

## **To Advance Workers Rights**

Elections to the sixteenth Lok Sabha will be held in a few weeks from now. More than 72 crores of voters including the more than 48 crores of workers, rural and urban, women and men will be exercising their vote and participate in the process of electing the next government. Over 15 crores of them will be young first time voters.

In a democracy elections should be occasions for a wide discussion on the claims and counter claims of the incumbent party or coalition as well as the other contesting parties or coalitions.

However this election to the sixteenth Lok Sabha is sought to be turned into a fight between two parties or rather two individuals. Corporate media is busy limiting the discourse to NaMo (Narendra Modi) vs RaGa (Rahul Gandhi). This is a conscious and deliberate ploy to dodge any discussion on the conditions and concerns of the people. The attempt is to create an illusion that there is consensus on the effectiveness of the neoliberal policies in advancing economic growth and the only point of discussion is who would be more effective in taking them forward. Any discussion on the policies that impact the lives and livelihoods of the people – employment, education, health, social security, safety etc is intentionally avoided.

It is only the Left parties that are determined to make the common people -workers, peasants and others - and their conditions, the centre point of discourse in the elections. They have decided to bring into focus the policies that impact the people and the politics that determine these policies.

## **Unemployment**

The much trumpeted robust economic growth under the UPA regime has not resulted in better employment generation. Even when the economic growth registered an annual average growth of 8.5% during 2005 - 10, the rate of employment growth has come down to a mere 0.8%.

The report of the 68<sup>th</sup> round of NSSO (National Sample Survey Organisation) on unemployment found that youth unemployment and particularly unemployment among educated youth has increased. The seriousness of the problem can be gauged from a recent report in a newspaper. According to the report, 16000 persons were interviewed for the 21 posts of court peons in Chandigarh. While the education qualification required was just eighth class 40 of the candidates interviewed were post graduates. It was also reported that 240 graduates including some B Techs applied for sweepers' posts in a municipal corporation.

The number of women workers has drastically come down by nearly 2 crores during the period 2004-05 to 20011 -12. According to the NSSO the total number of women who were working in the rural and urban areas in all kinds of work including in temporary work for just a few months or days in a year

was 14.85 crores; this has come down to 12.91 crores by 2011 – 12. Between 2004 – 05 and 2011 – 12 the number of women employed in agriculture came down by more than 2.6 crores. It is not because women do not want—but because they do not find work.

### **Increasing non formal employment**

The conditions of the vast majority of workers have deteriorated during this period. Permanent employment has drastically come down. Precarious forms of employment with no job or income security like contract, casual, temporary, daily waged, fixed term, outsourced, etc have increased. In many enterprises in the organised sector including the government and public sectors contract workers outnumber the permanent workers. The situation is worse in the private organised sector. In many establishments in the private organised industries contract workers comprise more than 70% - 80% of the total workforce. These contract and other workers under precarious forms of employment are paid only half, a quarter, or even less of the wages of the permanent workers doing the same job in the same enterprise.

For example, in 2011 Maruti Suzuki had around 1000 permanent workers, 800 'trainees', 400 'apprentices' who worked full time in the normal production process, and 1200 contract workers. That is it had 2400 workers (70.59%) under irregular or precarious forms of employment; only 1000 (29.41%) were permanent workers. While the permanent workers were paid Rs 13000 to Rs 17000 per month, the trainees were paid around Rs 8000, the temporary workers Rs 6500 and the apprentices Rs 4000. Thus Maruti Suzuki earned super profits through such intense exploitation of the contract and other such workers.

The conditions of the contract workers in public sector undertakings are no better. In Bhilai and Rourkela steel plants contract workers get around Rs 5000 per month for the same work they do as a permanent worker in another shift who gets Rs 30000 a month. The contract workers in BSNL in Maharashtra are paid Rs 1500 per month as wages, which is less than half of the minimum wages in the state.

Lakhs of contract workers, most of them tribals and dalits, work in the iron ore mines in Odisha, Jharkhand and Chattisgarh. Even where iron ore is extracted mechanically these workers have to manually break the big blocks of iron ore into pieces just at the mouths of the pits to prevent the pits getting blocked. The production cost for either mechanised or manual extraction including the cost of labour per tonne of iron ore is not more than Rs 300. It is exported at Rs 6000 per tonne. The profits generated by the workers are pocketed by the mine owners.

