of the loco running staff and the Guards of Indian Railways. The Convention inaugurated by Basudev Acharia, MP and addressed among others by SK Vyas, Secretary General, Central Government Employees' Confederation and Kanai Bannerjee, Secretary of CITU, demanded scrapping of the report. The Convention was followed by a massive dharna next day at Jantar Mantar, which was participated by several thousands loco running staff. Basudev Acharia, SK Vyas and WR Varada Rajan, Secretary, CITU addressed the dharna. A deputation led by Basudev Acharia met the Railway Minister and the Railway Board officials who assured that the matter would be looked into favourably. SK Dhar, Secretary General of AILRSA and DNGS Rao, General Secretary of Guards' Council conducted the proceedings on both the days.

IT/ITES SECTOR IN INDIA

IMMUNITY FROM TRADE UNIONS?

W. R. Varada Rajan

There has been, of late, a debate over suggestions at unionisation of employees working in the IT/ITES sector.

There cannot be any sector – be it in industry or services – which can stake any claim that it should be a trade union free sector or immune to it. The employees of the Information Technology and IT-Enabled Services (IT/ITES) sector also should have the basic right to association, which is a fundamental right guaranteed by the Indian Constitution. Moreover, the right to association and right to collective bargaining constitute the core conventions of the International Labour Organisation. The latter includes the right to strike as well. The industrial legislations in the country, including the Trade Union Act, are applicable to the IT/ITES sector as well. The Ministry of Labour, Government of India, has taken a stand that the State Governments are the "appropriate" authority under labour laws and legally vested with powers to deal with violations of labour laws that protect the interests of the workers of the IT/ITES sector. Further, it had requested the Chief Secretaries of the States to get implementation of labour laws reviewed expeditiously. This, in itself, confirms the trade union view that the IT/ITES sector can under no circumstances be outside the purview of industrial legislations.

PRATHIBHA INCIDENT

The present debate is further fuelled by the rape and murder of a young woman employee – just 24-year-old Prathibha – of the HP BPO in the Electronic City in Bangalore on the night of December 13, 2005. This incident deserves outright condemnation and has naturally roused the righteous indignation of all sections of the society – more particularly the employees of the IT/ITES sector itself. "Are our young women to pay their honour and life as the price for the BPO boom?' is the question on everybody's lips!

The employees of IT/ITES sector have begun to feel acutely the need for unionisation, perhaps not so much to make or achieve any economic demands but more for pursuing their demands of security of job and better work place environment. Though there is a growing demand for unionisation from the employees of this sector, the same is muted, as any attempt to do so will result in arbitrary dismissal. The phenomenon of being shown the 'pink slip' haunts the employees in this sector, which is eloquently testified by the 'Thank God It's Friday (TGIF)' syndrome. (Incidentally, there is a restaurant by the very name 'TGIF' in the cyber city of Bangalore!) But, sooner, than later, this demand will come to surface – may be after some among the employees venturing to bear the cross, of vindictive dismissal even, to assert their right.

Admittedly, the very proliferation of the IT/ITES sector is a by-product of globalisation and the practice of Business Process Outsourcing (BPO), resorted to internationally. Hence, we need to take note of the global practices in this sector. There are trade unions functioning in the IT/ITES sector in several OECD countries. This is fact, which cannot be refuted. There is no reason why the developing countries like India should be exceptions to this global trend.

FRENZIED RESPONSE

The IT/ITES – and more particularly the BPO segment thereof – is showing a frenzied response to the very suggestion for unionisation of the employees. First, the NASSCOM came out with a bald statement that there is no need for trade unions in the IT/ITES sector. Perhaps realising such a stance would not be tenable, the NASSCOM later made a correction in their stance that the employees of the IT/ITES sector did not want trade unions.

After the gruesome murder in Bangalore, the NASSCOM just stopped at expressing shock and

dismay at the incident. It refused to discuss even the issue of regulation of working conditions in this sector. From yet another BPO hub of Gurgaon, Padma Singh of Hero Ites presses the panic button saying 'unions would aggravate issues, and strikes could make global clients apprehensive about working in India'. She further indulges in advising in a patronizing tone: 'CITU should help tackle the problem rather than scream 'trade unions' at the drop of a hat'!

