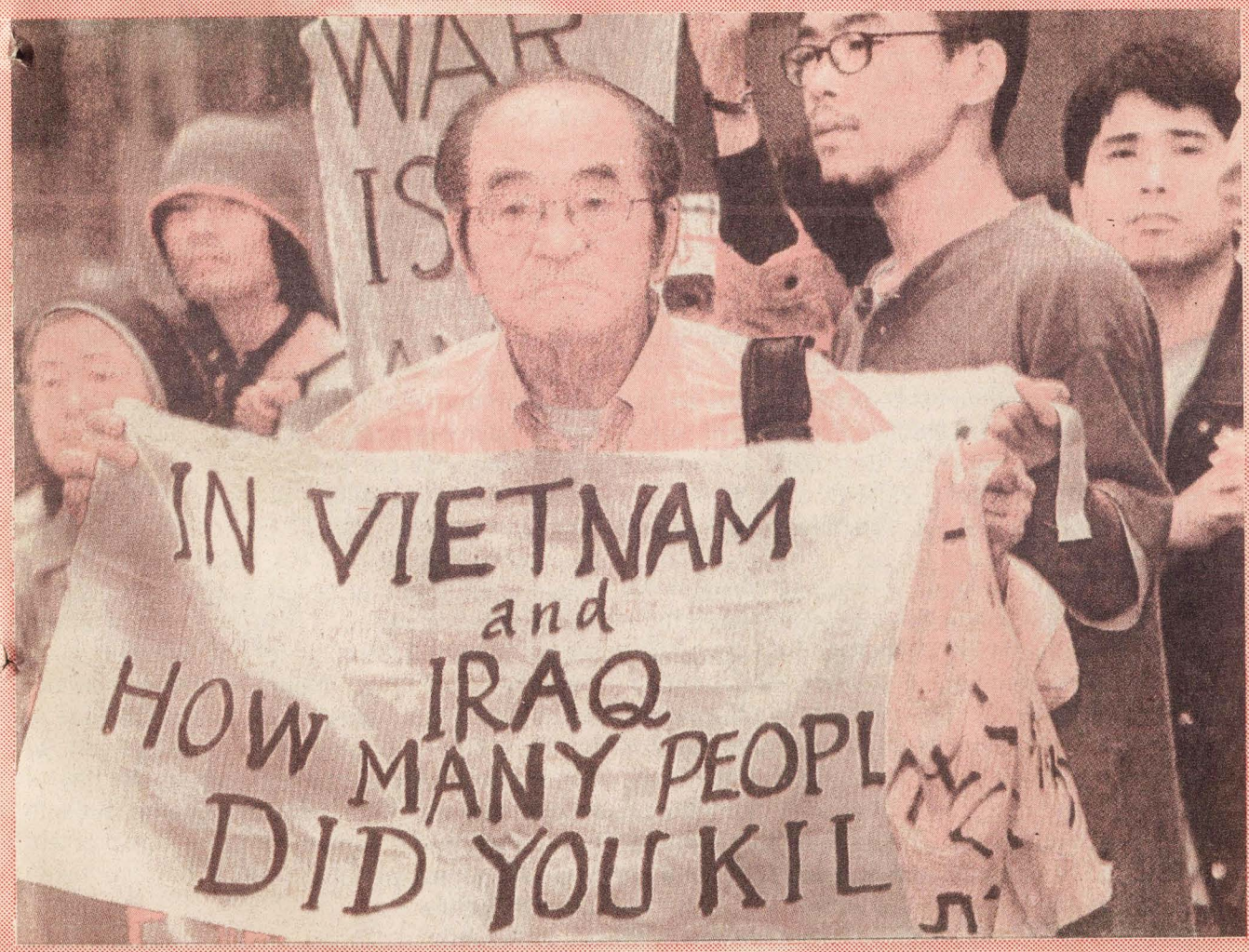
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THE WORKING CLASS

MONTHLY JOURNAL OF THE CITU

USA: TERRORISM TAKES A TOLL
BUSH PITCHING FOR GENOCIDAL WAR
WORLD WANTS PEACE, NO WAR, NO TERRORISM



(Demonstration in Tokyo against US Jingoism)

IN PARLIAMENT

DEBATE ON UNEMPLOYMENT ALLOWANCE

In the last session of Parliament, in Rajya Sabha, Dipankar Mukherjee introduced a private member's bill titled "Payment of Unemployment Allowance Bill" which was debated in the house on 27th July 2001 and 10th August 2001. MPs cutting across the political parties including some in the ruling NDA combine spoke supporting the bill. Reproduced below is the excerpts from the speech by Dipankar Mukherjee.

Unemployment is the core issue before the world. Kofi Annan, Secretary General of United Nations said in a seminar on Challenge of Unemployment held in Washington DC in October 1999, " let me start by reminding you that there are nearly 1.3 billion people in the world struggling to survive on less than one dollar a day. Billions able bodied people are either unemployed or under employed. It is a scandal. Overcoming it must be our top priority."...The Director General ILO, while speaking in a UNCTAD session in February 2000 in Bangkok said, "We know enough about market fundamentals-it is time to pay attention to the fundamentals of people's lives. Financial policies should be geared towards stimulating productive investments that generate jobs rather than towards sustaining the casino economy of short term movement in the international financial markets."....

In this background the bill seeks to address an all important issue....the Directive Principles of State Policy as laid down in the Constitution requires the State to secure the Right to work for all, to education and to public assistance in cases of unemployment, old age, sickness and disablement.....and there is a rider—"within the limit of economic capacity and development.."

The total number of job-seekers as per live register of the employment exchanges has been steadily increasing...from 3.91 crore in 1997 to 4.008 crore in 1998 to 4.03 crore in 1999, the latest figure being 4.14 crore. Added to this is the rural unemployment to the tune of another eight crore. So the minimum figure of unemployment in the country comes to 12 crore around 12 % of the population.

The Prime Minister said "one crore jobs will be created every year. "... But these were mere words..and no accountability... On the other hand we hear about reduction in employment everywhere, whether in Govt or private sector. and there is no legislative compulsion... And administration cannot be held accountable vis-a-vis unemployment. There is a ministry of disinvestments but there is no ministry on Employment. Hence the need to introduce unemployment as it would be an alarm bell, the recognition of the most burning problem to be addressed with top priority. The minister, some days back in the other house negated this issue calling it a dole. And a question is raised wherefrom the money will come for this. A token amount on this account will require around Rs 2000 crore to Rs 3000 crore.

Is it not within the limit of economic capacity ? We have asked for Rs 2000 crore or Rs 3000 crore for the purpose and not more. And as per replies to a question in the Rajya Sabha, the total outstanding amount of tax on account of income tax, corporation tax, customs duty and central excise as on 31.3.98 is Rs 47,788 crore, as on 31.3 99 Rs 52617 crore(Rs 5000 crore increase in default in one year) and as on 31.3.2000 it is Rs 62392 crore-a Rs 10000 crore increase in default in one year. The top 100 such defaulters of tax payment account for Rs 23000 crore of unpaid taxes as per the statement tabled in the house. The outstanding taxes to be recovered from the people, who can afford it, could be allowed to increase by Rs 10000 crore in one single year and that remains within the limit of the "economic capacity" and you cannot afford Rs 2000 or Rs 3000 crore for unemployed youth. It has been said that there are disputes on tax-assessment. But who will sort out the dispute of the unemployed youth for their right of employment which is pending since the day of independence ? The Govt must come out with the answer and a remedy of the grave problem through unemployment allowance, however token it might be....

THE WORKING CLASS

CITU MONTHLY

OCTOBER 2001



Courtesy: The Hindu

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EDITORIAL

SAY NO TO TERRORISM, BUT.....

The high voltage terror strikes from the skies, reducing the twin towers of the World Trade Centre in New York and the humiliating destruction inflicted on Pentagon in Washington are indeed shocking. The civilian casualties numbering in thousands are terrible. The profound grief surrounding the heaps of rubble is heart-rending. No word is strong enough to condemn this dastardly killing.

But, after fleeing from the White House, the US President Bush came out of his hiding to declare a war against terrorism. 'Hand over Osama bin Laden, Dead or Alive' was his dictate to the ruling Taliban regime in Afghanisthan, where the kingpin of international terrorism accused of master-minding the nightmarish devastation on Setpember 11, 2001, is said to be holding out. The attacks are yet to commence as we go to the Press. But, the scale of preparations point to a genocidal war descending from the high-skies. The jingoist and frenzied statements daily reeled out from the USA indicate that whichever country is termed as "enemy" could be the target of war. A revengeful mad strike is no answer to terrorism. The political anatomy of terrorism of over half a century in the world does not, repeat not, bend credence to the claim of USA to 'lead' the world-wide fight against terrorism.

From the nuclear holocaust in Hiroshima and Nagasaki to the littering bullets over the entire length and breadth of Vietnam, horrific assaults on Cuba, Korea, Chile, Yugoslavia, Palestine, Sudan, Iraq, the horrendous Gulf war-and the list can go on never-ending, it is an ignominious saga of state terrorism preached and perpetrated by the US. History is replete with instances of insurgency sponsored by the USA in every corner of the globe.

Interestingly, the self-same Osama bin Laden, and the Taliban are the creation of the US policy in Afghanistan, directed against the Soviet Union.

It is, therefore, natural to find people in all parts of country, overwhelmingly coming out against the US war mongering and jingoism.

Let Bush answer the world, before embarking on his further crimes. But, the NDA Government headed by Vajpayee is bending backwards to prostrate before the US, offering all sorts of military and logistic support to the US military operations in the region. At the end of the day, the ruling dispensation in India, feel lost out to Pakistan even on this score, as that very country which continues to harbour cross-border terrorists had been picked up as the front running ally by the US regime.

But peace loving people of India will rise upto the occasion and say 'no to terrorism', 'no to US jingoist war mongering' and 'no to playing surrogate to US designs'. The working class will have to play the front runner role in this.

Defeat the Design of Imposing Slavery on the Working Class

Swadesh Dev Roye

The NDA Government is desparate to push through the wholesale changes in the labour laws to snatch the democratic trade union right of the working class. In the background of the continuously deepening economic crisis, its root lies in the policies of liberalisation and privatisation under imperialist globalisation.