The 43<sup>rd</sup> ILC has recommended amendment to the Contract Labour Act to ensure equal wages and other benefits to contract workers as the permanent workers performing the same job. But the UPA government did nothing to implement it.

### **Declining share of wages; increasing share of profits**

#### **Share of Wages 10 per cent.. share of profits 90 per cent**

The employment of huge numbers of contract workers even in jobs of permanent and perennial nature and the replacement of permanent workers by contract, casual, temporary workers, apprentices, fixed term employees etc has drastically brought down the share of the wages enabling employers to increase the share of their profits.

The share of wages in net value added in the factory sector which was 30.28% in 1981 - 82 has come down to 19.90% in 1992-93 and further to 10.60% in 2007 -08. That is nearly 90% of the net value added is taken away by the employers as profits. The average real wage per worker in the organised factory sector, which was Rs 108.41 in 1990 - 01, has come down to Rs 103.76 in 2010 - 11.

These profits are concentrated in the hands of a few corporate households. In 2005 - 06, 113 companies which earned profits of more than Rs 500 crores, out of all the 301736 sample companies, garnered 49.87% share of the total profits before taxes. That is, the share of less than 0.04% of the sample companies was 49.87% of the total profits. In 2010 - 11, 0.05% of the total sample companies had a share of 57.92% of the total profits before tax. Given the fact that some corporate groups own many companies, it is clear that less than ten corporate groups or so earn around 60% of all the profits, indicating the extent of concentration of wealth under the UPA II rule.

#### **The scheme of government schemes**

India is probably the only country in the world which has developed the practice of addressing the basic fundamental needs of its citizens like health, education, nutrition and child care through a host of 'schemes' and not by ensuring their provision as their inalienable rights.

Thus it has started several 'schemes', many flaunted as its 'flagship' or 'unique' programmes like the Integrated Child Development Services (ICDS), National Rural Health Mission (NRHM), the Mid Day Meal Programme, the Sarva Siksha Abhiyan, National Child Labour Project etc. It is estimated that around 1 crore workers, mostly women are employed in these schemes and programmes. But the government has devised a trick to deny these workers minimum wages and other social welfare benefits. It refuses to recognise them as workers! It calls them 'social workers', 'ASHAs', 'USHAs', 'Yasodas', 'Mamathas' etc and seeks to camouflage their pitiable conditions. While some of these workers are paid a pittance of Rs 1000 to Rs 4000 as 'honorarium' some are not paid even this meagre amount. The ASHAs and USHAs are paid piece rated 'incentives' which do not total even Rs 1000 a month.

Despite the recommendation of the 45<sup>th</sup> Indian Labour Conference that the 'scheme workers' should be recognised as workers, paid minimum wages and social security benefits including pension and gratuity, the UPA II government did nothing to implement these recommendations. Similarly, the recommendations of the Parliamentary Committee on Empowerment of

Women that anganwadi workers and helpers should be paid minimum wages linked to consumer price index were also totally ignored.

Besides, the government utilises the unpaid labour of these lakhs of workers by compelling them to perform duties outside the purview of their responsibilities at the village level including those related to census, surveys, distribution of old age pensions and other benefits to the people in the village etc. These jobs which otherwise would require appointment of lakhs of employees and expenditure on their wages etc are getting done by these 'scheme' workers without paying them a single extra rupee. The lakhs of crores of rupees thus saved through the unpaid and under paid labour of these workers is handed over as 'incentives' to the big national and multinational corporates.

### **Increasing attacks on workers**

Though the government could not make significant amendments to labour laws as it desired due to the stiff resistance of the joint trade union movement, it has allowed blatant violations of all labour laws throughout the country. 10 – 12 hour workday without any overtime payment has become the norm in most of the private enterprises. The intolerance towards any attempts by the workers to organise to protect their rights has highly increased during this period. India has not ratified the ILO Conventions 87 and 98 on the Right to Organisation and Collective Bargaining. The demand of the workers of the Manesar plant of Maruti Suzuki was basically recognition of their fundamental right to join the union of their choice which was rejected by the management. The Congress led Haryana government fully supported the management and resorted to brutal suppression of the workers' struggle. Even today around 150 workers who have been falsely implicated in various cases are languishing in jails with the courts even refusing to grant them bail.