The threat perception on the part of the employers of the IT/ITES sector is, to say the least, unfounded. The IT/ITES sector has nothing to fear unionisation, if the employers can be transparent and are willing to recognise the merit of engaging their employees in dialogue on issues relating to their service conditions and work environment. But, in our country the employers have never taken kindly to the very idea of the employees unionising, as they innately prefer a union-free environment. Moreover, trade union movement in India has come to be demonised by the employers as the one that always thrives on strife, confrontation and disruption of work. May be, the general atmosphere in the country has led to make trade unions as synonymous with strikes, but how far the employers themselves had been contributing to attaching such an identity tag to the trade unions is debatable.

POSITIVE APPROACH

There is an argument that India will lose its competitive advantage of the BPO segment of the IT/ITES sector, once trade unions become a reality in this sector. But, this has to be viewed from two angles. First, there is no justification of the IT/ITES companies to persist with their race to the bottom both within the country and between countries of the third world aspiring to secure the favour of international companies in the matter of BPO contracts. In this, there is an implied truth that the employers fear that the employees, once unionised, may seek a larger share of the pie, which is presently taken by the former. The foreign companies resorting to BPO attach more value to the skills and efficiency levels - including the fluency of language, areas in which India is definitely having an edge over other developing countries. Second, there is no reason why the employees, even after unionisation, will refuse to cooperate with the employers in the matter of sustaining the work orders, as these employees can very well be expected to have an enlightened vision of their prosperity being intertwined with the prosperity of the very companies that they are serving. So, India can and will continue to be the favourite destination of BPO, notwithstanding unionisation of the IT/ITES sector. At any rate, there is no empirical evidence to suggest the foreign companies awarding BPO contracts specifying absence of trade unions as a necessary precondition!

What is required is a positive thinking and approach on the part of the employers towards recognising the trade unions rights of the employees the IT/ITES sector. It would be a vain attempt to search for alternatives to unionisation to deal with the issues of employees. Rather, unionisation could lead to a more dignified work place atmosphere and positive response would not be lacking on the part of the employees even after unionisation.

It is, therefore, imperative that the present fear driven work environment gives place to a responsible unionised situation in the IT/ITES sector. The right course for the employers should be to encourage their employees to form their own unions and deal with them as representative entities ushering in a process of dialogue to resolve the issues and grievances. This should emerge as a reality very soon. Whether these unions should chose to affiliate with any central trade union or not is another question, which must be left to free will and discretion of the employees.

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REPORTS & EVENTS

5th Conference of A. P. Anganwadi Workers and Helpers' Union

The 5th Conference of Andhra Pradesh Anganwadi Workers and Helpers' Union was held on 17- 19 December 2005 in Kurnool. The Conference venue was named Sarada Nagar and the dais as Rajeswari Manch. Around 260 delegates from all the 25 districts in the state in the Conference. A rally with thousands of anganwadi employees participated marked the beginning of the Conference.

Hemalata, General Secretary of the All India Federation of Anganwadi Workers and Helpers inaugurated the Conference. She explained the decisions of the 5th Conference of AIFAWH and demanded that ICDS be institutionalised and anganwadi workers and helpers be recognised as Grade III and Grade IV employees respectively. She also spoke on the importance of developing cadres for the expansion of the Union.

Nirmala, Chairperson of the Reception Committee welcomed the delegates. A presidium consisting of Lalitamma and others presided over the Conference.

Roja, General Secretary of the State Committee introduced the report of activities. The report expressed happiness that the membership of the Union has more than doubled, but it was possible to increase the membership further with better planning. The report was unanimously adopted after discussion by delegates. The Conference also broke into three Commissions for in-depth discussion on three subjects 'Institutionalisation of ICDS', 'Strengthening Relationship with the People' and 'Role of anganwadi employees in Trade Union and Democratic Movement'. The delegates welcomed the method of discussions in Commissions.

A seminar was held on 'Universalisation and Strengthening of ICDS'. Later Lalitamma, Roja and Jyoti were unanimously re elected President, General Secretary and Treasurer of the Union.

2nd Conference of Anganwadi Employees in Tamil Nadu

The 2nd conference of the Tamil Nadu Anganwadi Employees' Association (TNAEA) was held in M R Appan Nagar in Chennai on 18-19 November 2005. The hall was named 'Ushavati Ninaivagam' in memory of Ushavati, an office bearer of the Association who died a few days ago. Around 400 delegates from the state participated in the Conference.

