

# Sharad jolt to labour reforms

SANJAY SINGH  
STATESMAN NEWS SERVICE



Mr Sharad Yadav

NEW DELHI, Oct. 11. - Labour reforms, considered to be essential to kickstart the second generation of economic reforms, ran into trouble today. The labour minister, Mr Sharad Yadav, left a meeting held at the Planning Commission after voicing his disagreement over the manner in which his colleagues wanted to pursue the issue. Mr Yadav reportedly said at the meeting that if the government was bent on pursuing labour reforms in a pre-determined manner, the Prime Minister should find another per-

son, preferably a Rajya Sabha MP who doesn't have to be answerable to the people, to head the ministry. Mr Yadav left for Mumbai in the evening.

Sources said the meeting on the proposed labour reforms, chaired by the Planning Commission deputy chairman, Mr KC Pant, to finalise shape of amendments on Industrial Disputes Act and Contract Labour Act, got stuck at one point. Mr Yadav told his colleagues, including Mr Yashwant Sinha, Mr Arun Jaitley and senior ministry officials, that before

rushing to any conclusion they should wait to see what the Labour Commission has to say on the issue.

The commerce and industry minister, Mr Murasoli Maran, and small scale industries minister, Mrs Vasundhara Raje, didn't attend today's meeting. The Labour Commission is expected to submit its report by 15 February 2002. The opposition parties, Bharatiya Majdoor Sangh and Swadeshti Jagran Manch, had also been urging the government to wait until the commission submits its re-

## MINISTER WALKS OUT OF PLANNING COMMISSION MEETING

port. The promise of labour reforms as a precursor to second generation reforms had come as part of the finance minister's budget speech.

Mr Yadav was recently shifted to the labour ministry from the civil aviation ministry for spiking disinvestment of Air India which had shown profit during his tenure.

The labour minister said even if the members agreed to amend Industrial Disputes Act empowering the management of industrial units to fire their staff without inviting litigation, the

government would not get it passed in the Rajya Sabha where the opposition was in majority and opposed to any such suggestion. There was no consensus on the matter even in the ruling coalition. He was, however, told by his colleagues that getting it passed in both Houses wouldn't be a problem, sources said. Mr Yadav said efforts should then be made to build a consensus over the issue. The meeting decided to constitute a committee of secretaries of law, finance, planning and labour. A group of ministers would be set up to examine the recommendations and clear the draft proposal.

S.G. B. 171  
9-October 8 Local Sec.

## PROLONGED LABOUR

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Delivery early next year? <sup>labour</sup> <sub>C. Deenaday</sub>

THE government hasn't explained why the Labour Commission's term had to be extended by four months, till February 2002. The usual reason is that government commissions, like the government itself, take longer than promised. If it were only par for the course foot dragging, and given the extension is for four months, there should have little cause for worry. What if, though, political realignments, for example the new labour minister, have caused the commission to compromise. Such roadblocks are routine in government and have held up many other reforms than labour. Few other reforms are so crucial however. Contrary to what the propagandists on the Left say, labour reforms are not simply about hire and fire. Two bigger issues are ultimately beneficial to labour. First, blocking of capital. Because the organised labour market suffers from rigidity, businesses which fall into hard times are denied the labour rationalisation option. That is one reason Indian companies fall sick, and once they fall sick, labour protection is one of the reasons why fast asset disposal is not permitted and sick companies become worse than dead in the care of recovery tribunals. Labour laws, therefore, affect capital mobility and business dynamism, which, in turn, lower job opportunities. Bengal, where Marxist unions have fought valiantly over the carcass of industry, is an excellent demonstration of the perversity of misguided labour protection.

The other issue is reform of labour practices outside the organised sector which constitute around a tenth of the total labour force. Labour in unorganised industrial sector and in the village economy are often ruthlessly exploited. Rights are few to non-existent, wages worked out on the basis of maximum brute bargaining force. This section urgently needs some effective protection laws codifying practices which capital will have to follow. But, equally important, the errors of labour law as applicable to the organised sector should not be repeated. Protection of basic rights do not mean inalienable right to hold jobs or rules that encourage union militancy. It is not surprising that labour's vested interests do not talk about these things. Nor do factory unions like to think of the service sector which is why the government, and the commission, must draw attention to it. The service sector in India has grown to the extent of contributing a huge proportion of the GDP without manufacturing labour laws. The flexibility and dynamism it imparts were evident after the IT boom turned to dust. Jobs were cut fast and companies liquidated quickly. It is possible partly because misguided socialism didn't play midwife to most parts of the service sector. Whether the Labour Commission will take note of these issues will depend on why its term has been extended.

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# Labour laws and growth

*Labour by S. Iyengar*  
We underestimate the cost of rigid labour laws when we limit our calculations to the costs incurred by existing entrepreneurs, says Arvind Panagariya

REMOVING the main barriers to growth would free India's economy to grow as fast as China's, at 10 per cent a year. This is the central conclusion of a recent report entitled "Achieving India's Economic Growth Imperative" by the McKinsey Global Institute.