This is not an isolated case. Such false police cases, imprisonment, physical attacks including murder in addition to victimisation are taking place all over the country - in Reddy Labs in Andhra Pradesh, in Hyundai and Foxconn in Tamil Nadu, in the industrial areas of Nasik in Maharashtra, in the hydro power projects in Himachal Pradesh etc.

Non payment of minimum wages and other statutory benefits including equal wages, maternity benefits etc with the connivance of the labour administration have become rampant.

The ever increasing prices, particularly of food items, the stagnating wages, lack of job security and social security and the deteriorating working conditions are leading to increasing resentment and anger among the workers. This was witnessed in the increasing participation of workers all over the country in the struggles including strikes called for by the joint trade union movement since 2009.

It is this anger and resentment of the workers and the common people against the Congress led UPA which has resulted in successive defeats of the

Congress in the elections to the state assemblies that makes the BJP dream of coming to power in the ensuing Parliament elections. At the instance of the Rashtriya Swayam Sevak Sangh (RSS) it has anointed Narendra Modi as its Prime Ministerial candidate. The RSS through its different frontal organisations has also been trying to foment communal clashes and divisions aimed at polarisation of the people on communal lines to better BJP's electoral prospects. Modi is fully backed by the big corporates who feel that his autocratic methods are needed for ruthlessly crushing any opposition to the neoliberal reforms that increased not only their profits but also their grip over the state.

### **The Myth of the Gujarat Model**

Lot of hype is created in the corporate controlled media about the Gujarat model of development and governance to promote BJP and Modi. The glaring role of Modi in the communal carnage in Gujarat in 2002 and the simple fact that his failure to protect the lives of thousands of Muslims who were butchered and hundreds of Muslim women who were brutally raped and killed imply the failure of governance are totally ignored in their desperation to support someone who will be more effective in furthering corporate interests.

Before going into the details of the Gujarat model of development, it would be pertinent to note what a book on Modi says about his economic vision. 'Modinomics: Inclusive Economics, Inclusive Governance (sic)', a book released by Arun Jaitley, BJP leader in Rajya Sabha, is claimed to be 'a book approved as the authorised version of its (BJP's) prime ministerial candidate Narendra Modi's economic vision'. It says that Modi's economics is the same as that of P Chidambaram, a staunch advocate of neoliberal reforms. 'Opinions may be divergent' it says, 'but economics is the same. Both have a business like approach to economics and governance'

This is confirmed by the performance of the Modi government in Gujarat.

Gujarat has emerged as one of the fastest growing states in the country under liberalisation. However, its focus was on providing a business friendly environment to attract investment, not improving the conditions of the workers and the people in general.

The myth of 'Gujarat model' was blown up by a recent report of the 'Committee for Evolving a Composite Development Index of States' headed by the Governor of the Reserve Bank of India. The report labelled 'states that score below 0.6 and above 0.4 as 'less developed' and states that score below 0.4 as 'relatively developed' states'. Gujarat which scored 0.49 is thus placed in the category of 'less developed' states and at 12<sup>th</sup> position in the list of states according to the development index.

### **Pro corporate model**

Whatever growth has taken place in the state has benefited only the corporates and the ultra rich, not the common people and the working masses.

In his bid to attract the small traders, street vendors and other sections of common people, Narendra Modi has recently started referring to himself as 'chaiwala'. But his government has not benefited the small traders or industries. An analysis of official data shows that subsidies and incentives to large industry and infrastructure projects amount to 40% of the total state budget. The incentives to small and medium industries constitute only 2.3% of the total incentives given to industries.

The state has also been a benefactor to big industry through generous granting of land at throwaway prices. The state revenue minister herself informed the assembly that 5465 hectares or 54.6 sq. km of land was given to the Adani Group of companies for just Rs 60 crores or at a price of Rs 10000 per hectare. The market rate of the land was at least a thousand times higher.

### **Conditions of workers**

Formal employment in public sector has declined in Gujarat from 8.24 lakhs in 2003 - 04 to 7.98 lakhs in 2008 -09. This is primarily because of the ban on recruitment by the state government to reduce public expenditure. The annual growth of organised employment in the state during the high growth period of 2000 - 08 was a mere 1.6% against a more than 8% growth of SDP (State Domestic Product)

In 2007 - 08 Gujarat was ranked first among the 20 major states in terms of fixed capital investment, second in terms of total invested capital and fourth in terms of the total number of factories. But it ranked 18 out of the 20 states in terms of labour capital ratio.