The Conference started with hoisting of the AIFAWH flag by Hemalata, General Secretary of the All India Federation of Anganwadi Workers and Helpers and the flag of the TNAEA by Rajeswari Murugesan, President of the Association. A Soundara Rajan, General Secretary of Tamil Nadu State Committee of CITU welcomed the delegates.

Hemalata inaugurated the Conference and emphasised the need to institutionalise ICDS. She also explained the decisions of the 5th Conference of AIFAWH to strengthen the organisation by concentrating on the development of committed, conscious and capable cadres.

Tamilarasi, General Secretary of the Association placed the report of activities. She called upon the delegates to work for further strengthening the organisation and increasing the membership. Delegates from all the districts participated in the discussions.

The Conference decided to rename the organisation as 'Tamil Nadu Anganwadi Workers and Helpers' Union', to register it under the Trade Unions Act and affiliate it to the CITU. S Janaki and K Tamilarasi were elected as President and General Secretary of the Union. Bhuvaneswari was elected as the Treasurer. A massive procession and rally were held on 19th November.

REPORTS & EVENTS

First Conference of Bokaro Union held

On 17th and 18th December, 2005 the first Conference of Ispat Mazdoor Morcha (CITU) the union of steel workers of Bokaro Steel Plant was held in the Bokaro steel city. It is a unique organisation which was formed by merger of Bokaro Progressive Front, an independent union headed by A K Roy, the renowned trade unionist and Bokaro Steel Mazdoor union affiliated to CITU. The name of the merged union is Ispat Mazdoor Morcha. The Conference created great enthusiasm amng the steel workers, contractors workers in Bokaro. Jibon Roy, Ardhendu Dakshi, Secretaries of CITU,leaders of Steel Workers Federation of India and S K Bakshi, Secretary, CITU and President of Jharkhand State CITU attended the Conference. A new office bearer Committee of 47 members with A K Roy as President and B D Prasad and B N Mishra as Joint General Secretaries was unanimously elected.

27th Conference of ABK Metal & Engineering Workers Union

On 17th & 18th December, 2005, the 24th Conference of ABK Metal & Engineering Workers Union was held in Burnpur. Basudeb Acharia addressed the inaugural session.
The Conference was held at a time when, after long struggles, IISCO is being merged with SAIL and the prospect of a closure is no more. Delegates and leaders pledged to continue their struggle for the expansion and modernisation programme to succeed, also to try to open the Kulti workshop.
The Conference re-elected Chandra Sekhar Mukherjee as President and Jiten Dubey as General Secretary. In the open session Bangsha Gopal Mukherjee, MP, Ardhendu Dakshi, Secretary, CITU, Chandra Sekhar Mukherjee addressed the gathering along with others.

HEROIC STRUGGLE OF ANGANWADI MULAZIM UNION

The struggle of the anganwadi workers and helpers under the leadership of the Anganwadi Mulazim Union, Punjab came to a successful end with the Punjab government agreeing to their demand. The reason for the struggle, which lasted for more than 100 days, was the closing down of the anganwadi centres due to the opening of nursery schools under the 'Sarva Siksha Abhiyan' (SSA). The SSA, which is intended to provide elementary education to children of the age group 6-14 years, has started pre primary education centres in Punjab. In many places, these centres were in ICDS areas, leading to duplication, and because of the incentives and administrative pressure, the children from the anganwadi centres were forced to attend these Early Childhood Education (ECE) centres.
The struggle started with the burning of effigies on 1st August 2005. An indefinite relay hunger strike on these demands started from 25th August 2005. As a result of our struggles, the government issued the notification enhancing the state government's share of the honorarium by Rs 200 per month for workers and Rs100 for helpers. The Union organised a " Jeet Rally" (victory rally) on 25th November in Chandigarh. Hargobind Kaur, Harjeet Kaur, President and General Secretary Anganwadi Mulazim Union, A R Sindhu, Treasurer, AIFAWH and Raghunath Singh, Secretary, Punjab State CITU addressed the rally.