The conclusion itself is not exceptional since many others, including the present author (*Economic Times*, January 12, 2000), have argued for some time that a double-digit growth is well within India's grasp. Indeed, Prime Minister Atal Bihari Vajpayee himself has mentioned 9 per cent annual growth as necessary to double the country's per-capita income in the next ten years. What is exceptional about the report is the set of reforms it regards crucial to attaining the 10 per cent growth rate and, even more importantly, the reforms it regards as not so crucial.

The report identifies three categories of reforms as crucial to pushing the growth rate to 10 per cent: removal of a set of product market regulations, elimination of land-market distortions and privatisation. Simultaneously, it considers the reform of inflexible labour laws and poor transport infrastructure as not so crucial, arguing that this reform will contribute only half a per cent to GDP growth. The report concludes that it will be a mistake to focus reforms on these areas at the expense of the three categories of reforms viewed as crucial.

Few would disagree on the importance of speeding up privatisation and removal of product market regulations such as small-scale reservation. The report is also to be applauded for bringing to the centre stage land-market distortions, which have received less than their fair share of attention in the debate on reforms. Nevertheless, the conclusion that rigid labour laws constitute a minor barrier to growth reflects poor judgement.

Thus, consider the evidence contained in the report itself. In its careful case study of the apparel industry, the report argues that a key factor inhibiting productivity growth is its small scale and current organisation. In Sri Lanka and China, apparel factories have thousands of workers under a single roof. In India, on an

average, tailoring shops employ 3 to 4 sewing machine operators, manufacturers selling in the domestic market employ 20 workers and those selling in export markets 50 workers. The report identifies the switch from tailors to large-scale manufactures as the greatest source of productivity gain.

But how is this transition to take place? The report assumes that the current small size of manufacturers is due to the small-scale reservation. If so, the recent announcement of the withdrawal of this reservation should pave the way for China-like large-scale manufacturers. But this is wishful thinking. For several years now, exporters, defined as those selling 50 per cent or more of their output abroad, have been free of the small-scale regulation. Yet they have opted

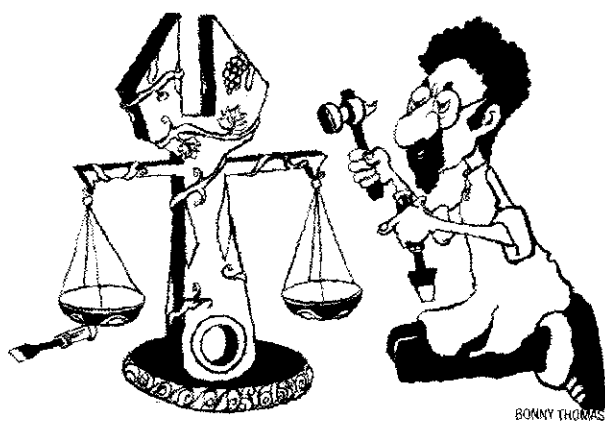
beyond high-end customers? Will we fully reap the benefits of private entry into the insurance sector under current labour laws? Are auto manufacturers not choosing to operate on a relatively small scale thereby sacrificing the option to export due to costly exit in the event of a failure?

This quibble on the importance of labour law reforms notwithstanding, however, the McKinsey report offers a wealth of information and analysis in its in-depth studies of 13 major sectors: two in agriculture, five in manufacturing and six in services. One sector that has been generally neglected by the current policy debate and is emphasised in the report is retail. The report argues that allowing foreign supermarket-style retailers into the market could lead to dramatic gains.

Citing the experience of Thailand, People's Republic of China, Brazil and Poland, it points out that foreign retailers can bring global best practices in retailing to the country and also lead to productivity gains in wholesaling, food processing and consumer goods manufacturing. These are interesting ideas that deserve further study and analysis.

The case study of apparel industry suggests that unless we undertake massive internal reform and reorganisation, we may not be able to reap full benefits of the scheduled end to MFA quotas in developed countries on January 1, 2005. The report makes the case that the current poor performance of the industry in export markets is due to inefficiency rather than quotas. It notes that India's share in apparel imports of top 10 non-quota countries at 1.6 per cent is less than its share of 3.2 per cent in top ten quota countries. The reverse holds true for the more competitive People's Republic of China: its share in apparel imports of top ten non-quota countries is 38.1 per cent and that of top ten quota countries is 11.3 per cent. Thus, India faces a formidable competitor in the future, quota-free world. The need for the end to small-scale reservation and introduction of flexible labour laws that will permit the industry to reorganise and become competitive is nothing short of urgent.

(The author is a Professor of Economics, University of Maryland. These are strictly his personal views.)



BONNY THOMAS

to enter on a scale far below that prevailing in the Chinese factories. Few investors are willing to be left stranded with thousands of workers in a manufacturing world that has no exit doors. Contract workers allow investors to get around labour laws but it is a prohibitively costly activity when the number of workers runs into thousands.