The average capital invested per factory in the state increased from Rs 566.93 crores in 1998 - 99 to Rs 1387.16 crores in 2007 - 08. During the same period the share of wages as a percentage of the value added declined by 3.25% from already a low of 11.28% to 8.5%. This means that while the workers received only 8.5% of the value added, around 92% was garnered by the employers as profits. Gujarat ranked 15 out of the 20 major states in the share of wages in the net value added. Kerala is at the top with the share of wages at 22.47% followed by West Bengal in the second position with 21.89%.

Overwhelming majority of women workers is concentrated in the informal sector all over the country. But their share in the informal economy is even more in Gujarat. While 95.93% of all women workers in the country were in the informal sector, 97.59% of them were in the informal sector in Gujarat. Only 2.4% women were in formal employment against 4.7% at the national level. Kerala was at the top with 81% of all women in the informal and 19% in

the formal sector. Gujarat, the fastest growing state ranked 11 among the major 20 states in the country in this respect.

As is already mentioned workers all over the country have been denied the benefits of rising productivity under the neoliberal regime followed by the Congress led government at the centre. But the conditions of the workers in Gujarat were even worse. While the daily wage rate of male casual workers in rural areas in India as a whole was Rs 75.30 in 2007 - 08, it was Rs 68.53 in Gujarat; for female casual workers in rural areas it was Rs 62.26 in India while it was Rs 58.97 in Gujarat. Gujarat's rank was 14 in the case of wages of male casual workers and 8<sup>th</sup> in the case of wages of female casual workers in rural areas despite a 'miracle' growth in agriculture in the state during that period. Enforcement of labour laws

The ban on recruitment in state government posts by the Gujarat government has effectively ensured the ineffectiveness of the labour department. As per ILO norms 232 labour officers are required for the state only for the factory sector. But only 154 posts were sanctioned out of which 46 posts were lying vacant in 2010, as per a study. In effect only around 46% of the required labour officers were in position in the state even when the number of factories was increasing and the state government expanded the purview to the unorganised sector as well. The situation in the major industrial area of Surat is worse with only six posts of Assistant Director of Industrial Safety and Health being filled up out of the total requirement of more than 50! One can imagine the state of enforcement of labour laws.

### **Child labour**

The latest NSS data released in January 2014 shows that the proportion of child labour in Gujarat both in urban and rural areas is one of the highest in India. 4.3% children in the age group of 5-14 in the rural areas of Gujarat are working, which is higher than all major states in the country except Jharkhand. According to the reply to a question in Rajya Sabha, there were 390687 child workers in Gujarat in 2009 -10. These child labour have been working in BT cotton cultivation, sugar cane fields, salt pans, in agarbatti making, garments, beedi, fishing, agriculture, rag picking etc.

### **Human Development**

According to Planning Commission Gujarat's ranking in poverty alleviation is 11 among the 20 states; the tribal population in the state has seen an increase in poverty during the last decade.

The Infant Mortality Rate in Gujarat in 2012 was 38 per 1000 live births while it was 12 in Kerala, 21 in Tamil Nadu, 25 in Maharashtra and Delhi and 28 in Punjab. The international health journal 'Lancet' published a study on infant and child mortality in India between 2001 and 2012. It reported that in 2012 Gujarat had the highest under 5 child mortality rate (52.2 per 1000 live births) among a group of 11 states including Haryana (49.5), Andhra Pradesh (47.2), Jammu and Kashmir (44.1), Karnataka (42.6), Himachal Pradesh

(42.5), Punjab (39.9), West Bengal (39.6), Maharashtra (32.6), Tamil Nadu (27.3) and Kerala (13.2). Around half of children in Gujarat were underweight and malnourished. 55.3% women are anaemic. But the state's expenditure on health care which was 4.5% of the budget 15 years ago has drastically come down to 0.77% now.

The Gujarat model of development has not benefited the thousands of dalits still engaged in manual scavenging. While census data inform that there are thousands of households where night soil is still removed by hand, some organisations working on the issue say that by the state government's own admission 64000 people were engaged in manual scavenging in 2007. In Ahmedabad itself, there are 126 spots where manual scavenging continues under the aegis of the municipal corporation.