Punjab

DEMONSTRATION AGAINST CLOSURE AT LUDHIANA

Ludhiana, December 3, 2005- more than five thousand workers staged mighty demonstration at the gate of Rockman & Highway Cycle Industry against vindictive closure. The CITU union there has long been agitating for registration of their union which was kept hanging for two years by the state Govt in collusion with the management. Ultimately owing to mounting pressure by CITU on the Govt, on 2nd November 2005, the registration of the union was done and on 3rd November itself, closure was declared in the factories. Since then continuous dharna was going on at the gate and workers of other industries are also joining the dharna.

The rally of 3rd December was addressed by Raghunath Singh, General Secretary of Punjab State CITU and Dipankar Mukherjee MP, Secretary CITU besides other leaders. Mukherjee condemned the state govt for its servile stance in conspiring with the employer in giving permission for the closure without any valid reason.

ORISSA: UNRESTRICTED IRONE-ORE EXPORT OPPOSED

The Orissa State Committee of CITU expressed serious concern over the unrestricted export of iron ore from the country, much to the detriment of the interest of the national economy. The move is afoot even to allow the multinational companies to take hold of country's iron-ore mines and earn huge profit by exporting the same instead of going in for using the iron-ore for producing steel in the country which would lead to employment generation. The state of Orissa having huge reserve of iron ore is the worst hit by such phenomenon.

The CITU State Committee met on 29-30 November at Bhubaneswar and reviewed the situation. It is noted that in 2004, 74 million tones of iron-ore have been exported where as the domestic use of iron-ore for producing steel has been mere 40 million tones. Such huge export of prime natural resources from the country instead of going in for value addition despite plenty availability of coal, other minerals required for steel making, and skilled manpower is nothing but a loot on natural resources normally indulged in a colonial economy. A natural and prudent programme should have been to use iron-ore for producing more steel to facilitate production of more finished goods with steel component and export which would have given a big fillip to employment generation.

The CITU State Committee noted that unscrupulous officials, contractors and even big export-houses are indulging in illegal mining or iron ore and exporting them clandenstinely. The country and the state are losing huge assets and revenue in this process. The recent MOUs signed with some giant MNCs beset a new process of allowing our natural resources to be exploited by the rich companies without contributing anything to the national economy and the people.

The CITU state Committee demanded that :

1. Stoppage of iron-ore export
2. Foreign companies should not be allowed any advantage over the Indian companies in procurement of iron ore and they may be allowed to access to iron ore only after installing producing facility in the country.
3. A national mineral policy and mining policy should be drawn to guide and regulate use of valuable mineral resources like

iron-ore, Chromite, Bauxite etc mainly for value addition within the country.

CITU has decided to hold a Seminar on "SAVE MINERALS AND NATURAL RESOURCES" in January 2006 at Barbil, Orissa with the participation of trade unions, economists, experts and other section of democratic people.

ANTI-WTO DEMONSTRATION ON DEC 13

At the call of WTO Birodhi Jana Aviyan, a joint platform of trade unions, organizations of peasants and agricultural workers and other mass organizations, massive demonstrations were held on 13th December 2005 all over the country to warn the Govt of India against succumbing to the pressure of the imperialist powers in the WTO Ministerial meet which commenced on 13th December at Hong Kong.

Reports received so far from various states are given hereunder:

Delhi

In the national capital at New Delhi, demonstration was held at Patel Chawk in which thousands of people participated. The procession started from Mandi house at 11-30 am and converged at Patel Chawk into a demonstration followed by public meeting. The meeting was conducted by S P Shukla, former member of Planning Commission and convenor of the WTP Virodhi Jana Aviyan and was addressed by leaders of various political parties including Nilotpal Basu, leader of the CPI(M) group in Rajya Sabha, Sudhir Kumar, President, Delhi State Committee of CITU among others.

Punjab

Demonstartion and rallies were held in almost all the industrial centers and districts, viz., in Ludhiana, Sangrur, Nawan Shehar, Patiala, Jallandhar, Hoshierpur, Amritsar, Bhatinda, Pathankot, Dera Bassi, Garshankar, Ropar, Mansa, Chandigarh etc. The rallies were participated by several thousands of industrial workers besides people from other mass organizations.

At the state capital Chandigrah, huge demonstration took place which was participated by thousands of workers and also govt employees in a big way. The rally was addressed by W R Varada Rajan, Secretary CITU, Balwant Singh, Vijay Mishra and Raghunath Singh, President, Vice President and General Secretary of Punjab State CITU respectively besides others.