Indeed, we grossly underestimate the cost of rigid labour laws when we limit our calculations to the costs incurred by existing entrepreneurs. Since the existing industry itself is small relative to its potential size, true costs are many times those borne by the existing entrepreneurs. For example, we must ask how much larger would our apparel industry have been in the absence of the rigid labour laws. Will even a privatised Air India operate at the efficiency of the Singapore Air if the current labour laws continue to govern its operations? Why is it that the service in even private sector Indian banks is so poor? Why are foreign banks, which offer better service, afraid to expand their operations

*The Economic Times*

26 SEP 2001

# Working children and their rehabilitation

*Labour Sec.*  
**T**he Supreme Court of India...has given certain directions regarding the manner in which children working in the hazardous occupations are to be withdrawn from work and rehabilitated, and the manner in which the working conditions of children working in non-hazardous occupations are to be regulated and improved. The judgement of the Supreme Court envisages:

- (a) Simultaneous action in all districts of the country;
- (b) Survey for identification of working children (to be completed by June 10, 1997)
- (c) Withdrawal of children working in hazardous industries and ensuring their education in appropriate institutions;
- (d) Contribution of Rs 20,000 per child to be paid by the offending employers of children to a welfare fund to be established for this purpose;
- (e) Employment to one adult member of the family of the child so withdrawn from work, and if that is not possible a contribution of Rs 5,000 to the welfare fund to be made by the state government;
- (f) Financial assistance to the families of the children so withdrawn to be paid out of the interest earnings on the corpus of Rs 20,000/25,000 deposited in the welfare fund as long as the child is actually sent to the schools;
- (g) Regulating hours of work for children working in

*11/19*  
**The Supreme Court's directives on child labour, according to the judgment passed on December 10, 1996**

non-hazardous occupations so that their working hours do not exceed six hours per day and education for at least two hours is ensured. The entire



Hard day's work

expenditure on education is to be borne by the concerned employer;

(h) Planning and preparedness on the part of Central and state governments in terms of strengthening of the existing administrative/regulatory/enforcement frame-work (covering cost of additional manpow-

er; training, mobility, computerization, etc.) implying additional requirement of funds.

As a follow up of the directions of the Supreme Court, all the state governments were sent detailed guidelines on December 26, 1996, indicating the manner in which the directions of the Supreme Court were to be implemented.

A meeting of the national authority for the elimination of child labour was convened on December 31, 1996 to discuss the directions of the Supreme Court on child labour. It was decided in the meeting that the ministry of labour should immediately release funds to the state governments so as to enable them to conduct surveys of working children before June 10, 1997.

A conference of the labour ministers of state/union territories was convened on January 22, 1997 to finalize an action plan for the implementation of the directions of the Supreme Court on withdrawal and rehabilitation of working children.

In the conference, all the participating states and union territories welcomed the judgement and demonstrated their political will to eliminate child labour. However, all the states pleaded for additional and liberal financial assistance from the Central government for implementing the judgement of the Supreme Court.

# Labour unions fear pink-slip ambush

## Last-ditch bid to avert Ordinance

FROM MONOBINA GUPTA

New Delhi, Sept. 10: Afraid that the Prime Minister will push through labour reforms without waiting for Parliament's winter session and at a loss how to stop him, trade unions are bracing for the most "difficult and traumatic" stage of economic restructuring.

"We have reasons to believe the government may bring an Ordinance to implement labour law reforms," CITU general secretary M.K. Pandhe said.

The unions fear that the proposed reforms will put millions of jobs in the direct line of fire.

The CITU leader pointed out that the finance ministry is getting more and more restive to make good the commitment its minister, Yashwant Sinha, had made on changing labour laws in his last Budget speech.

Prime Minister Atal Bihari Vajpayee, too, is impatient to get over with the labour reforms.

But the labour ministry is unwilling to push through the changes. "In this kind of a situation, the Cabinet can direct the labour ministry to issue an Ordinance," Pandhe said.

Faced with the most daunting challenge since the launch of economic reforms, the unions have sunk their differences and are trying to work out a joint protest.

The Left unions will meet tomorrow to discuss their strategy. The next meeting will have a wider representation of labour leaders from the Congress-backed Intuc and the BJP-affiliated Bharatiya Mazdoor Sangh (BMS).

But if the government pushes through the labour reforms, the unions will have to devise a more effective strategy than before to make their presence felt.

Asked what they will do, Pand-

he came up with his stock response: "Militant struggle". The CITU leader and his comrades-in-arms have said this before. But this time, the labour leaders know they will have to spread and mobilise all the support they have.

A section of political leaders, however, says the Centre may not take the risk of bringing an Ordinance which will have to be ratified by Parliament within six months if it is to be operational.

The Congress, once the most aggressive proponent of reforms, is now clearly on the other side. For the government to succeed, it has to have the support of the main Opposition party. At the moment, the Congress is saying a loud "No" to the labour reforms.

"But in Maharashtra, the Congress government has already implemented these changes," Pandhe pointed out. He does not think the NDA allies will resist the drastic changes either. Andhra Pradesh chief minister Chandrababu Naidu has already told the Centre that his state wants to change the laws on industrial disputes. The question, however, is whether the government would stick its neck out on the eve of the Uttar Pradesh Assembly elections, particularly when the tottering economy is showing no signs of throwing up jobs or reviving growth. The National Sample Survey has outlined a stark scenario: No jobs.