Montek Singh Ahluwalia Committee

The "Task Force on Employment Opportunities", was constituted by the Planning Commission. It is headed by Montek Singh Ahluwalia, former Finance Secretary who has now joined the IMF. Chapter 7 of the report has exclusively dealt with "Reforms of Labour Laws." The Task Force has come out with a baseless argument that the so called 'rigid labour laws' are hurdles in the way of employment generation in the country. It said: "One of the factors which is often said to restrain expansion of employment in the organised sector in India is the rigidity of our labour market arising from the nature of our labour laws." It is obviously a design to pit the unemployed youth against the working class.

The Ahluwallia Committee has directed their attack on the basic trade union rights available under (i) the Industrial Disputes Act, 1947, (ii) the Trade Unions Act, 1926 and (iii) the Contract Labour (Abolition and Regulation) Act, 1970. The most atrocious recommendations of the Ahluwalia Committee on changes in labour laws are summarised hereunder.

Industrial Disputes Act

Chapter V-B of the Industrial Disputes Act (ID Act), places some procedural restraint on employers with regard to Lay-off, Retrenchment and Closure. This chapter has nine sections (Sec.25-K to 25-S). Some of the important sections are; 25-M: Prohibition of lay-off; Section 25-N: Conditions precedent to retrenchment of workman; Section 25-O: Procedure for closing down an undertaking; Section-25-Q: Penalty for lay-off and retrenchment without previous permission; Section 25-R: Penalty for closure.

The Ahluwalia Committee has observed "The requirement of prior permission of Government for retrenchment, layoff or closure introduces a major inflexibility in the system. One solution would be to amend the Industrial Disputes Act to make this provision applicable only to units having more than 1000 employees ... We would recommend a more radical step of deleting Chapter V-B from the Industrial Disputes Act completely."

This is nothing but the employers' (atrocious) right to 'hire and fire' workers. On deletion of chapter V-B of the I. D. Act, the employers shall be completely free to retrench workers and close down establishment/factories at their whims and sweet will. That henceforth all employment should be on temporary basis only is clear from the recommendation of the Ahluwalia Committee: *"A system of short-term employment contracts should be introduced under which workers hired on contract basis can be discharged at the end of the contract period without scope for dispute."*

Section 22 of I.D.Act: Section 22 of the Industrial Disputes Act deals with strikes and lock-outs. Amendment to section 22 has been recommended to provide "mandatory notice for strike in all cases and also to introduce the system of "strike ballot" whereby a strike can be called only if it is supported by a qualifying majority of the workers."

It is a clear case of snatching the fundamental right right to strike. It is bound to be a Herculean task and time-consuming too, to get mandate for strike through ballot. Once the right to strike is virtually taken away, the trade union movement is bound to lose its weight and edge. While right to strike proposed to be taken away, the right to lock-out has been kept intact!

The employer class has opposed a central legislation for mandatory secret ballot for ascertaining the majority trade union for the purpose of granting recognition. It could not see

the light of the day so far. The employer class is eager to utilise secret ballot as an instrument for furthering their anti-labour game; but it is opposed to secret ballot for a democratic process of recognition!

Section 11-A of the I.D.Act: This section provides powers of "Labour Courts, Tribunals and National Tribunals to give appropriate relief in case of discharge or dismissal of workmen." The Ahluwalia Committee has recommended deletion of section 11A from the I. D. Act. Such deletion shall take away the legal right of dismissed workers to go to the labour court/industrial tribunal against wrongful dismissal.

In the absence of any legal barrier, incidence of vindictive dismissal from services shall take place in massive scale. Moreover, the trade union organisers shall be the first victims of false and fabricated charges of misconduct. It is nothing but a blatant attack on trade union right.

Section 9A of the I D Act: This section stipulates the mandatory requirement of advance notice for effecting any change in service conditions of workmen as incorporated in the Fourth Schedule of the I. D. Act. "No employer shall effect any change without advance notice to the workman for changing the service conditions in contravention to the terms of employment." Amendment to this section has been recommended. The employers have demanded that this section should be scrapped.

The implication of scrapping this section from the I. D. Act will be very serious. The matters covered under Schedule IV include wages, compensatory allowances, leave and holidays, hours of work, classification of grades, rationalisation, standardisation or improvement of plant or technique, which is likely to lead to retrenchment of workmen etc. A ferocious onslaught on the workers will be launched by the employer class in the name of restructuring, modernisation, productivity, right-sizing etc., once the protection under section 9-A is scrapped.

Contract Labour Act

Sweeping changes in the Contract Labour (Regulation and Abolition) Act has been recommended by the Ahluwalia Committee Report. Without mincing words, the report has openly commented: "an important aspect of cost effectiveness is that the service can be discontinued or contracted on a reduced scale" in difficult times." ... and therefore" The Contract Labour (Regulation and Abolition) Act needs to be suitably amended to allow all peripheral activities to be freely outsourced."

However, two important developments need to be considered. If chapter V-B of the I. D. Act is deleted, as recommended by the report, the concept of permanent employment shall be buried permanently and all employment shall on contract basis only. In that unfortunate eventuality, the Contract Labour Act shall rather become superfluous. The recent judgement of the Supreme Court over-ruling their previous judgement in Air India's case has been an advance step in that direction. In the coming days the menace of almost total contractorisation of employment shall pose a very serious challenge to the entire working class movement.

The Trade Unions Act

On the Trade Unions Act, 1926 the Ahluwalia Report has recommended more stringent provisions for registration of trade unions and also imposing restrictions for outsiders to hold office in trade unions. However, in the meantime, both houses of Parliament have adopted the amendment of the Act. (This is published elsewhere in this issue)

REPEAL OF SICA

The Ahluwalia report has recommend that "SICA be repealed and replaced by a new law modelled on the US Chapter 11 procedure (facilitating) speedy closure." SICA and for that matter BIFR has been considered as barrier by the employer class for fast tract closure of so called sick industries.

Sick Industrial Companies (Special Provisions) Repeal Bill has been tabled in the Lok Sabha on 23rd August 2001 by the Union Finance Minister. At the same another Bill - Companies (Amendment) Bill has also been tabled in the Lok Sabha on 30th August 2001, by the Law Minister. On enactment of the SICA Repeal Bill, the BIFR and AAIFR shall stand dissolved and all proceedings pending before BIFR and AAIFR shall stand abated. Thereafter, the amended Companies Act shall deal with the sick industries. On enactment of the aforesaid Bills, the incidence

of closure of sick industries shall increase by leaps and bounds. 1,062 cases of sick industrial units were pending with the BIFR as on 30.6.2000. With the proposed deletion of legal protection available under chapter V-B of the I. D. Act, the future of the lakhs of workers employed in the sick industries is a matter of serious concern for the trade union movement.

In fine, the devilish design of the employer-Govt nexus to impose slavery on the working class is already at work. The trade union movement must realise the depth of the satanic design and prepare for broadest possible unity and strongest resistance struggle throughout the country. The design for slavery cannot be allowed to pass.

SUPREME COURT JUDGEMENT ON CONTRACT WORKERS

UNITED PROTEST BY TRADE UNIONS

In a joint statement released to the press on 15th September, 2001, the leaders of AITUC, CITU, HMS, INTUC, TUCC, UTUC, UTUC(LS) AND AICCTU have said: The Supreme Court judgement of 30th August, 2001, in the civil appeal filed by the Steel Authority of India Ltd. (SAIL) and others, overruling the judgement of the same Court in Air India's case, is a regressive and retrograde step. It has, by one stroke, nullified whatever the contract workers have gained through their struggle for decades and their battle for justice in different courts of law.

During the last 25 years, the Supreme Court had to intervene in many cases and delivered several landmark judgements in favour of the workers, after seeing the ruthless exploitation and denial of social justice of these workers,. The judgement in the Air India case in 1996 has sought to set right many ambiguities and infirmities in the law and enforce the social obligations of the employers towards contract workers.

In an earlier case the Supreme Court had noted "the naked truth, though draped in different perfect paper arrangement, that the real employer is the management, not the immediate contract" and "myriad devices, half-hidden in fold after fold of legal form may be resorted to when labour legislation casts welfare obligation on real employer, based on articles 38, 39, 42, 43A of the Constitution"

The Supreme Court in the Air India case had relied on this observation regarding relations between Principal Employer and the Contract Labour an ruled that "Once the contractor intermediary goes the term "Principal" also goes with it.... and the employer necessarily becomes a direct employer of these erstwhile contract workers".

After the Air India judgement the Government of India should have changed the Act, but they did not come to the help of these hapless contract workers. Instead, some public sector units went in appeal and now Supreme Court has reversed the Air India case judgement, making absorption of these workers almost impossible.

The entire trade union movement expresses serious concern over this judgement which has not taken into account the social and human factors involved and which will perpetuate the ruthless exploitation by way of abysmally poor wage, no social security, no job security of millions of contract workers. We demand of the Government of India to take immediate steps for bringing in appropriate enactment to annul the verdict of the latest judgement of the Supreme Court and amend Section 10 of CLRA Act making it mandatory for the employers to absorb as regular employees the contract workers in perennial jobs. We call upon all unions to protest the judgement of the Supreme Court and send telegrams to the Union Minister of Labour demanding enactment of legislation annulling the effect of the judgement.

GEETHAKRISHNAN COMMISSION

A MOCKERY OF EXPENDITURE REFORM

The NDA Government appointed Expenditure Reforms Commission under the chairmanship of K P Geethakrishnan, former Finance Secretary. The Commission has submitted so far 6 reports which covers wide range of topics which includes operation of various ministries of the Government. The Commission has even dealt with the question of food and fertiliser subsidies which it wants to reduce drastically as a part of package of "expenditure reform."

Downsizing manpower in every ministry has become a pet scheme suggested by the Commission. Moreover, curtailment of existing facilities and benefits galore, mark the reports.

The expenditure reform of the NDA Government does not object increasing the size of Cabinets of Central and State Governments, enhancing drastically the salary and perquisites of minsters and Members of Parliament, exodus of officials to foreign countries, particularly during summer seasons on flimsy pretexts, etc adding to the already high burden on the tax payer.

Privatisation and corporatisation has been another theme proposed by Geethakrishnan Commission in the name of curtailing Government expenditure. It has gone to the extend of recommending dissolution of Joint Bipartite Committee for Coal Industry. The Commission has not even spared the autonomous institutions.

While recommending reduction of staff in the category of Group C & D the Commission has been liberal in having more official orientation in various ministries and departments.

Geethakrishnan Commission in practice has made a mockery of the very concept of expenditure reform in the administrative set up of the Government. Trade union movement in India will have to campaign to oppose these recommendations.