West Bengal

Protest was organised in the forms of rallies, demonstrations, torchlight processions etc throughout the state covering all the districts and industrial centers. Trade unions, Kisan Sabha, Agricultural Workers' Union and other mass organizations jointly organized the statewide protest actions against WTO on 13th December 2005. At Kolkata, a huge rally was held which was addressed by Shyamal Chakraborty and Kali Ghosh, President and General Secretary of West Bengal StateCITU respectively.

STRIKE BY MEDICAL AND SALES REPRESENTATIVES

At the call of FMRAI, the medical and sales representatives have gone for countrywide strike from 14-16 December 2005. Main demands pressed for by the strikers were a) Extension of Sales Promotion Employees (Conditions of Service) Act 1976 to the field/sales workers in all other industries, b) Reduction of price of medicines, enquiry into drug-price manipulation, tax-evasion and black-marketing, promotion of domestic production facilities of medicines revival of the

drug-PSUs, c) Job security of the sales-promotion employees and guaranteed minimum wage for the small /unorganized sector at Rs 4000/- with a provision of regular upward revision linked with price-index and other facilities viz., bonus, social security etc. d) Coverage and Implementation of all labour laws including Industrial Disputes Act for the sales-promotion employees etc. CITU extended full support to the three-day strike call and their demands. Strike was a total success throughout the country. On the first day of the strike, on 14th December 2005, the medical and sales representatives of Delhi staged a demonstration before the Union Labour Ministry. The demonstration was addressed by Sukomal Sen, General Secretary All India State Govt Employees Federation and Manoj Bhattacharya, MP. From the demonstration a delegation comprising Amitava Guha, L N Chakraborty, both Joint General Secretaries and Anil Wadhawan, Vice President of FMRAI and TK Mitra, General Secretary DSMRO met K M Sahni, Secretary to Govt of India, Ministry of Labour to press for the just demands of the striking workers. Santashree Chatterjee, MP led the delegation.

Against reduction in interest rate on PF

COUNTRYWIDE DEMONSTRATION ON DECEMBER 20

At the joint call of Central Trade Unions, viz., AITUC, BMS, CITU, HMS, UTUC, UTUC-LS, TUCC and AICCTU, protest demonstrations were held countrywide against the unjust and unilateral reduction in the interest rate on provident fund from 9.5% to 8.5% for the current year.

As per reports received till mid-day, all the state capitals and industrial centers in the country witnessed massive joint demonstration by workers of all affiliations denouncing the reduction in interest rate and demanding urgent intervention of the Prime Minister in restoring 9.5% rate. In many places, INTUC unions also joined the demonstration.

In the national capital region and adjoining areas, reports of huge demonstration by workers was received from Noida, Faridabad, Ghaziabad and Gurgaon.

In New Delhi, joint demonstration was held at Jantar Mantar chawk on 20th December. The demostration was addressed by Ram Meher Gehlot (BMS), Tapan Sen, Secretary CITU, Gurudas Dasgupta MP, General Secretary AITUC, Swapan Mukherjee, General Secretary AICCTU, Harish Tyagi (UTUC-LS) and Biju Nayak (MEC).

In Rajasthan, joint demonstration and dharna were held before the Regional PF office and district headquarters at Sriganganagar, Bikanir, Sikar, kota, Jodhpur, Kankroli and Jaipur. At Jaipur, demonstration was held before the regional PF office at Jyotinagar which as addressed by Ravindra Shukla, General Secretary, Rajasthan State CITU, Waquer-Ul-Ahad, Vice President, CITU, Bishwambhar Sahai, Secretary Dist CITU, Kishor Singh, General Secretary, Vidyut Kamgar Ekta Federation and Prahlad Sharma, President, Dist CITU.

In Punjab, demonstrations were organized before all district headquarters at Ludhiana, Sangrur, Jallandhar, Patiala, Amritsar, Ropar, Rajkot, Batala, Mansa and other places. in the state in which around thirty thousand workers took part. At Chandigarh, the Govt employees also joined the demonstration.

In Uttaranchal, demonstration was held at Dehradun and Hardwar.

In Karnataka, protest day was observed through holding demonstration and rallies in all the districts and industrial centers. At Bangalore, the joint rally of the workers was addressed by W R Varada Rajan, Secretary CITU.