"On top of this, the government wants to take away jobs from those who have them -- especially the most vulnerable," say labour leaders. A senior adviser in labour ministry says the reforms are an essential input to liberalisation, but implementing them without giving the workers a proper buffer is pushing them into the jaws of death.



Trade union activists demonstrate against the government's policies at Jantar Mantar in New Delhi. (PTI)

## Sangh parivar on tightrope

FROM OUR SPECIAL CORRESPONDENT

New Delhi, Sept. 10: The BJP and the RSS were today defensive on the proposed labour reforms even as the Congress ruled out supporting the changes outlined by finance minister Yashwant Sinha in his last Budget speech.

"Our top priority would be to protect the interests of the labour class and, if any protection is required, we will definitely give our suggestions to the government," BJP general secretary and spokesman Sunil Shastri said at a press briefing.

Shastri said the BJP, before committing itself, would prefer to wait for the National Commission of Labour to give its recommendations. He made it clear that the party would expect the proposals to be debated and discussed in Parliament before they were legis-

lated into law. The BJP, he added, would oppose any move to bring them through the back-door through an Ordinance.

Shastri said the amendments to the Industrial Disputes Act and the Contract Labour Act contained in the last Budget were in the nature of suggestions and not enforceable as law.

The changes will make retrenchment easier -- industrial units with 1,000 or more employees will be able to trim their work force without the government's permission. Earlier, the mandated limit was 100 workers.

The amendments have been severely criticised by the Swadeshi Jagran Manch (SJM), a Sangh parivar constituent, and the RSS' labour wing, the Bharatiya Mazdoor Sangh (BMS).

But within the BJP itself, different voices were heard. Pyarelal Khandelwal, another general sec-

retary, said he would go along with the government's decision. "Under the existing circumstances we will support the labour reforms. Even in communist regimes, economic reforms have got underway," he said.

Asked to explain the BMS and the SJM's opposition, Khandelwal said: "Labour unions have their own interests and are compelled to keep themselves alive. But, of course, reforms does not mean there should be unemployment."

RSS spokesman M.G. Vaidya said he was confident the Centre would be able to work out a compromise with the trade unions. "The government is capable of sorting out the problems and some compromise can be reached," he said.

The Congress remained unmoved by Atal Bihari Vajpayee's call for Opposition support to

labour reforms. "We cannot support what has been outlined by Union finance minister Yashwant Sinha in his Budget speech," spokesman Jaipal Reddy said. "The Congress cannot and will not support a hire-and-fire policy at any cost."

Reddy dismissed Vajpayee's claim that Sonia Gandhi was opposing labour reforms because of political compulsions. "There are none whatsoever. We are opposed to labour reforms out of ideological impulses and not political compulsions that Vajpayee is talking about," he said.

Vajpayee had sought the Congress' help in pushing through the reforms in an interview yesterday. The Centre needs the main Opposition party's support to get the legislation passed in both Houses of Parliament, particularly in the Rajya Sabha where it lacks even a simple majority.

# BJP in a fix over labour law change

Shekhar Iyer  
New Delhi, September 10

PRO-REFORM BJP leaders say the Government got the green signal from the party for the proposed changes in labour laws in March. Others in the BJP say the party's stand will be formulated once the Second Labour Commission gives its report.

As labour blues grip the party after Prime Minister A B Vajpayee's decision to usher in changes in the laws to attract investment to generate new jobs, the party is forced to support the Government but is not clear about its stand.

The BJP's problem is compounded by the RSS bodies, which are openly opposing the Government's plan, calling it "anti-labour" and detrimental to the national interest.

BJP's nominee, Satyanarayan Jatiya, was shifted out of the Labour portfolio because he was seen as creating hurdles for changes in labour laws due to his long association with RSS-affiliated Bharatiya Mazdoor Sangh, party leaders say.

Pro-reform BJP leaders do not think that Jatiya's successor, Sharad Yadav, will pose problems within the Government.

"Hasn't Yadav announced that he will support labour law reforms," asks a party functionary.

Some BJP leaders say Yadav will finally turn out to be the NDA's mascot for changes in labour laws that will be projected to benefit the new generation.

On the contrary, responding to queries on the party's stand on new labour laws, BJP spokesperson Sunil Shastri today said the party would wait for the report of the Second Labour Commission for finalising its views.

He, however, refused to say whether the party would ultimately support the proposed changes in the laws, which allow hiring and firing of workers or contract labour.

Shastri, who is a member of the commission, said the Government was not "rushing through" the proposed labour reforms. "We will protect the

rights and interests of the workers and bring measures towards this end."

The BJP spokesperson said the NDA Government set up the Second Labour Commission for a detailed examination of all aspects of labour problems in the organised and unorganised sector in the wake of the economic reforms.

Shastri's remark appears to fit more with BJP chief Jana Krishnamurthy's line, which envisages that the party plays a more assertive role, rather than simply endorse everything the Government does.

Significantly, the Government has not indicated that it will wait for the Labour Commission's findings or recommendations.