(Detail critique will be published in the next issue of The Working Class)

GLOBAL DAY OF ACTION AGAINST GLOBALISATION

In a joint statement issued on 26th September 2001 the leaders of all the Central Trade Unions viz. AITUC, BMS, CITU, HMS, INTUC, AICCTU, TUCC, UTUC and UTUC(LS) have called upon the trade unions and working people of India to observe November 9th as a day of global TU action against globalisation. The text of the joint statement:

The united movement launched by the Indian workers on the 5 point demands has received extremely good response all over the country. The remarkable unity achieved by the trade unions of all affiliations has generated good enthusiasm in all the States.

The unity should be further strengthened and consolidated. We, therefore, appeal to all the trade unions in the country to prepare for countrywide programme of agitation when the Ministerial level meeting is taking place on 9th November 2001 at Doha (Qatar).

The International Confederation of Free Trade Unions (ICFTU) has given the call to observe the day as Global T.U Action Day by holding various forms of protest action to say 'NO TO GLOBALISATION' which hits the interests of common people, which has been simultaneously endorsed by World Federation of Trade Unions (WFTU) and World Confederation of Labour (WCL).

We welcome this world initiative and call upon the Indian Working Class to observe 9th November unitedly in a fitting manner so that the united voice of the working class of India is powerfully heard all over the country.

The 5 point demands should be highlighted on this day by holding demonstration rallies, dharna etc. so that largest mobilisation of workers is achieved on this day.

We are confident that workers belonging to all trade unions will unitedly observe the day is a magnificent manner so that we can unitedly fight to protect the interest of the working class and the self-reliant development of Indian economy.

EMPLOYMENT ISSUES AND 'EXIT POLICY'

W.R.Varada Rajan

With the onset of the 'economic reforms' during 1991, there was an orchestrated demand for introduction of 'exit policy' measures. As the reforms agenda itself met with serious opposition from the workers and the trade unions, the chorus for 'exit policy' was consigned backstage. But now, as the Government of India has embarked on the 'second generation reforms', the 'exit policy' demand has surfaced again; the only change is in its nomenclature into 'Labour Law Reforms'.

There is no denying of the fact that this drive towards deregulation of the labour market is an offshoot of the reforms process.

As a consequence of the reforms implemented through the last decade, there had been massive job losses, resulting from ever increasing lay-off, retrenchment and closure of industries. (Employment in the Central Public Sector Undertakings alone reduced by two lakhs from 21.79 lakhs in 1991 to 19.78 lakhs in 1996). This was further reduced to 18.54 lakhs in 1999-2000. The present thrust for 'labour law reforms' is only to facilitate the adoption of new strategies such as: Re-engineering (measures aimed at cost cutting through labour shedding); Downsizing workforce; Early retirements; Substitution of skilled, often hi-tech, work force, replacing unskilled workers; Search for flexible labour utilisation arrangements through casualisation, etc. This is, however, presented, attaching some sort of social and economic justification.

SPECIOUS ARGUMENTS

"The labour laws are rigid and therefore, they impede growth." "Flexibility in labour laws will lead to generation of more employment." "This is needed for attracting more Foreign Direct Investments." "The labour laws are too harassing and cumbersome for the employers." And so on. The fact of the matter is none of these arguments have, as yet, been substantiated.

Trade unions in the country can by no means afford to buy this specious argument of flexible labour laws leading to more generation of employment. If that argument were to be believed, will legalisation of forced or bonded labour usher in full employment?

What is the situation on the ground?

MENACING UNEMPLOYMENT

One need not dwell at length over the ever-growing magnitude of the menacing problem of unemployment in this country. The data provided by the National Sample Survey 55th Round Report (1999-2000) testify to the fact that unemployment rate has scaled scary heights. The recent Report of the Task Force, appointed by the Planning Commission of India, headed by Montek Singh Ahluwalia, is a revealing document, confirming that the decade of reforms had only aggravated this problem and no sign of mitigation is anywhere in sight.

The total number of job seekers on the live registers of the Employment Exchanges in the country had steadily been going up. The Government statistics reveal that their number had gone up from 3.46 crore in 1990 to 4.02 crore in 1999. (Source: Ministry of Labour, Annual Report 2000-2001). As on 30.04.2001, the number was 4.12 crore. (Reply to a question Rajya Sabha on 26.07.2001).

The annual employment growth rates decelerated from an overall average of 2.04 per cent before reforms (1983-94) to a mere 0.98 per cent in 1994-2000. The Economic Survey, 2000-2001 explained this away as: "Higher economic growth in the recent past, if it has been more capital-intensive, may have resulted in lower employment intensity." The report of the Task Force said: "The low employment elasticity in the 1990s, reflects the fact that employment growth decelerated in this period while GDP growth accelerated."

When it is uncertain that economic growth may per se not bring about employment growth, how does one accept the logic that labour law reforms will result in growth leading to generation of employment? The reforms agenda itself aims at a jobless growth only, one should not forget.

The Task Force report as well as the Approach

Paper to the Tenth Five Year Plan of the Planning Commission clearly point out that any further growth in employment might at best be in the informal and service sector only.

QUALITY OF WORK

The data released by the NSSO (55th round) reveals that the employment in the organised sector is only 8 %. Given the fact that all this 8 % is not unionised and casualisation of jobs had taken place in a big way in the organised sector, there is much cause for concern about the quality of employment in the organised sector itself.

In this context, the question arises whether labour law reforms will result in quality employment or only in non-standard employment and non-standard work practices?

In the International Labour Conference, held in Geneva during June this year, the focus was on bringing down the 'Decent Work Deficit'. Mr.Juan Somavia, Director General of the ILO in his report noted the shortcomings in this regard as 1) Employment Gap, 2) Rights Gap, 3) Social Protection Gap and 4) Social Dialogue Gap. The proposed labour law reforms will only lead to widening these gaps and not reducing them.

The Government had appointed the Second National Commission on Labour. But, the Finance Minister has, in his last Budget, announced far reaching amendments to the labour laws, reducing the Second National Commission on Labour exercise to a mockery. The Task Force of the Planning Commission on Employment had made further recommendations, touted as 'remedies' for the grim employment scenario in the country, which no civil society can accept.

The power of MNCs over the global economy

Consider these facts. Of the 100 largest economies in the world, 51 are now global corporations and only 49 are countries.

The combined sales of the world's top 200 corporations are far greater than a quarter of the world's economic activity.

The top 200 corporations combined sales are bigger than the combined economies of all countries — barring nine. That is, they surpass the combined economies of 182 countries.

The top 200 corporates have almost twice the economic clout of the poorest four-fifths of humanity.

The top 200 corporates have been net job destroyers in recent years. Their combined global employment is only 18.9 million — less than one-third of one per cent of the world's population.

And not only are these corporates cutting workers, their CEOs are benefitting financially from these job cuts.

These facts have been put together by Ms Sarah Anderson and Mr John Cavanagh of Corporate Watch.

And there are more. For instance, according to a study by the US Institute for Policy Studies (IPS), there are now 40,000 corporations in the world whose activities straddle national boundaries. These firms access overseas markets through over 2,50,000 'foreign affiliates'.

Two-hundred corporations, most of them larger than many economies, now control well over a quarter of the world's economic activity. According to IPS, Philip Morris is larger than New Zealand and operates in 170 countries. Instead of creating an integrated global village, these firms have worked out inter-locking production, consumption and financial arrangements that benefit a third of the world's people, leaving two-thirds marginalised or hurt.

The punchline is that in the last decade or so, corporate concentration has increased and profits soared even while workers and communities are getting an ever-shrinking piece of the growing pie.

Further, multinational corporations have, in recent times, leveraged their economic power to position themselves as primary agents of the kind of 'economic development' that inevitably results in gross social and political inequities, environmental disasters and loss of cultural diversity.

These and related considerations constitute grave causes for concern.

(Pratap Ravindran Businessline, 11 Sep 2001)

A RETROGRADE JUDGEMENT BY SUPREME COURT

Ardhendu Dakshi

Contract workers were always there from the pre-independence days but in relatively much small numbers and specific areas like construction, etc. But in the sixties the situation changed dramatically. That decade had seen an upheaval of militant trade union movements and workers had registered significant gains, which the employers had to concede. To cut down cost, the employers started engaging workers through contractors in all kinds of jobs, even in manufacturing, which were, in most cases, permanent and perennial in nature. These workers were treated as absolutely casual workers with very low wage, no social security, no statutory benefits or other protection of law. Moreover, the employers had the power to hire and fire at will, these workers being termed as "Contract Workers".

There were other incentives also. Apart from the company's gains, there were personal gains also. Huge amount of money changed hands in brokering, awarding contracts, in supervising and passing the pay bills and so on. The ruling party functionaries also got the spoils of the system. A strong nexus formed between political leaders, contractors and officials fleeced the workers at will. A 'Contractor Raj' was firmly in place.

This ruthless exploitation gave rise to a strong resistance movement all over the country, protests and strikes became regular everywhere.

At this juncture, Government of India (GOI) had to intervene and the Contract Labour (Regulation & Abolition) Act was passed in 1970. But the measures were extremely half-hearted and obviously pro-employer.

The main thrust of this act was to regulate the service condition and other aspects of engagement of contract workers. But, the regulatory role was never brought into force.

The provisions for abolition also suffer from serious infirmities and ambiguities. The process of detection and notification is extremely cumbersome.

The most harmful aspect of Section 10 of CLRA Act is that, the authorities can prohibit engagement of Contract Labour in certain jobs but cannot direct the employers to absorb the contract workers already working there. The law did not carry such a provision.

The workers in several industries, particularly in organised sector, intensified their movement for regularisation. A number of cases landed in the courts of law. Many went upto Supreme Court for final verdict. The two issues that came up again and again before the courts are:

1) What is the relation between a Contract worker and the Principal Employer?

2) What happens to contract workers, if and when their engagement as contract worker in that particular job is prohibited?

In 1996, the Supreme Court, in the case of Air India, delivered a judgement that clarified the ambiguities and infirmities in the Act. It was a landmark judgement. The Supreme Court saw through the malpractices and malafide intentions of the employers and contractors and the "veil" was lifted by the Court. The following excerpts will exemplify the real situation in industry and condition of contract workers.