REPORTS & EVENTS

A.P.: PADAYATRA HIGHLIGHTING WORKERS' ISSUES

A 28-day long Padayatra was organised to cover 750 kilometers through the rural and urban areas of Visakhapatnam district to highlight the miserable condition of poor workers, migrant workers, agricultural sector workers and other poor sections of the society. The padayatra started on 21st November and ended on 18th December, both in Visakhapatnam city.

The participants tried to educate and enthuse the workers to launch militant struggles to get rid of the horrible conditions of their housing, lack of electricity, lack of ration cards and ration materials like grains and kerosene and lack of water for drinking or irrigation. The unorganised sector workers do not get even the minimum wage, they are under constant threat to be thrown out from government land because they have no place to stay. The small houses in rural areas, erected by government for poor workers/dalits, are in dilapidated state or actually broken down. The programme got strong response from people at large. A big mass meeting was held on the final day.

ROAD TRANSPORT WORKERS MEETING

The Working Committee meeting of All India Road Transport Federation was held 20-11-2005 at Koonoor, Tamilnadu to decide phased programme of campaign and agitation on the pressing demands of the road transport workers. Main demands are formulation of a National Transport policy, Strengthening of the State owned transport undertakings through financial assistance, reduction of tax, control on prices of petroleum, stoppage of privatization move, appropriate safety measures and improved service conditions of private transport workers etc.

It was decided to hold countrywide campaign on the demands through state level conventions, district level demonstration and submission of memorandum, observance of demand day etc. As a culmination of the countrywide campaign, the Federation decided to organize a massive March to Parliament by the road transport workers on 7th March 2006.

IFTU PRESIDENT JOINED CITU

P K Murthy, Presiedent of Indian Federation of Trade Unions (IFTU) joined CITU. In a mass rally held at Ambara in Chhindwara district of Madhya Pradesh on 16th December 2005, Murthy made this announcement in presence of Jibon Roy, Secretary CITU and Badal Saroj, General Secretary, MP State CITU. While speaking in the rally Murthy stressed upon the need for forging broadest unity of the working class to combat the onslaught of neoliberalism.

The rally was also addressed by Jibon Roy who pointed to the mounting attacks on the working class in the form of rampant labour law violation with the patronage of Govt along with hectic move by the Govt to change the laws altogether in favour of the employers. He also referred to the renewed move of privatization through disinvestments and mass-scale contractorisation and outsourcing PSUs and coal industry is worst affected by such policy drives. United countrywide and industrywide action is the urgent task before us, Roy asserted. Badal Saroj, General Secretary, MP State CITU and Md Tajuddin, General Secretary, Laljhanda Coalmines Mazdoor Union also addressed the rally and welcomed Murthy to CITU.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS ON BASE 1982=100

State	Sr. No.	Centre	Month Sep.' 05	Month Oct.' 05
Andhra Pradesh	1	Gudur	502	508
	2	Guntur	531	550
	3	Hyderabad	537	542
	4	Visakhapatnam	529	533
	5	Warangal	559	569
Assam	6	D.D.Tinsukia	454	456
	7	Guwahati	535	538
	8	Labac-Silchar	415	419
	9	Mariani-Jorhat	451	458
	10	Rangapara-Tezpur	444	453
Bihar	11	Monghyr	524	530
Chhattisg	12	Bhillai	492	498
Gujarat	13	Ahmedabad	522	531
	14	Bhavnagar	546	548
	15	Rajkot	504	509
	16	Surat	518	532
	17	Vadodra	510	515
Haryana	18	Faridabad	559	559
	19	Yamunanagar	523	535
J & K	20	Srinagar	634	637
Jharkhand	21	Jamshedpur	521	523
	22	Jharia	448	461
	23	Kodarma	481	491
	24	Noamundi	489	490
	25	Ranchi-Hatia	511	512
Karnataka	26	Bangalore	543	546
	27	Belgaum	603	602
	28	Hubli-Dharwar	555	554
	29	Mercara	497	500
Kerala	30	Alwaye	544	542
	31	Mundakayam	514	515
	32	Quilon	551	542
	33	Thiruvananthapuram	609	621
Madhya Pradesh	34	Balaghat	492	495
	35	Bhopal	572	574
	36	Indore	540	542
	37	Jabalpur	549	552
Maharastra	38	Mumbai	610	617
	39	Nagpur	566	565
	40	Nasik	578	585
	41	Pune	597	596
	42	Solapur	545	548
Orissa	43	Barbil	486	490
	44	Rourkela	483	489
Punjab	45	Amritsar	503	507
	46	Ludhiana	516	516
Rajasthan	47	Ajmer	541	545
	48	Jaipur	506	509
Tamil Nad	49	Chennai	561	567
	50	Coimbatore	507	514
	51	Coonoor	512	518
	52	Madurai	499	508
	53	Salem	469	475
	54	Tiruchirapally	580	588
Uttar Pradesh	55	Agra	525	526
	56	Ghaziabad	566	565
	57	Kanpur	536	538
	58	Saharanpur	520	525
	59	Varanasi	587	592
West Bengal	60	Asansol	516	522
	61	Darjeeling	451	453
	62	Durgapur	594	607
	63	Haldia	629	639
	64	Howrah	626	639
	65	Jalpaiguri	467	467
	66	Kolkata	590	605
	67	Raniganj	477	482
Chandigarh	68	Chandigarh	629	628
Delhi	69	Delhi	655	665
Pondicherry	70	Pondicherry	581	588
		ALL-INDIA	542	548