Pro-reform BJP leaders say it need not. BJP economic cell convenor Jagdish Shettigar says: "The BJP National Executive's economic resolution of March 25 clearly says that the proposed labour law reforms will ultimately result in better returns to workers and enhance job opportunities."

Shettigar says the Government had put forth its plan in the Budget for 2001-2002, which was endorsed by the BJP and Parliament. "We stated in our economic resolution that the proposed amendments to the Industrial Disputes Act and contract labour laws would encourage employers to increase fresh recruitment."

He says the BJP should not be defensive about the labour law reforms because "it is not as harsh as the exit policy of the Congress under Narasimha Rao."

Listing the proposals of the Vajpayee Government, he says it would lead to a "healthy linkage between accountability of workers and productivity leading to higher profit, which is bound to be shared among workers".

Strongly defending the Government's approach, Shettigar, who is on the PM's economic advisory council, says the Montek Singh Ahluwalia Task Force report's recommendations are tune in with plans for employment generation.

THE HINDUSTAN TIMES

SEP 10 2001

# No consensus on labour reforms

Deepak Razdan  
New Delhi, September 9

TRADE UNION opposition and contradictions in the ruling coalition may scuttle the Government's plans to speed up labour reforms and check economic slowdown.

Finance Minister Yashwant Sinha, in the Budget, proposed changes in the Industrial Disputes Act and the Contract Labour law as part of economic reforms. But the proposals found no consensus.

Six months later, the situation is no different. The proposals brought together unions with conflicting ideologies. NDA con-

venor George Fernandes's attack on the economic policy revealed that the coalition too was "divided" and that its members worried if the "reforms" would benefit all.

Central trade unions like the RSS-affiliated Bharatiya Mazdoor Sangh (BMS), Left unions Aituc and Citu, and the Congress-sponsored Intuc will meet in Delhi tomorrow and frame up a common strategy to counter the "threats". Though unwilling to compromise, the BMS and Intuc hinted that they could walk a few steps if invited for talks by the Government.

Intuc president G Sanjeeva Reddy said: "The trade unions'

views should be incorporated."

BMS leader Hasubhai Dave said: "A compromise can be achieved if there are talks."

Changes in the ID Act are proposed to allow industrial units with employees up to 1,000 to retrench workers, lay-off or close business without permission from "the appropriate agency". At present, Chapter VB of the Act allows this freedom to units employing only 100 workers.

The amendment will give the employers flexibility in labour cost to work competitively in the market. A draft Bill to amend the Contract Labour (Regulation and Abolition) Act is ready. Under this Act, the Government

can prohibit employment of workers on contract in jobs of perennial nature.

The law forced employers to keep workers in permanent job and there was no scope for reducing cost by engaging temporary hands. The employers could also be asked to absorb existing contract workers in permanent positions, if their jobs were certified to be of permanent nature.

The amendment Bill seeks to delete the provision under which any contract employment can be prohibited. It would give freedom to an employer to decide which activity he would like to "outsource".

# Contract labour loses right to permanent employment

FROM R. VENKATARAMAN

New Delhi, Aug. 30: In a major blow to millions of contract labourers and daily wage earners in the country, the Supreme Court today held that they did not have the right to "automatic absorption" in the public sector companies they worked for.

This is a reversal of its own 1996 judgment in an Air-India case and decisions in several cases where the apex court had

held that even canteen employees had a right to permanent employment.

Today's judgment was delivered by a five-member full Constitution bench comprising Justices B.N. Kirpal, Syed Shah Mohammad Quadri, M.B. Shah, Ruma Pal and K.G. Balakrishnan.

The bench quashed the 1976 notification issued by the Centre prohibiting use of contract labour in Public Sector Under-

takings (PSUs). Cleaners, sweepers and watchmen will also be among contract labourers who are not entitled to automatic absorption.

However, the judgment will be operative with prospective effect and not with retrospective effect. All labourers absorbed earlier will continue to be permanent employees.

The decision came on a petition filed by Steel Authority of India Ltd (SAIL) challenging the

July 1998 judgment of Calcutta High Court directing absorption of about 350 contract labourers in the company's Paharpur stockyards.

SAIL has more than 25,000 contract labourers handling incidental jobs in its plants, mines and stockyards. Automatic absorption of more than 11,000 of them after the Air-India case ruling had resulted in a financial implication of about Rs 80 crore to the company. The cumulative

effect was calculated at Rs 800 crore.

With today's judgment, SAIL, which has already drawn up plans to downsize its permanent workforce by 20,000 through a voluntary retirement scheme over the next three years, will be able to reduce its liabilities and cut down costs.

Two propositions came before the court — "automatic absorption" and "automatic absorption". Government companies

where the Centre or state are holding majority stake would be deemed to be the "appropriate authority" or "government".

This is within the purview of Article 12 of the Constitution, which defines "state". When the government has a majority stake, the concern is automatically deemed to be a "state" within the meaning of Article 12.

After the 1976 notification, the "contractor" vanished and there was deemed to be a "direct

relationship between the principal employer and the contract labour".