"We discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the management, not the immediate contract. Myriad devices, half-hidden in fold after fold of legal form may be resorted to when labour legislation casts welfare obligations on the real employer based on the articles 38, 39, 42, 43 and 43A of the constitution. The court must be astute to avoid the mischief and achieve the purpose of the law and not be misled by the maya of legal appearances". (Krishna Aiyer.J)

"When these contract workers carry out the work of the principal employer, which is of a perennial nature and if provisions of Section 10 get attracted and such contract labour system in the establishment gets abolished, on fulfillment of the

conditions requisite for that purpose, it is obvious that the intermediary contractor vanishes and along with him vanishes the term `principal employer'. Once the contractor intermediary goes the term 'principal' also goes with it. Then remains out, i.e, the workmen on the one hand and the employer on the other who is no longer their principal employer but necessarily becomes a direct employer for these erstwhile contract laborers". (Majumdar.J)

The above observations and the Air India judgement helped contract workers in many other industries where the employers were forced to regularise the workers in perennial jobs. A difficult battle was fought with some success.

But, such successes were confined mainly to organised public sector and State owned departments. In the height of globalisation the picture turned to be worse in private sector. In the name of being competitive in the global market, they have reduced almost entire workforce as contract workers. In modern multi-million tonne Steel plants they engage only contract workers with 12 hours duty and less than half of the wages paid in SAIL or TISCO, with no social security benefits. In some places workers are changed every six months. Or, if they are to be retained because of their skill and experience, then their names are changed so that the provisions of CLRA act are avoided We know some employers have closed their factory for six months, terminated all their workers and then reopen with the same workers, but this time as 'Contract Workers' with half the wage. Poverty, unemployment have forced these workers to surrender.

In this situation, it is a matter of regret that Supreme Court has reversed the Air India case judgement on 30th August, 2001, on an appeal by SAIL and some other public sector undertakings. This reversal will make absorption of Contract workers in permanent jobs almost impossible. Again, the court is silent on the conditions of service and social security aspects of the Contract workers. Million of workers will have to work and live like slaves at the mercy of the employers.

For obvious reasons, the employers' organizations like FICCI, CII, are elated at the reversal of Air-India judgement. The recent Supreme Court judgement has given a boost to the BJP Government, which is determined to push through labour reforms. Almost the entire work force will be mere casual workers and the employers will have unfettered rights to hire and fire.

Contract Labour: Over-reaching to Employers

In the area of labour law reforms relateing to the legislation on Contract Labour, the employers have been demanding a core and periphery arrangement by which the permanent employment be limited to core jobs and outsourcing be freely permitted in peripheral jobs.

This is what the Special Subject Group comprising Nusli N. Wadia and Ratan N. Tata, under the Prime Minister's Task Force on Trade and Industry had suggested on this issue:

Issue : Contract Labour - Industry needs Government's help in the law relating to contract labour. The Contract Labour (Abolition and Regulation) Act 1970, (CLARA) is a Central enactment, but State Governments have rights to abolish contract labour in any industry in any part of their State. Contract labour employed for casual work through independent contractors have often been made permanent employees of that company by the law courts; thereby burdening the company with additional wage costs, since the workers were engaged in casual labour on the Company's premises.

Action - Regulate contract labour in various industries to non-core activities of a company and not abolish it. This should be made explicit in CLARA by amending the relevant portions of the Act. The clause should clearly define that contract labour cannot be utilised in the concerned company's continuous manufacturing process and should be relegated only to a company's non-core areas.

But, the Finance Minister had announced that contracting would be permitted in both the core and peripheral jobs!

Document

Bill No.XXX-C of 2000
THE TRADE UNIONS (AMENDMENT) BILL, 2001
(Passed by both the Houses of Parliament and assented to by the President of India)
A BILL
further to amend the Trade Unions Act, 1926

Be it enacted by Parliament in the Fifty-Second Year of the Republic of India as follows:-

1. (1) This Act may be called the Trade Unions (Amendment)Act, 2001.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In Section 4 of the Trade Unions Act, 1926 (hereafter referred to as the principal Act), in sub-section (1), the following provisions shall be inserted at the end, namely:-

" Provided that no Trade Union of workmen shall be registered unless at least ten per cent, or one hundred of the workmen, whichever is less, engaged or employed in the establishment or industry with which it is connected are the members of such Trade Union on the date of making of application for registration:

Provided further that no Trade Union of woken shall be registered unless it has on the date of making application not less than seven persons as its members, who are workmen engaged or employed in the establishment or industry with which it is connected".

3. In section 5 of the principal Act, in sub-section (1), after clause (a), the following clause shall be inserted, namely:-

"(aa) in the case of a Trade union of workmen, the names, occupations and addresses of the place of work of the members of the Trade Union making the application;"

4. In Section 6 of the principal Act, -
(a) for clause (ee), the following clause shall be substituted, namely:-
"(ee) the payment of a minimum subscription by members of the Trade Union which shall not be less than -
(i) one rupees per annum for rural workers;
(ii) three rupees per annum for workers in other unorganised sectors; and
(iii) twelve rupees per annum for workers any other case," ;
(b) in clause (h) for the world "appointed", the word "elected" shall be substituted;
(c) After clause (h), the following clause shall be inserted, namely:-
"(hh) the duration of period being not more than three years, for which the members of the executive and other office-bearers of the Trade Union shall be elected."

5) After section 9 of the principal Act, the following section shall be inserted, namely:-

"9A. A registered Trade Union of workmen shall at all times continue to have not less than ten per cent, or one hundred of the workmen, whichever is less, subject to a minimum of seven, engaged or

employed in an establishment or industry with which it is connected, as its members".

6) In Section 10 of the principal act, after clause (b), the following clause shall be inserted, namely:-
"(c) if the Registrar is satisfied that registered Trade Union of workmen ceases to have the requisite number of members."

7) In Section 11 of the principal act, in sub-section (1), after clause (a), the following clause shall be inserted, namely:-

"(aa) where the head office is situated in an area, falling within the jurisdiction of a Labour Court or an Industrial Tribunal, to that Court or Tribunal, as the case may be".

8) For section 22 of the principal act, the following section shall be substituted, namely:-

"22. (1) Not less than one-half of the total number of the office-bearers of every registered Trade Union in an unorganised sector shall be persons actually engaged or employed in an industry with which the Trade Union is connected:

Provided that the appropriate Government may, by special or general order, declare that the provisions of this section shall not apply to any Trade Union or class of Trade Unions specified in the order.
Explanation :- For the purposes of this section, "unorganised sector" means any sector which the appropriate Government may, by notification in the Official Gazette, specify.
(2) Save as otherwise provided in sub-section (1), all office-bearers of a registered Trade Union, except not more than one-third of the total number of the office-bearers or five, whichever is less, shall be persons actually engaged or employed in the establishment or industry with which the Trade Union is connected.
Explanation - For the purpose of this sub-section, an employee who has retired or has been retrenched shall not be construed as outsider for the propose of holding an office in a Trade Union.
(3) No member of the Council of Ministers or a person holding an office of profit (not being an engagement or employment in an establishment or industry with which the Trade Union is connected), in the Union or a State, shall be member of the executive or other office-bearer of a registered Trade Union".

9) In Section 29 of the principal Act, after sub-section (2), following sub-sections shall be inserted, namely:-

"(3) Every notification made by the Central Government under sub-section (1) of section 22, and every regulation made by it under sub-section (1), shall be laid, as soon as may be after is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or regulation, or both Houses agree that the notification or regulation should not be made, the notification or regulation shall thereafter have effect only in such modified from or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification or regulation.
(4) Every notification made the State Government under sub-section (1) of section 22 and every regulation made by it under sub-section (1) shall be laid, as soon as may be after it is made, before the State Legislature".

ECONOMY DERAILED !

ECONOMY GROWS? EMPLOYMENT GOING DOWN?

Manufacturing companies axed jobs by more than one-sixth in two years...
Tata Iron & Steel co: reduced staff strength by 10414(17.58%) in two years..
TATA Engineering : 9375 workers stuck off the rolls between 1998-2001...
Voltas downsized manpower by a hefty 41.61%, Philips India by 35.44%, ABB by 28%, Zuari Industries by 27.7%....
Reliance Industries and Hindustan Zinc reduced workforce by 1500 each...
Bajaj Auto : 4785 workers axed during 1998-2001
Hindustan Motors : 1500 job cuts in a little over two years..
Escorts(Engineering division): workforce slashed from 1250 to 650
Daewoo India: 143 offloaded so far this year, 200 more likely to go
LML Ltd : 15% downsizing done last year.....
Six PSUs axed 1,20,000 jobs in three years...of which BHEL reduced its workforce by 10712, SAIL by 20000, Coal India Ltd by 90000, Hindustan Zinc by 1443, and rest by ONGC and another PSU.....
Railways planned to cut 30000 jobs every year for next ten years....
10000 people in the IT sector lost their jobs in last one year...
80% of the job cuts are in software services...
NIIT list of software professionals down by 6% in last quarters...
CISCO lays off 150 from Bangalore development centre...
Indya dot com down sizes by 35%.....
6000 cement sector jobs set to crumble....
ACC downsizes by 6000 in last three years...
L&T cement division's 2000 employees may be handed over the dreaded pink slip of VRS(?) in the days to come....
Taj, Oberoi and Welcomegroup chains of hotels downsize by 1800
1500 to be off-loaded from ITDC hotels after privatization....
35% of the textile workers remain unemployed...
3.49 lakh of the 9.97 lakh workers in the industry are jobless...
15000 jobs cut between March 2000 and June 2001....
395 of the 1850 registered textile units shut, 47 in the last 15 months... Reliance laid of 4600 in textile division, Grasim (Birla) reduced workforce by 1350, Bombay dying closed down Jamnagar and Roha units and also planning cut workforce further by around 3000...
Outsourcing option leads to job-cuts...
Hit by synthetic fabric cotton textile mills are worst affected....
11% reduction in PSU bank staff, or 99452 in absolute terms till recent days...
Workforce was reduced by 566 in Stanchart....