Additional Series of Labour Bureau

State		Centre	September 2005	October 2005
Andhra Pradesh	1	Kethgudem	564	574
Himachal Pradesh	2	Himachal Pradesh	519	525
Rajasthan	3	Bhilwara	540	545
Madhya Pradesh	4	Chhindwara	485	484
Tripura	5	Tripura	470	478
Goa	6	Goa	638	637

CITU POSER TO PM:

IS NO VIGIL THE BEST VIGIL?

Responding to the Prime Minister's dissertations on the 'Inspector Raj", at the recently held Indian Labour Conference, CITU General Secretary, Chittabrata Majumdar M.P. posed the question: "Is no vigil the best vigil for the millions of wage earners?". Text of his letter to the Prime Minister dated December 12, 2005 is reproduced hereunder: .

"I, as a delegate to the 40th Session of Indian Labour Conference on 9th December, 2005, heard you referring to, during your inaugural address, to the rigours of "inspector-raj" in India vis-à-vis China. A day earlier, the national dailies had carried out heart-rending report of the tragic incident in the heart of the national capital where twelve labourers were charred to death in a fire in an illegal under-garment manufacturing unit. After such an incident, your derisive remarks about India having 30 inspectors for a factory against just 5 in China, has caused a lot of anguish and pain among many labour delegates.

"Investigations reveal that inspecting authorities were clueless about the existence of the unauthorised unit and its employees. The helpless victims could not make good their escape after the fire, as the door leading to the staircase was locked by the employer in a bid to prevent pilferage! Some time back there was yet another incident where workers had became victims when an unexploded bomb went off, while they were engaged in transporting imported scrap material in the neighbourhood of Delhi.

"The incidents above clearly show that the much maligned `Inspector-raj' exists only on paper. As a matter of fact, Governments, both at Centre and the States, are already issuing fiats to the authority concerned to stop `harassing' the employers. The complaints against `inspector-raj' are surprisingly not supported by any shred of empirical evidence. Rather the available facts, including the incidents referred above, testify to the contrary.

"When there is a dacoity in a posh area in the national capital, the immediate Government response is to enhance police vigil in the area. In sharp contrast the keenness of the Government of the day to virtually dismantle inspection of industrial establishments under various legislations, poses a serious question whether Government feels that no vigil is the best vigil for the millions of wage earners in the country and they should be left to the mercy of the employers.

"I therefore urge upon you to please examine the present state of labour-law related inspections in the country before going eloquent on dismantling of the so-called 'inspector-raj'."