Today's ruling will be a shot in the arm for several navratna PSUs like SAIL, ONGC and NTPC, which had initiated a process of setting up a joint venture where they could transfer their large army of contract labourers. The proposal was first mooted to duck the rigours of the Air-India ruling, now overturned.

PHOTO COURTESY OF SAIL



# Sangh pressure derails labour law reform

FROM MONOBINA GUPTA

**New Delhi, July 30:** Yielding to pressure from the Sangh parivar, the Centre has decided not to change labour laws in the ongoing monsoon session of Parliament. It will keep on hold the proposed amendments to the politically sensitive Industrial Disputes Act and the Contract Labour Act.

Top labour ministry sources said the amendments are still being drafted and the government was in no hurry to push them through. The finance ministry may want to rush through the changes as part of the second-generation economic reforms, but it will be the labour ministry which will have to draw up the changes and set the ball rolling.

While presenting this year's budget, finance minister Yashwant Sinha had proposed amending the Industrial Disputes Act — a move that would make closures, lockouts and retrenchments easier. According to the Act, factories with not more than 100 workers can be shut down without prior permission from the state government. But the Centre, through an

amendment, wants to raise the ceiling to 1,000.

The Centre plans to amend the Contract Labour Act to facilitate outsourcing of production activities and scrap the provision which aims to abolish contract labour.

In the last session of the Indian Labour Conference two months ago, Prime Minister Atal Bihari Vajpayee, in the thick of opposition from trade unions including those affiliated to his party, had declared that his government was committed to changing the labour laws in keeping with the economic situation.

Labour minister Satya Narain Jatiya, too, seemed ready to go along with the changes, and Sinha said the modifications would be introduced in the monsoon session of Parliament. But the Centre appears to have been singed by the heat of the Sangh parivar's opposition. BJP MPs have been raising the issue of labour laws at every meeting. The party's trade union wing, the Bharatiya Mazdoor Sabha, had also opposed the government's policies.

Party MPs in Delhi were particularly upset with the BJP high

command because modified labour laws could lead to rapid closures and lockouts of industrial units in the capital. Last week, trade unions of all political colours marched to Parliament to protest against a whole range of economic policies — but at the core of opposition was the proposed changes in labour laws.

"The government can now wait for the National Labour Commission to present its report on labour laws and pass the buck to them," said a trade union leader, indicating that the commission is likely to back the government's recommendations for changes in the two Acts. The commission has been tight-lipped so far.

The Centre seems to be caught in a bind over its decision to move ahead with liberalisation and, at the same time, not rub its voters the wrong way. With the Uttar Pradesh polls nearing, BJP leaders feel the Vajpayee government's hard economic decisions are becoming a liability, with the middle class getting disenchanted with the Centre. The swadeshi hawks in the RSS are also finding it difficult to defend the Centre's decisions.

## Liberhan panel directive to VHP

NEW DELHI, AUG. 30. The Liberhan Commission of inquiry today directed the Vishwa Hindu Parishad (VHP) to place before it all records pertaining to its role in the Ayodhya issue on an allegation by commission's counsel that the organisation president, Mr. Vishnu Hari Dalmia, was not cooperating in his deposition.

Issuing notice to Mr. Dalmia, who deposed as a witness before the panel inquiring into the demolition of the disputed structure at Ayodhya on December 6, 1992, Mr. Justice M.S. Liberhan directed him to procure all records within three weeks after he claimed in his deposition that he did not recollect

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certain events. "I have no doubt that the VHP shall procure all records which are even remotely connected to Ayodhya and would throw some light for the commission along with an affidavit that there were no other records left," he said. 29/8

The commission said "it may be classified that records relating to resolutions, action taken, action proposed, negotiations and any book on it be placed before it which would otherwise assist the commission to arrive at a right conclusion". Mr. Dalmia described the December 6, 1992, event as a 'festival' where people had gathered to perform 'kar seva'. — PTI

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## RE-ORIENTING INDIA'S LABOUR LAWS

THE AMENDMENTS TO the Trade Unions Act (1926) made by Parliament marks the commencement of a long process that lies ahead in modifying India's labour laws. The recent amendments, coming as they do after over a decade's debate, serve two purposes. On the first and more immediate count, they are an attempt to correct long-felt systemic weaknesses in the functioning of trade unions. The move to raise the threshold membership level for registration of trade unions and the stiffer restriction placed on the influence wielded by persons who are not engaged in the industry concerned — commonly referred to as 'outside leadership' — form the substantive part of the amendment. On the second and more important count, the message behind the amendments is that the legislative approach towards the sensitive issue of labour law reforms will be calibrated; aim at lowering the level of resistance to change and attempt to widen the support in favour of future legislations. That the changes to the Act have been made with an effort to strike a right chord among the country's crucial constituency of workmen is apparent in the explanation that retired or retrenched workers are not to be construed as outsiders.