(Business Standard, 18th August to 3rd September, 2001)

THE AXE-EFFECT ON EMPLOYMENT IN IT SECTOR

The cat is finally out of the bag... the slow-down-hit IT industry is coming to terms with lay-offs in India....A snapshot survey of the number of people retrenched in IT sector conducted by eFE b reaux across the country revealed that just a handful of IT companies have already axed over 2000 people.....Extrapolating on the findings could take the overall industry toll to anywhere between 5000 to 10000 IT professionals thus far.....
One of the software majors is reported to have axed 400-600 of its workforce, which it maintains, constitute the bottom 10% of its workforce...Software major Satyam have decided to reduce its staff strength by 5%... The Chennai

DISASTERS AHEAD !

based SSI has cut down about 143 from SSI Tech and 167 professionals from SSI Education service between the two last successive quarters....and cut staff strength by 15% in its overseas subsidiary Albion Orion Corporation, said the CEO of SSI Ltd. Another Chennai based company, Pentasoft Technologies Ltd has laid off over 100 professionals.... Among the smaller players, Hyderabad based Mantiss Software, which set up the shop few months ago, has closed down and has had to axe 40 odd staff... Another Hyderabad based company Aristasoft International plans to close operation shortly bidding adieu to 60 staff...The Zensar Ltd has announced a reduction of about 90 of its staff.....

(The Financial Express, 29-08-2001)

WHO WILL BAIL OUT THE PEOPLE FROM LOOT?

After all Arvind Johari did nothing unusual. He started a fake finance company called Century Finance, changed its name to Cyberspace, joined hands with brokers, rigged share prices and looted the public. Then he joined hands with netas and babus and made Unit Trust of India buy the shares at inflated price. Had the UTI debacle not happened, Johari would have been acclaimed as the Businessman of the 'Millennium' by many, including the media.

Looting the public has become the easiest way to make money in India....A big industrial house is alleged to have made much higher profits in deals with UTI. So why pick on Johari alone ? There are many others like Century Finance who have cheated the public by changing their names.... The latest trend is to change into bio-technology corporates. The total number of vanishing company as on date (after mobilizing huge funds from the market through sale shares, debentures and fixed deposits) is 229.....UTI, KP scam, Madhavpura, GTB or Krushi, all go to show how fragile our regulatory mechanism is.

According to AIBEA, the overall NPAs of banks and financial institutions are Rs 1,20,000 crore(including the interest) and no effective steps are being taken to recover them...The list of defaulters include big corporate houses....Rather, the Govt has allowed 27 public sector banks to write off corporate loans worth Rs 8245.78 crore in two years.

The surprising thing about utilization of public money is that while the FIs are keen to lend a helping hand for private sector units, the same interest is lacking in the case of public sector units. For example, FIs have sunk over Rs 17000 crore in private sector steel projects.... Now the FIs are busy in restructuring their debt burden...or in simple words, bail outs. IISCO is glaring example in contrast. Despite its high potential, the public sector plant has been limping for years in the absence of modernization at an invest of nearly 2000 crore...When it comes to the bail out of corporates, the Govt seems very considerate(The writing off of huge corporate loans is the proof in point). But the same thing does not seem to apply to public sector and the common people.....

With rising insecurities due to changes in labour laws, increasing cost of living, falling interest rates and lack of jobs, the common people await a bail out too!

(A D Praddep Kumar, The Financial Express, 7-09-2001)

RBI SEES NO INDUSTRIAL RECOVERY.... SAYS TENTH PLAN IS A TALL AGENDA.... FOREIGN INVESTMENTS DIPS...

(The Economic Times, 29-08-2001)

STATES TO REDUCE DEFICIT IN 2001- 02 BY SLASHING DEVELOPMENTAL FUND

(The Economic Times, 3-09-2001)

FINANCIAL MESS ONLY PERIPHERAL, FUNDAMENTALS ARE STRONG (!) - Yeshwant Sinha

(The Financial Express, 29-08-2001)

REPORTS & EVENTS

STATE LEVEL WORKSHOPS ON ORGANISATION

As decided by the CITU Secretariat, State level workshops on organization are being held in different States. Reported below are the workshops held in Haryana and Uttaranchal.

HARYANA

Workshop was held on 1st and 2nd September 2001 at Hissar. 87 comrades covering state and district level leadership of CITU took part in the workshop. The workshop was also attended by Tapan Sen and K Hemalata, both secretaries of CITU from the centre.

The workshop was presided by Prabhat Singh and Hawa Singh, both vice-Presidents of the State CITU in absence of the President S N Solanki, owing to illness. The workshop was inaugurated by Tapan Sen, secretary CITU, who explained the urgent tasks on organization adopted by the 10th conference of CITU and steps to be taken for its implementation. Satveer Singh, General Secretary of the State CITU placed a self critical report on the state of organization and functioning at various levels of the CITU in the State and also the steps to be taken for the improvement of the functioning at all levels. K Hemalata, Secretary CITU also addressed the workshop.

Discussion was carried in five different sessions dealing on a) functioning of the CITU committees vis-à-vis principles of democratic functioning, b) working women front, c) work in unorganized sector, d) work in organized sector and e) education and training. Most of the comrades present in the meeting took active part in deliberation and interaction in all the sessions and made valuable suggestions. In the concluding session concrete programmes and targets have been adopted in all the aspects of organization in order to strengthen and expand CITU throughout the State

.

UTTARANCHAL

On 8th and 9th September 2001, the State level workshop was held at Dehradun. 47 comrades from different parts of the State representing various industries and sectors attended the workshop. Kanai Banerjee and Tapan Sen, both Secretaries of CITU attended the workshop.

Satyaprakash, President of State CITU presided over the two day workshop. Kanai Banerjee, Secretary CITU, while inaugurating the workshop, explained in detail the urgency to step up all round effort to organizationally consolidate the widening influence of CITU in line with the document on organization adopted by CITU in 1993 and the concrete task thereon drawn by the 10th conference of CITU. He pointed to the increasing onslaught on the rights of the working class by the employer-Govt nexus and stressed upon the need for CITU's initiative to unite the entire working class.

The workshop discussion was divided into four sessions viz., a) Democratic functioning of the CITU committees at various levels, b) Expansion of organisation and membership base, c) Ideological issues, d) education and training. Virendra Bhandari, General Secretary of the State CITU placed the report on the state of organization at Uttaranchal and steps to be taken to strengthen the organization. All the comrades took active part in the deliberation in different sessions. Tapan Sen also addressed the comrades and intervened in the discussions in separate sessions.

The workshop adopted a time bound programme and set concrete targets on various aspects of organizational tasks. Kanai Banerjee delivered the concluding address.

KIND ATTENTION
ALL THE STATE COMMITTEES AND AFFILIATED UNIONS

Please send your Annual Returns and Affiliation fees upto the year 2000 without any further delay

U.P : MEETING OF THE PUBLIC SECTOR UNIONS

Lucknow, 16th September, 2001, the State level meeting of the leadership of the central public sector unions in the State was held. Leaders from the CITU and friendly unions from Rehand, Shaktinagar and Uchahar projects of NTPC, BHEL(Jhansi), HAL(Lucknow), ITI(Raebareilly) and Mathura Oil Refinery of IOC attended the meeting.

The meeting was presided over by Daulat Ram, General Secretary of UP State CITU. Welcome address was given by KN Bhat, President UP State CITU. S Dev Roye, Secretary CITU delivered the inaugural address and stressed upon the need for much more active coordination between the public sector unions in the State in the struggle against anti-public sector policies of the Govt. This task warrants strengthening of the CITU organizations in all the public sector units in the State, Dev Roye asserted. Daulat Ram placed the report on the state of organization in various public sector units in the State and proposed steps to be taken to improve upon the situation in active coordination with the State and the District committees. He also stressed the need for the CITU's initiative in all the public sector units in the State to unite all the unions at the industry level in the struggle against privatization and closure.

All the comrades took active part in the deliberations on the report and adopted unanimously the organizational tasks laid down in the report. The State level coordination committee of the central public sector unions have been formed in this meeting. Tapan Sen Secretary CITU and Arvind Kumar, Secretary of State CITU also addressed the meeting.

SEMINAR ON MOVE TO CLOSE DOWN COAL WASHERIES

4th September 2001, a seminar was held at Dugda community centre at the initiative of CITU unions in all the five coal washeries under BCCL viz., Dugda, Bajudih, Patahrdih, Madhuban and Mahuda to oppose the retrograde policies of the BJP Govt to close down the coal washeries.

200 workers including the leadership of CITU unions in all the five washeries under BCCL attended the seminar. Baijnath Kewat, Secretary Bihar Colliery Kamgarh Union placed the declaration before the gathering exposing thoroughly the game of the BCCL management and the Govt to cripple down the coal washeries playing vital role in coal washing for appropriate industrial use. It has been pointed out that the coal washeries are not being properly supplied with coal thereby severely dampening its performance. On the other hand coal is being freely imported particularly for use in the steel plants, which could very well be made available within the country through the washeries. Such a policy of the Govt will also damage the interest of the Indian coal industry, the declaration pointed out.

Leaders from various washeries took part in discussion and the declaration was adopted unanimously declaring the resolve to oppose and resist the anti-national design to close down or privatize the coal washeries. From the semnar, a ten member coordination committee was formed to conduct the "save coal washery movement" with representation from all the coal washeries.

Among other leaders who addressed the seminar were A K Roy, Vice President, BCKU and S K Bakshi, Secretary CITU and President Jharkhand State CITU.

READ & SUBSCRIBE

THE VOICE OF THE WORKING WOMAN

CONFERENCE OF CONSTRUCION WORKERS UNIONS

WEST BENGAL

The fifth conference of Paschimbanga Nirman Karmi Union was held on 8th and 9th Septenber 2001 at Bakreswar Thermal Power Project at Birbhum District, West Bengal. Delegates from various construction sites and units all over the State attended the conference. The conference was inaugurated by Chittabrata Majumdar, General Secretary, West Bengal State Committee of CITU. Majumdar, in his inaugural address dealt on the disastrous effect of the policies of imperialist globalisation and liberalization on the country's economy and the construction sector in particular and said that the working class have been hardest hit by way of job-losses and declining income. The multinational construction companies operating in the country are in the front denying even the statutory minimum wages to workers and move is afoot on the part of the central govt to take away whatever meagre legal protection and social security benefits of the workers in the name of labour-law reforms. The construction workers' movement, while carrying on fight on their own demands must also realize the real impact of the govt policies on the working class and join with fullest might the countrywide united struggle against the policy of liberalization.

The General Secretary placed his report on which thorough deliberation was made by the delegates putting forth various suggestions for strengthening the movement and the organization. The Conference re-elected Shanti Ghatak as President, Arati Dasgupta as Working President, Laxman Seth, MP as General Secretary and Sujit Mukherjee as Treasurer.