SUPREME COURT OBSERVATION ON CASUAL WORKERS' RIGHT

Once again the highest judiciary has come to rescue of one of the biggest employers in the country, the Central Mine Planning & Design Institute (CMPDIL) under Coal India Ltd. The victim in this insatnce is a casual worker, Ramu Passi, who got injured while working and lost part of his little finger. The Labour Court, Dhanbad granted a compensation of only Rs 4001/- in 1986. The CMPDIL management spent many times more to make an appeal against the Labour Court award to Patna High Court and the High Court also censored the management for wasting precious time of Court for such paltry amount of compensation and upheld the award of the Labour Court. An undeterred management filed a petition to Supreme Court and the highest court came to rescue of the management against the impertinent casual workman demanding compensation for loss of limbs while in work. The Supreme Court Bench awarded that "a casual worker is not covered within the definition of workmen as per the Workmen Compensation Act." (Source: Times of India, 15-12-2005). CITU Secretariat, in a statement issued on 15-12-2005 expressed gave concern over such observation of Supreme Court, The Statement maintained that "that above observation made by the Apex Court on the rights and status of the casual worker bears ominous portents on labour rights. This assumes more gravity particularly when the Prime Minister of the country along with his team of ministers, bureaucrats and elite advisors has been preaching everyday for labour-flexibility through 'casualisation' route, even as more than 60 per cent of the productive workforce of the country are already reeling under casualised working conditions under various job-contracts." While the Prime Minister of the country has been preaching for labour-flexibility through 'casualisation' route, the Apex Court has been complimenting the government move for flexibility of labour by relegating the 'casual worker' to a non-entity even for workmen compensation at the workplace.

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UNORGANISED SECTOR WORKERS:

DEC 8: MASSIVE CITU MARCH TO PARLIAMENT

At the call of CITU around forty thousand strong demonstration of the unorganised sector workers was held on 8th December 2005 at Patel Chawk, New Delhi demanding immediate action by the Govt to enact comprehensive legislation on labour rights, service conditions and social security coverage for the unorganised sector workers. Workers in several thousands from all over the country joined the demonstration. The demonstration assumed special importance in view of the 40th Indian Labour Conference being held on the same agenda on 9th and 10th December 2005 at New Delhi.

The main resolution adopted by the rally expressed serious resentment over the inaction of the UPA Govt in taking urgent steps to enact the comprehensive legislation for the unorganized sector workers to which the Govt is commitment bound as per their own Common Minimum Programme (CMP). Despite lapse of 18 months since the UPA had occupied the governance, the Unorganised Sector Workers' Bill could not be finalized although the Govt lost no time in bringing several legislations for the benefit of the employers and capitalists like PFRDA Bill, bill on SEZ/EPZ, and two other Bills aimed at empowering the employers to ignore their obligations to workers under various labour laws. Such anti-worker approach of the UPA Govt will not be tolerated, asserted the resolution. The rally also demanded immediate release of Mukesh Yadav, the CITU leader of Ferozabad who had been detained in jail and tortured for several months for leading the glass-bangle workers' struggle.

The huge rally was addressed by M K Pandhe, President and Chittabrata Majumdar, General Secretary, CITU, P K Ganguly, Convenor, All India Coordination Committee of Unorganised Sector Workers(CITU) besides W R Varada Rajan and Tapan Sen, both Secretaries of CITU. The CITU leaders stressed upon the need for intensifying the countrywide struggle by the unorganized sector workers to compel the recalcitrant Govt to accede to the demands of the workers. Basudev Acharia, MP Leader of the CPI(M) group in Parliament and Brinda Karat MP also addressed the rally and assured to raise the just demands of the workers in Parliament and fight for legislation for the unorganized sector workers.

The huge workers' demonstration was also greeted by the leadership of other central trade unions viz. S N Thakur (AITUC), Thampan Thomas (HMS), A N Dogra (BMS), R K Sharma (UTUC-LS), Santosh Roy (AICCTU) who assured to strengthen the united struggle of the workers against the Govt's anti-worker policies. CITU leaders from various states viz., Daulat Ram (UP), Subhash Mukherjee (West Bengal), Rajjo Devi(Ferozabad), Sudhir Kumar and Mohanlal (Delhi), Raghunath Singh (Punjab), Ravinder Kumar(Himachal Pradesh), Nirdosh Uppal(J&K), B S Rana (Rajasthan), Vivek Monterio(Maharashtra), Promod Pradhan(MP), Arun Mishra(Bihar), Virendra Bhandari(Uttaranchal) etc. Several members of Parliament, Shantashree Chatterjee, Sunil Khan, Susmita Bauri, Sudhangshu Seal, P Madhu, Prashanta Pradhan, Dipankar Mukherjee, Nilotpal Basu, Tarit Topdar, Laxman Seth, Prasanta Chatterjee, Sujan Chakraborty, Dr Ramchandra Dom also joined the demonstration. From the rally a memorandum detailing the demands of the workers was sent to Prime Minister.

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