Yet, if the opposition to altering the country's labour laws is to be overcome effectively, it is imperative that the workforce gains the confidence that its interests will not be compromised. The Government, for its part, should work towards arriving at as broad a consensus as possible before it attempts further reforms in labour laws. Awaiting the report of the Second National Commission on Labour — expected later this year — before plunging ahead with more alterations to the existing laws will no doubt help in managing the arduous task ahead. With the agenda for labour law reforms spelt out by the Union Finance Minister, Mr. Yashwant Sinha, it

is important that the issues that relate to national economic performance and labour are placed under the spotlight in the nation's public discourse. Having resisted change for over a decade, the country's trade unions will now have to attune themselves to new issues and fresh challenges that are bound to crop up in the years ahead. The decline in employment growth in the organised sector and the simultaneous increase in casual work during the past decade is an important pointer to what economic restructuring means to the labour market. It is against this backdrop that the proposed amendments to the Industrial Disputes Act and the Contract Labour Act and the far-reaching recommendations made by the Planning Commission's Task Force on Employment Opportunities aim at freeing industrial units from existing legal rigidities.

With all the forebodings of difficult times on the employment front, it should be the responsibility of the nation's political and labour leadership to ensure that the course corrections that are to be made do not result in a legal structure that substantially dilutes minimal levels of protection for the country's workforce. It is also imperative that the Government comes out with a comprehensive and workable social safety net. A thorough reworking of the existing systems of social security — which are more attuned to a setting where the public sector occupies the commanding heights of the economy — should be an ideal starting point for such an exercise. The changing times call for solutions that are brave as well as sensitive to the long-term interests of a labour-surplus economy. If India is to derive the most from economic restructuring the increasing sense of inevitability that underlines the present approach to labour reforms should be replaced by a sharp redefinition of roles by both Governments and organisations that represent the interests of labour.

THE HINDU

## Dunlop move illegal, feels

12/20/01  
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STATESMAN NEWS SERVICE & PTI

KOLKATA, Aug. 21. - Mr Buddhadev Bhattacharya today asked the labour minister, Mohammed Amin, to look into the work-suspension order served on Dunlop's 4,500 workers at Sahagunj yesterday.

The state has described the closure of the Sahagunj factory as illegal. Mohd Amin said the company can't suddenly shut the factory without notice. It must inform the government before issuing a suspension order.

But the Dunlop spokesman, Mr HS Sandhu, said the company was within the ambit of the law. "There is some confusion somewhere," he said.

Mr Sandhu said according to the company's understanding of the law, government permission was necessary only if the business was being wound up. But this being a work suspension order, no government nod was needed, he claimed.

Mohd Amin's reaction came after a team comprising leaders of the factory's CITU and Intuc-affiliated unions submitted a memorandum to him.

Demanding payment of all arrears wages, the unions urged the state to evolve a revival scheme for the company.

The memorandum said that to perpetuate its "heinous activities", the management, in a planned and calculated way, suspended work yesterday.

THE STATESMAN

22 AUG 2001

# RS passes TU leash Bill

HT Correspondent  
New Delhi, August 2

THE RAJYA Sabha passed the Trade Union Amendment Bill 2000 today. The Bill brought about certain amendments to the Trade Unions Act 1926, removing the multiplicity of trade unions, promote internal democracy and orderly growth and regulation of the unions.

All amendments to the Bill proposed by the Opposition were rejected by the House by a voice vote. Labour Minister Satya Narain Jatiya said the present Bill was not anti-labour and was based on the recommendations of the Ramanujam Committee.

The committee, he said, had recommended that a minimum of 100 workers or 10 per cent of the workforce should constitute any trade union for it to be recognised.

Participating in the discussion on the Bill, most members cutting across party lines said efforts should be made to curb leaders making trade union a "profession".

The Bill was opposed vociferously by Rajiv Shukla of the All India Loktantrik Congress, an

## CRIMINAL TRIBES BEHIND MORADABAD KILLING: ADVANI

HOME MINISTER L K Advani told the Lok Sabha on Thursday that preliminary investigation into the July 23 killing of six Muslims in Sirsaswan village of UP's Moradabad district pointed at the involvement of members of certain "criminal tribes".

Responding to the Opposition's demand for a statement on the incident, Advani said "concerted efforts" were on to catch the perpetrators of the crime. Advani said the gangs did not spare even women and children during attacks. "My officers tell me that this is the modus operandi of certain tribes, which had been notified earlier during the British period as criminal tribes." He said the gangs, which carried out the killings, "often travelled long distances" in the countryside to commit crimes. In two other incidents of violence reported in western UP last month, they adopted the same modus operandi, Advani said.

HTC, New Delhi

NDA constituent. "We feel that instead of 10 per cent, 80 per cent of trade union members should come from the same unit and leaders from outside should be eliminated. The union should also be made accountable. I oppose the Bill because this will lead to the ordinary worker becoming a puppet in the hands of union leaders," he said, adding that there have been 85 suicides in Kanpur following closure of certain industrial units. While the workers starved, certain union leaders worked at the behest of vested interests.

C Ramachandriah (TDP) said the Government should bring about structural changes, including those relating to industrial workforce, keeping in view the global trends. Vidhuthalai Virumbi (DMK) said subscription charges should be left to the unions.