On 9th September, afternoon a huge rally of construction workers was held. The rally and mass meeting was presided over by Arati Dasgupta and was addressed by Md Amin, Vice President CITU and Labour Minister, Govt of West Bengal, Debanjan Chakraborty, General Secretary, Construction Workers' Federation of India, Sk Alim, Braja Mukherjee Sk Islam and others.

TRIPURA

3rd Conference of the Tripura State Committee of Construction Workers' Federation was held on 1st and 2nd September at Teliamura.

The Conference was inaugurated by Debanjan Chakraborty, General Secretary of Construction Federation of India. A presidium consisting of Sudarshan Das, Ali Akbar, Nani Saha, Subodh Debnath, Haradhan Adhikary and Shubhatara Bibi conducted the proceedings of the conference.

The Report was placed by Shyamal Das and 20 delegates took part in the deliberation and enriched the report with valuable suggestions on organization and movement. The frontline role being played by the construction workers' union in Tripura in the democratic movement in the State, braving terrorist attacks and the emphasis on the task of uniting the working class and people in combating terrorism also figured prominently in the deliberation. Manik Dey, General Secretary, Tripura State Committee of CITU also greeted the conference.

The Conference elected Sudarshan Das as President, Shyamal Pal as General Secretary along with a 33 member State Committee of CWFI.

The delegates session of the Conference was preceded by a massive rally of more than 5000 workers. The mass meeting was presided over by Sudarshan Das and addressed by Badal Chowdhury, Finance Minister, Govt of Tripura, Khagendra Jamatia, MLA and Debanjan Chakraborty, General Secretary, CWFI among others.

READ & SUBSCRIBE

THE WORKING CLASS

RALLY AGAINST COAL MINES PRIVATISATION

A procession and huge rally of several thousand coal workers along with local students and youth was held at Bagdigi Colliery at Jharkhand on 17th September 2001. Bihar Colliery Kamgarh Union(CITU) along with SFI and DYFI organized the demonstrative procession at the time the Coal Minister, Rambilas Paswan visted the colliery.

The procession of workers, students and youth started from Lodna Colliery and proceeded towards the Bagdigi Colliery gate. The main slogans were against privatization and closure of coal mines, utter negligence to mine-safety endangering the lives of the miners, ban on recruitment and non-payment of workers' dues on account of NCWA-VI, corrupt practices by the management etc.

The demonstrationwas led by S K Bakshi, Secretary CITU and President Jharkhand State CITU, Jamuna Sahay, Suresh Paswan, Ramsumer Paswan, Satish Gupta, Prasidh Ram, Gopal Lal and others. The union coal minister Ram Bilas Paswan had to get down from his car at Bagdigi Colliery Gate before the rallying workers and had to receive the memorandum.

J & K: TU CONVENTION

A convention was organised on4th September, 2001 at Tagore Hall, Srinagar by J&K Coordination Committee of Trade Unions in which more than 600 delegates from about two dozen trade unions of public sector, Central and State Government employees participated.

Nizzar Ahmad Banday Organising Secretary, JKCCTU welcomed. Mohd. Maqbool Convenor JKCCTU inaugurated the convention.

Three main resolutions on economic policies pending demands of the employees and workers were unanimously adopted.

The convention was address by Farooq Ahmad Dar (JK HPMC), Ab. Majeed (CHCC), Haji Ghulam Nabi (ITI), Md. Yousuf (ACVEA), Mohd. Akbar (CSBWU), Abdul Ahad (JK CNJEU), Ali Mohd. Tantray (INZIEA), Bashir Ahmad Muntazir (HMT), Ali Mohd. Bhat (GWSEA), javid Ahmad (JKCLU), Janak Singh (BTEU), Mohd Ayub Ashmandri (AIHTEA) and others. These leaders highlighted the immediate demands of the employees and workers and demanded expansion and revival of public sector by providing adequate budgetary support. Halt on privatisation, regularisation of daily wagers, implementation of labour laws, workers participation in the management etc.

SEMINAR ON WORK-CULTURE

Work culture has become a subject of very intense discussion in the political and industrial circles. The employer class never misses an opportunity to accuse the alleged "lack of work culture" among workmen which is claimed to be one of the major reasons for industrial sickness or backwardness. Workers and trade unions, naturally put forward their rejoinder making backward or obsolete technology, poor management and exploitation of workers, responsible for low output and value addition in India.

Com. Bimal Chatterjee, the

veteran trade union leader organised a seminar on work culture in July last under the aegis of Sanskriti Parishad in Jadavpur. The main purpose was to have an objective look at the question of work culture and bring out the truth about it in West Bengal behind the fire and smoke. It was a well attended seminar where industrialists, trade unions, social scientists, academicians and economists participated and contributed to the building of an unanimity of views.

It transpired in the seminar that work culture is everybodys business, and commitment to it is arising out of our social obligations, and is an integral part of our endeavour to build better life. It was also noted that fruits of work culture cannot and should not be cornered by one player of the industrial activity. In that case it becomes counter productive and breaks down not only social harmony but also the very foundation of economic structure. Much of our sickness or weakness can be attributed to such failures in the past. Com. Bimal Chatterjee thanked all the participants for their candid and valuable contributions and declared that this movement will be carried forward.

7th STATE WORKING WOMEN'S CONFERENCE IN ORISSA

"Tribal women, Dalit women, and working women in general are losing whatever little they have gained in the last more than 50 years after Independence, as a result of the policies of globalisation" said Hemalata while inaugurating the seventh Orissa State conference of working women. "Unemployment and poverty have in creased. While more than 60 million tonnes of food grains are rotting in the godowns of the food corporation of India, starvation deaths are being reported daily from different parts of the country. Working women have to walk longer distances to collect fuel, water etc. Women working as casual and contract labourers and the home based workers have no job security, minimum wages or social welfare benefits." She exhorted the delegates to pay a more active role in the activities of their unions and come forward to take up larger responsibilities in their organisations.

220 women working in various industries like the mines, steel, coal, cement, construction, refractories, textiles, and small scale industries, anganwadi workers, teachers etc attended the conference, held on 19th of August 2001 in at Shramik Bhawan, Rourkela. Most of them were tribal women. Marisa Samad, Namita Panda, Bidyulata Nayak, and Tajmoon Nehar acted as the presidium. Sylvia Bilung, Bernadette Sanga, Belmati Munda, and Bina Toppo formed the steering committee.

Bijaya Kumar Bahidar, professor of Political Science in the Khallikote College was the chief guest. He told that working women should insist that men in their families take more responsibility in domestic work so that women have a chance to play more active role in the society.

Kumudini Behera presented the report of activities after the last conference. 15 delegates spoke. A young girl, working as a paper vendor narrated the initial resistance she faced from the male paper vendors in her job.

Bishnu Mohanty, General Secretary, Lambodar Nayak, President, and Shivaji Pattnaik, vice president of the Orissa State Committee of CITU participated in the conference and promised that the CITU State Committee would take more initiative in organising working women and making the subcommittees functional.

A 20 member coordination committee, with Kumudini Behera as convenor, was formed which decided to organise a trade union class for working women on 9-10 October and ensure formation of women's subcommittees in unions in mines etc where large number of women were working.

ANGANWADI NEWS

CHATTISGARH

A meeting of the activists among the anganwadi workers and helpers in Chattisgarh was held on 18th August at Bilaspur, to discuss about the conditions of the anganwadi employees in the State and work out a plan to organise them. Anganwadi workers and helpers from four districts participated in the meeting besides the State CITU leaders. It was decided to meet the women welfare minister and present the a memorandum demanding extra payment for extra work, summer holidays, implementation of all the benefits as per the directions of the Central Government etc. The meeting also decided to collect signatures from the anganwadi employees on a large scale on the memorandum to the Human Resources Development Minister Shri Murali Manohar Joshi and to send 5 delegates to the trade union class being organised by the AIFAWH at Delhi. The meeting decided to organise the anganwadi employees in a state union.

PUNJAB

In spite of the repeated representation from the Anganwadi Mulajim Union, Punjab, the State Government remained adamant and refused to reinstate the nine anganwadi workers who were removed from service by the Social Welfare Minister of Punjab, to victimise them for their active role in the union. The Government continued to deduct Rs. 100/- pm from their honorarium, since 1997, when the Central Government enhanced the honorarium. Demanding repayment of the amount deducted, reinstatement of the 9 anganwadi workers and payment of extra remuneration for extra work, the Anganwadi Mulajim Union, Punjab, organised a programme of mass relay hunger strike at Chandigarh, for three days during the monsoon session of the assembly. Anganwadi employees from different districts participated in the programme.

On the 21st of August, around 800 anganwadi workers and helpers from Fatehgarh Saheb, Ludhiana, Ropar, and Majetha participated; on the 22nd of August, around 1000 from Amritsar, Gurdaspur, Hoshiarpur, Jallandhar, and Navashahi went on hunger strike; on the 23rd 700 from Sangrur, Mansa, Moga, Ferozpur, and Muktsar sat on hunger strike.

The programmed created a very good impact on the anganwadi employees in the State. The State Committee of the union decided to meet on the 2nd September to review the situation and decide the future course of action.

(Report from Hargobind Kaur)

ANDHRA PRADESH

The Andhra Pradesh State Coordination Committee of Working Women met on 23rd August, at NVB Smaraka Kendram, the office of the CITU State Committee. M Padmasri presided. Members from 11 districts and CITU district secretariat members in charge of working women's coordination committees from 4 districts attended the meeting. Hemalata, secretary, All India Coordination Committee of Working Women, participated in the meeting. The coordination committee reviewed the implementation of the campaign programme on the problems of working women and planned the future activities. It has self critically noted that the coordination committee did not take proper initiative to mobilise the working women in the survey programme undertaken by the CITU State committee, as a result of which the participation of working women in the programme was nominal. It was decided to translate and publish the First Vimal Ranadive Memorial Lecture, delivered by Jayati Ghosh and sell it widely among the working women. The committee also examined the possibilities of forming women's sub committees in the CITU affiliated unions and decided that these can be formed in Medical and Health, Municipal workers' union, construction workers' and the Road Transport Workers' union. It was also decided to increase the subscriptions of the Voice of the Working Woman.