Congress and BJP two sides of the same coin

As far as their commitment to neoliberal policies and their pro business attitude are concerned there is no difference between the Congress and BJP or between Rahul Gandhi and Narendra Modi. Both have started their election preparations by addressing the meetings organised by big industry organisations and sought to assure them that they would continue to protect their interests.

Neither their statements nor their practice wherever and whenever they are in power, either at the centre or in different states, indicate any difference in their commitment to the neoliberal policy regime which has imposed unbearable burdens on the workers and the common people.

### **The Alternative**

Experience in our country as well as globally shows that the conditions of the people and the workers cannot improve under the neoliberal regime of privatisation, liberalisation and globalisation. What is required to improve the conditions of the workers and the people is an alternative policy trajectory.

It is only the CPI (M) and the other Left parties that have consistently stood for the rights of the working class, supported the struggles of the workers inside and outside the Parliament and have projected alternative pro people and pro worker policies in opposition to the pro corporate neoliberal policies.

While in power the Left Front governments in West Bengal and the Left Democratic Front government in Kerala and the present Left Front government in Tripura have refused to use police to suppress workers' struggles. They have upheld their right to organisation and collective bargaining including the right to strike of the workers. These governments supported the workers' struggles against the impact of neoliberal reforms. Within their limited resources and powers they tried to improve the conditions of the workers by implementing various welfare measures

Increased strength of the CPI (M) and the Left parties in the sixteenth Lok Sabha will help in strengthening the struggles of the working class against

the attacks on the living and working conditions of the workers by the big national and multinational corporations. The united voice of the working class against the attempts of the big business and corporate houses to pass on the burdens of the continuing crisis on to the workers will have an echo inside the Parliament.

**The CPI (M) in its manifesto has highlighted the following points related to workers:**

- Minimum wage of not less than Rs 10000 per month with linkage to consumer price index; wage fixation on the basis of 15<sup>th</sup> ILC recommendations and the Supreme Court judgment on Raptakos Brett case; revision of the outdated price indices
- Strict implementation of all labour laws including law on interstate migrant workers
- Discourage contractorisation and casualisation of work; strict implementation of Contract Labour (Abolition and Regulation) Act; equal wages and benefits for contract workers as the regular workers for doing the same and similar job
- Strengthening of labour departments and enforcement agencies including labour/ factory inspectorates with adequate manpower and facilities, filling up vacancies of judges and supporting staff in industrial tribunals and labour courts
- Constitution of national fund for unorganised workers with adequate budgetary financial allocations; universal coverage of unorganised workers irrespective of poverty line stipulations, with minimum social security benefits including old age, health including maternity, and child care benefits, accident and life insurance
- Scrapping of New Pension Scheme and PFRDA Act; putting in place a benefit defined pension scheme with adequate funding by employers and government for all workers and employees; ensure half of last drawn pay as pension with indexation
- **\*Regularisation of all contract workers in different state and central government departments; regularisation of the Grameen Dak Sevaks**
- Recognition of trade unions through secret ballot and protection of trade union rights; making recognition of unions mandatory by law in all establishments; ratification of ILO Conventions no 87 and 98 related to the right of workers to freedom of association and collective bargaining
- Recognition of all workers employed in different central government schemes like the anganwadi workers and helpers, ASHAs, mid day meal workers, para teachers, NCLP staff etc as 'workers' as per the recommendation of the 45<sup>th</sup> ILC and providing them with all attendant benefits including statutory minimum wages, social security benefits like pension, gratuity etc and ensuring their trade union rights
- Equal remuneration for women workers in all areas of work; maternity benefits and crèche facilities for all women workers and employees
- Ensuring safe work environment for women workers; effective steps to prevent sexual harassment at work place including setting of local and

workplace committees as mandated under the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act

- Setting up of special welfare boards for fishers and fish workers; banning of foreign trawlers, identity cards and social security schemes for fishers and fish workers

We request all the working men and women to vote for the candidates of CPI (M) and the Left and ensure strengthening of Left in the Parliament so that the struggle against the neoliberal policies from both inside and outside the Parliament can be intensified in the coming days.

\*\*\*\*\*