REPORTS & EVENTS

TRADE UNION CLASS FOR ANGANWADI EMPLOYEES

The All India Federation of Anganwadi Workers and Helpers (AIFAWH) organised trade union classes for the activists of the affiliated unions from the Hindi States. The classes were held at the CITU central office at BTR Bhawan in Delhi on 22-24 September. 23 activists from Uttaranchal, Punjab, Madhya Pradesh, and Haryana attended the classes. A R Sindhu, Secretary of the federation acted as the principal. Kanai Bannerjee, Secretary, CITU, inaugurated the classes. Impact of the LPG policies on the anganwadi employees, CITU and contemporary trade union movement, Scientific Thinking, Women in Society - a historical perspective, and principles of organisation were the subjects discussed in the class. Hemalata, Secretary, AIFAWH, W R Varada Rajan, Secretary, CITU, Ranjana Nirula, working editor, Voice of the Working Woman, and A R Sindhu dealt with the subjects. M.K.Pandhe, General Secretary, CITU delivered the concluding speech. A competition on 'writing reports of programmes organised by the union' was conducted. All the students participated actively in the discussions; the discussion on 'Scientific Thinking' was particularly interesting and lively. The participants told that they would take initiative to organise similar classes in their States.

CITU- ILO CHILD LABOUR PROGRAMME

ANDHRA PRADESH

The State level workshop of Andhra Pradesh, for the implementation of the CITU- ILO programme 'Direct Action for the Elimination of the Worst Forms of Child Labour' was held on 28th August 2001 in the meeting hall of the Makineni Basavapunnaiah Bhawan in Hyderabad.

The AP State Committee of CITU made the necessary arrangements for the workshop. P. Ajaya Kumar, the A P State project coordinator and member of the National Committee formed for the monitoring of the implementation of the programme, took initiative to organise the workshop, in consultation with the AP State Committee of CITU. He placed the decisions of the National Round Table meeting held at Delhi, before the AP State Secretariat of CITU, which discussed the issue.

The AP State committee of CITU was actively involved in the implementation of another ILO sponsored project on child labour meant exclusively for the State, which it was implementing in the Ranga Reddy district. The State committee decided to implement this central programme by targeting the child labour working in the beedi industry. More than 30% of the beedi workers in the State were concentrated in Nizamabad district in the Telangana region, and Ananthapur district in the Rayalaseema region too had a large number of beedi workers. As the CITU had considerable influence and in a position to implement the programme effectively, these two districts were selected. After consultation with the concerned district committees of CITU, it was decided to start the non formal education centres in Nizamabad town and Ananthapur town.

Mallikarjun, a graduate coming from a beedi workers' family and an activist of the beedi union in Nizamabad and Aruna, a woman activist engaged in the literacy movement in Ananthapur town were selected as the teachers for the nonformal education centres to be opened in the respective places.

Ten comrades, besides National Project coordinator K. Hemalata, participated in the workshop.

Ajaya Kumar introduced a brief note on the conditions of the child labour in the State, with emphasis on the beedi industry.

In the discussion that followed, participants pointed out that minimum wages announced by the Government for the beedi workers were very low and even that was not being implemented by the owners. Where they were implemented, the number of days of work was reduced to only 10-15 days in a month. Women were taking the help of their children to increase the number of beedies. It was pointed out that though there were some special schools for child labour working in the beedi industry, and a scholarship of Rs. 100/- was paid per child per month, there was no significant reduction in the number of child employed in the work, mostly helping their mothers.

Hemalata explained the perspective of CITU on the issue of child labour and the details of the activities to be undertaken under the programme. She emphasised the need to run the schools regularly and ensuring the full attendance, at the same time creating awareness among the parents of the child labourers. She also told that the local CITU should take initiative to educate the beedi workers on their rights to organise for better wages and living conditions.

The workshop decided steps for conducting the survey to identify the eligible child workers to be enrolled in the NFECs; talk to their parents and convince them to send their children to the NFECs. The selected teachers with the help of the local CITU functionaries should carry out all the tasks so that the NFECs can be started in the last week of October.

HARYANA

The Haryana State workshop on child labour project was held on 2nd September 2001 in Hissar. K. Hemalata, National Project Coordinator, and Tapan Sen, Secretary, CITU, besides nine comrades from Haryana attended the workshop.

Prabhat Singh, the State project coordinator, and member of the National Committee made the necessary preparations for the workshop, in consultation with the Haryana State Committee of CITU. The Haryana State committee of the CITU discussed the decisions of the National Round Table meeting held at Delhi and selected brick kiln and construction industries for the implementation of the project.

A brief note on the conditions of the child labour in the State was placed for discussion. A large number of the brick kiln workers in the State were migrants from the nearby States, who returned to their native States after the season. The entire family, including children worked on the brick kilns. There were no schools at the sites of brick kilns and the children have no opportunity to go to schools. The union realised the necessity of providing educational facilities to the children, when it started organising the brick kiln workers even before the CITU, -ILO project was initiated. The participants told that though the wages in the brick kilns where the workers were organised were better, the working conditions, particularly for the children were harsh. In construction, the child labour was exposed to a lot of hazards without any welfare measures or security. Though schools were not far off from the places where these children were living, their parents could not afford to send them to schools.

The workshop decided to start non-formal education centres before November 1st, after Identifying the eligible child labour working in the brick kilns and construction in the areas and talking to their parents and convince them to send their children to the NFECs.

MAHARASHTRA

The Maharashtra State workshop of the CITU- ILO programme on child labour was held in Jalna, on the 10th of September 2001. K. Hemalata, National Project Coordinator, besides twelve comrades from Maharashtra State Committee of CITU participated.

The Maharashtra State Committee of CITU had earlier discussed the implementation of the programme and decided to start two non formal education centres - one at Jalna and the other at Sholapur. It was decided that child labour working in the Stone cutting industry would be enrolled in the centre at Jalna and those in the beedi industry would be enrolled in the centre at Sholapur. The beedi workers' union at Sholapur was already running a few schools for the child labour in the beedi industry at Sholapur. The

State Committee had also selected the teachers for both the centres. The workshop decided to start the NFEC Jalna on the same day and the one at Sholapur on 2 October. The local quarry workers and the parents of the child labour evinced great interest in the centre and actively participated in the brief ceremony held to mark the opening of the non-formal education centre. K. Hemalata, the National Project Coordinator declared the centre open.

The Deputy Collector of the Jalna district, the district education officer, the local doctor and the NGO ' Saheli' participated in the opening ceremony. Saheli distributed fruits to the children. The district literacy mission distributed slates and books to the children. Around 35 children aged about 6- 9 years were enrolled and attended the school on the first day. The doctor promised free medical check up for the children.

KOLKATA BEEDI WORKERS CONVENTION

In preparation to the programme of Joint March to Parliament by Beedi workers of the country on 27th November, the first State level joint convention was held at Kolkata on 2nd September. It was a massive gathering of around 2000 beedi workers at the Kolkata University Centenary Hall, the venue of the convention, from all parts of Bengal representing all the Central Trade Unions, namely the INTUC, AITUC, CITU, HMS, UTUC, UTUC(LS), TUCC, AICCTU and IFTU. Only BMS, although a partner in the all India programme, could not send any representative.

The programmes of March to Parliament was taken jointly by all the above Central Trade Unions in the background of developing and long neglected problems of the Beedi workers in the industry, particularly after globalisation. There are about 60 lakh Beedi workers in the country, who are fleeced by the monopoly Beedi manufacturers through contractual system and home based work, forcing their families to live under perpetual poverty. There is no uniform minimum wage in the country, which varies indefinitely from State to State, resulting in shifting of production from higher paid states to lower paid states, causing unemployment in one State and perpetuation of low paid areas in the other. Social security measures are denied except in the left dominated States of W.Bengal, Kerala and Tripura. Only a small percentage of workers get Identity Cards, that too in the name of the husband, while the women workers are in overwhelming majority in the industry.

Over and above, the policy of globalisation has hit hard the Beedi indusry. The Government has allowed the giant multinational Cigarette companies to manufacture mini-cigarettes, reducing the excise duty thereon, and also increased the excise duty on Beedi. With the consequent lower prices of the mini-cigarettes, this has allowed the MNCs to capture a considerable part of the Beedi market in India, with the result that the Beedi workers are not able to get work for all the days in a week. Moreover, the USA has stopped export of various brands of Beedi from India like the Dinesh Beedi, Shakti Beedi, Azad Beedi, Ganesh Beedi, etc. The government has also allowed import of Beedi from the USA as well as Beedi rolling machines. Further, the Government is inviting 100 per cent FDI by the giant MNC cigarette manufacturers to India with exemption of excise duty, in the name of developing the under-developed regions like Assam and Tripura. In addition to this, the Bill on Cigarette and other Tobacco Products with restrictions in production, trade, smoking, etc is likely to hit employment in the long run in the industry.

The delegates in the convention deliberated the entire gamut of the problems under the current economic policies, and the apathy of the Government towards these problems despite repeated representations made by the organisations and Statewise movements, and unanimously decided that the massive force of

the Beedi workers in the country must unitedly rally before Parliament to raise their demands in one voice. The convention concretised eight point demands, which included uniform minimum wage throughout the country, social security measures and labour laws, abolition of contract system, issuance of Identity Cards, equal wages to the women workers, amendment of the Beedi and Cigar Act, withdrawal of all concessions given to the MNCs, etc. It adopted unanimously a resolution giving a call for massive participation of the Beedi workers from the State in the 27th November "Delhi Chalo" programme.

The convention was conducted by a presidium consisting of Arati Das Gupta (CITU), Umalwara Rahman (AITUC), Abdur Sayeed (UTUC-LS), Tanima Chatterjee (INTUC), Abdul Gani Mandal (UTUC), Anath Mandal (TUCC) and Bibhas Bose (AICCTU).

The resolution was placed by Md Nizamuddin (CITU) and seconded by Achinta Sinha (UTUC-LS). Among those who spoke were P K Ganguly, Abul Hasnath Khan (both CITU); Saral Dev (TUCC); Pramathes Sen, Tanima Chatterjee (both INTUC); R K Ratnakar, Chanchal Ghosh, Satya Narian Thakur (all AITUC); Ashok Das (UTUC-LS); Abani Roy, Ashok Ghosh (both UTUC); Sudarshan Basu (AICCTU); and D V Krishna (IFTU).

GOVERNMENT EMPLOYEES TO CONTINUE STIR

8 Million State and Central Government Employees, teachers, employees of the Local Self-Governments, Panchayat Raj institutions and others struck work on 25th July, 2001. The strike had its massive impact throughout the country for it was wide spread and succeeded in manifesting unity and total opposition of Government employees against the policies of privatisation, corporatisation, indiscriminate downsizing, abolition of posts and amendments to the existing labour legislations of country detrimental to the interest of the workers etc.

However, the Central and most of the State Governments of the country seem to have decided to ignore the resentment of the employees manifested by the nationwide one day token strike on 25th. The Expenditure Reforms Commission has already submitted its report covering most of the Government Departments. The Rakesh Mohan Committee in its report have suggested major overhaul of the Railway organisations, and the Ahuwalia Committee has concretized the various amendments needed for the labour enactments. A report on restructuring of pension benefits making it contributory has also been submitted. The Prime Minister is on record to state that thee suggestions would be considered by the Government and implemented without further loss of time. And as a sequel to the recent downturn of the economy, Govt. has decided drastic downsizing and speedy privatisation of the PSUs.

In a joint meeting of the All India State Government Employees Federation and Confederation of Central Government Employees and Workers held on 12th September 2001 an intensive campaign programme was decided. Accordingly, mass meetings, conventional pamphleting and other measures will be held during the months of October and November, 2001.

It is likely that some of the Departments of the Central and State Government might face closure and massive retrenchment in the coming months on the basis of the recommendations made by the Expenditure Reforms Commission. They will obviously be organising programs of action resist such disastrous move on the part of the Govt. The Co-ordination Committees will also be organizing massive agitation programe in support of the struggling workers of these departments.

(Report by Sukomol Sen & S.K. Vyas)

Consumer Price Index Numbers for Industrial Workers on base: 1982 = 100

Sr. No	Centre	May 2001	June 2001	July 2001
1	Gudur	435	447	452
2	Guntur	425	438	442
3	Hyderabad	437	441	441
4	Visakhapatnam	437	442	444
5	Warangal	456	465	472
6	D D Tinsukia	386	384	376
7	Guwahati	470	475	477
8	Labac-Silchar	371	374	374
9	Mariani Jorhat	407	407	408
10	Rangapara-Tezpur	419	419	419
11	Monghyr Jamalpur	403	404	407
12	Bhilai	406	415	420
13	Kodarma	365	367	372
14	Jharia	362	364	364
15	Noamundi	408	408	408
16	Ranchi-Hatia	420	422	432
17	Ahmedabad	457	464	471
18	Bhavnagar	486	488	498
19	Rajkot	430	442	451
20	Surat	471	482	487
21	Vadodra	451	459	462
22	Faridabad	468	471	483
23	Yamunanagar	425	427	432
24	Srinagar	497	502	503
25	Bangalore	432	436	442
26	Belgaum	477	486	494
27	Hubli-Dharwar	448	454	456
28	Mercara	452	460	461
29	Alwaye	456	462	466
30	Mundakayam	449	456	453
31	Quilon	445	460	456
32	Thiruvananthapu	496	498	504
33	Balaghat	405	410	414
34	Jamshedpur	416	419	423
35	Bhopal	475	482	502
36	Indore	469	472	474
37	Jabalpur	450	455	462
38	Mumbai	524	530	535
39	Nagpur	478	483	490
40	Nasik	494	497	504
41	Pune	514	518	522
42	Solapur	461	470	483
43	Barbil	412	414	421
44	Rourkela	405	401	402
45	Amritsar	399	399	405
46	Ludhiana	405	405	419
47	Ajmer	450	450	455
48	Jaipur	414	420	431
49	Chennai	479	488	492
50	Coimbatore	437	443	440
51	Coonoor	441	455	454
52	Madurai	449	448	440
53	Salem	436	446	444
54	Tiruchirapally	464	480	501
55	Agra	417	415	421
56	Ghaziabad	468	469	471
57	Kanpur	443	449	454
58	Saharanpur	416	422	426
59	Varanasi	474	477	485
60	Asansol	418	421	429
61	Kolkata	465	472	502
62	Darjeeling	385	393	395
63	Durgapur	498	497	507
64	Haldia	490	492	572
65	Howrah	507	514	517
66	Jalpaiguri	404	408	410
67	Raniganj	392	399	402
68	Chandigarh	484	485	492
69	Delhi	527	533	536
70	Pondicherry	468	480	484
	All India	**451**	**457**	**463**

Additional Series of Labour Bureau

1	Kothagudem	457	473	469
2	Himachal Pradesh	446	446	447
3	Bhilwara	457	458	463
4	Chhindwara	423	427	433
5	Tripura	430	433	427
6	Goa	550	554	564

Government of India
Ministry of Labour
Labour Bureau
Shimla - 171 004

ANTI WORKING CLASS BILL

Basudeb Acharya

Satyanarayan Jatiya, Labour Minister has said that the amendments to this Act are brought in keeping with the recommendations made by G Ramanujam Committee. This committee was constituted in the year 1990 and this committee was unanimous on all the recommendations. But there are a number of dissenting notes and I have gone through those dissenting notes. This committee made a number of recommendations but the Minister has selected only one out of those recommendations to amend the existing Trade Unions Act. Why have the other recommendations not been implemented?

This committee recommended labour participation in management. A Bill to this effect was introduced in the year 1990 but that is still pending. Nothing has been done in that regard. The Ramanujam Committee recommended that there should be meaningful labour participation in management. The Bill brought in by the Minister would only help the foreign companies and multinationals to grab our industries because this amending Bill is meant to amend certain existing labour laws that would help the multinational companies in the post-liberalised era.

This committee made recommendations on the Industrial Relations Act also but the Minister has not brought any legislation to amend that Act. There has been a long-pending demand that recognition of unions should be done through secret ballot. The main thrust of the Bill is, 'to reduce multiplicity of trade unions, to promote internal democracy and rank and file leadership of the trade unions, facilitating their orderly growth and regulation.' The Government wants to discipline the workers. What about disciplining the employer? By bringing this amendment the Minister wants to reduce the multiplicity of trade unions. That is the reason why he is restricting the number to 10 per cent or 100. How can these signatures be verified? All these 100 workmen are required to be paraded before the Registration Officer. Is it possible to bring all of them there? Why is the Minister imposing these restrictions? If he wants to reduce the multiplicity of unions, he should bring a Bill saying that recognition should be given through secret ballot.

What is the reason for this multiplicity of unions? I have the experience of trade unions. It is the management which encourages multiplicity of unions. It is the management which encourages rivalry among unions. If there is one union, that union will have more bargaining power. In order to reduce the bargaining power of the union, the management always tries to have more than one union. Multiplicity of unions cannot be removed by imposing restrictions. The unions should be able to decide as to what should be the subscription. The Government is now fixing the subscription. The unions should be able to decide as to what will be the number of office bearers. The Government is putting a restriction on the number of office bearers.

The recommendation says, "There has been considerable discussion about the procedure in trade unions. It is the right of the workers to choose their leaders. That should remain unfettered." To choose their leader is a right of the workers. The Government is imposing restriction on their right. What will be the number of outsiders?

This is a dangerous Bill. This is an anti-working class Bill. This Bill has been brought forward to protect the interests of only the multinational companies. I oppose this Bill

(Speech in Lok Sabha, 24 August 2001)

The amended Act...

Before the present amendment any seven workmen could apply for registration of a trade union but with the recent amendment: "... no Trade Union of workmen shall be registered unless at least ten per cent or one hundred of the workmen, whichever is less, engaged or employed in the establishment or industry ... are the members of such Trade Union ..." Again before the amendment under Section 5 (a) of the Act the names, occupations and addresses of seven persons making the application were required. But now a new section - 5 (aa) has been added which makes it mandatory to give the names, occupations and addresses of the place of work of the members (10% or one hundred workmen). Further, by adding a new clause - 10 (c) - the Registrars of Trade Unions have been given almost unquestionable authority to de-register trade unions.

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SOCIAL SECURITY TO WORKERS

'Social security' and 'social safety net' are often talked about in the context of labour law reforms. But the Government of India has no concern for this.

A question was raised in Lok Sabha on whether the Government of India proposed to take any effective measures to provide unemployment allowance to those unemployed young men/ women whose names have been registered in various employment exchanges of the country for more than the last three years. The Minister of State for Labour & Employment, Mr. Muni Lall, had no qualms of conscience in answering it in the negative. He emphatically added that 'the Central Government is not in favour of making payment of Unemployment Allowance to any category of the unemployed youth.' A cruel response, to say the least!

The Working Group on Labour Policy for the Ninth Five Year Plan (1997-2002) had recommended that the ILO Convention No. 102 concerning social security (Minimum) Standards, 1952 should be examined and efforts be made to ratify the same during the Ninth Five Year Plan period. But, in reply to question in the Rajya Sabha, the Government of India stated:
" The question of ratification of the ILO Convention No. 102 was examined by the Government from time to time. In India, at present there is no comprehensive social security against unemployment. However, other social security measures as envisaged by the ILO Convention No. 102 are by and large met under the existing social security schemes of the country, especially the Employees State Insurance Scheme. Yet the coverage of the Scheme is not as wide as envisaged under the Convention. The resource position of the country at this stage of development does not facilitate ratification of the Convention immediately." (Unstarred question No.1308)

If the Government expresses its inability to raise the resources for providing social security to the working poor and the unemployed 'at this stage of development', why then it is in a mad hurry to 'reform the labour laws' right away now? It is precisely because of the pressure mounted by the employers' lobby and the multinationals.

The Planning Commission in the "Approach Paper" for the Ninth Five Year Plan had stated that social security would be provided to workers both in the organised and unorganised sectors and that an Integrated Comprehensive Scheme of Social Security would be evolved by having a single legislation covering all the existing social security schemes.

Citing this Dipankar Mukherjee and Chandra Kala Pandey, M.Ps raised a question in the Rajya Sabha enquiring what steps the Government had taken to achieve the above targets.

In a statement laid on the table of the House, on 26th July 2001, the then Minister of Labour, Satyanarayan Jatia replied as under:
"Pursuant to the recommendations as contained in the Approach Paper of the Ninth Five Year Plan, regarding an integrated comprehensive scheme on social security, a Task Force on Social Security under the Chairmanship of S.K. Wadhawan was constituted to examine the matter. The Task Force submitted their report in May, 2000.

As the acceptance of recommendations of the Task Force involved heavy financial implication, the entire report of the Task Force has been referred to the Second National Commission on Labour for an in-depth study. Further action can be taken only after the recommendations of the National Commission on Labour become available to the Government."

Social security can wait for the Labour Commission report. But, labour law changes to the detriment of workers cannot wait for the Labour Commission report. Why this double standard?

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