Predominantly labour-oriented Left parties had a negligible attendance when the discussion was on in the Rajya Sabha. Jibon Roy of the CPI(M) opposed the Bill and proposed certain amendments, which were rejected by the House.

THE HINDUSTAN TIMES

1 AUG 2001

## TOUGH AS JUTE

The pastime of crying wolf has its disadvantages. Similarly, crying "militant labour" everytime there is violence in a jute mill in West Bengal may begin to pall too. In a recent interview, the chief minister, Mr Buddhadeb Bhattacharjee, admitted that the jute industry had a problem, and it expressed itself in violence: the managers came armed with guns and the workers with iron rods. He identified 14 mills as worrisome and said that strategies were being worked out to "turn these mills around". It is unfortunate that Howrah Jute Mill should be the site of ruthless violence the day after the chief minister's apparently reasoned statement. In a peculiar twist of the cursed management-worker relationship that left a worker and two officers dead in Baranagar Jute Mill in January this year, one group of workers in Howrah set upon two officers who were rescued by another group of workers in the same mill. The hatred was unleashed by the kind of exchange familiar by now: the demands for proper pay and benefits — and objection to overwork in this particular case. A similar set of demands by aggressive workers, for permanent jobs, medical and provident fund benefits and so on had caused the police to fire and kill one worker in the Ganges Jute Mill in Hooghly in June.

Placed against the realities of jute mills in the state, the chief minister's reasoned statements sound very thin. For the roots of worker "militancy" should be sought in the greed and irresponsibility of owners, traders and middlemen. Many owners, certain that they have got all they can get out of a "sunset industry" which will not see dawn again, have let their interests be taken over by traders and middlemen. A huge section of the workers are casual or *badli* workers, who have no regular pay, no benefits and whose names are not on the registers. Their wages are lower than the official amount. The owners, managers and trade union leaders have their own stakes in keeping up this huge inflow of cheap labour. One big advantage is that lockouts, of which the managements are rather fond, cannot create too much trouble for them, because the workers are hopelessly divided in their interests. The permanent workers need the *badlis* to fill in; at the same time the growing army of casual workers who are demanding proper employee status is beginning to pose a threat to everyone. The flaw is at the root. Unless the state government shakes out the administration of jute mills, West Bengal will keep scaring off investors with the bogey of militant labour. Poor men with families turning ruthlessly violent are a symptom of things wrong deep down and for a long time.

# Workers beat up 2 jute mill officials

STATESMAN NEWS SERVICE

HOWRAH, July 7. — Howrah Jute Mill workers beat up two senior officials inside the mill premises this morning. The officials' fault: They had asked the workers to work during duty hours and meet an agreed production target!

The general manager and the labour welfare officer were admitted to Woodlands Nursing Home. The management

issued an indefinite "suspension of work" notice after the violence.

Six labourers were arrested. Police lathicharged and fired teargas shells, injuring some workers.

This is the third incident of violence in jute mills over the past six months. The government had described the earlier incidents as "stray ones".

At 6.30 a.m. 1,500 labourers, mainly from spinning and preparing sections,

complained that they had been asked to operate five spinning machines instead of the usual three for the past one month. The general manager (HRD), Mr MK Pandey, and the labour welfare officer, Mr Umesh Nagar, came for talks with workers.

Mr Nagar said the management would be forced to close the mill if the production target was not met. The workers,

See MILL: page 5

## MILL: (Continued from page 1)

without any provocation, attacked the two officials. The officials tried to escape but were chased up to the administrative office where they were beaten up. The workers damaged some office property.

The RAF and a police team rushed to the spot. Some employees of the administrative office rescued Mr Pandey while Mr Nagar managed to flee to the mill dispensary near the main gate. Police escorted the officials out of the mill. The situation was brought under control around 11 a.m.

The workers demanded that the management reduce their work load. They said the management had imposed "unbearable work load" (three shifts of eight hours each) to increase production.

The personnel adviser (HRD), Mr SC Sarkar, said: "Workers here have less work compared to other mills. The decision to run five machines was taken at a meeting attended by all labour unions."

The district CPI-M said the violence was planned and executed by labourers backed by the BJP's union. But most workers in the mill belong to the CITU. The CPI-M MLA, Mr Badal Bose, held a meeting with the management and the DM in the evening to sort out the matter.

A labourer, who was present during the violence, said: "The management has transferred many labourers from spinning and preparing sections to other departments. We don't even get time for lunch. The company is insisting on more production."

But management officials differed. Workers are not "overworked" and there is adequate manpower to run five machines, they said. Mr Sarkar said: "We will resume production as soon as possible".

The state industry minister, Mr Nirupam Sen, was not available for comments.

THE STATESMAN

3 JUL 201

# Govt seeks jute violence report

FROM OUR CORRESPONDENT

Howrah, July 8: Alarmed at yesterday's violence at Howrah Jute Mill, where two senior executives were thrashed by workers, labour minister Mohammed Amin tonight said he will review the situation at a meeting tomorrow.

"The government has taken serious exception to the incident and I have sought a report from the labour commissioner," he said.

Additional labour commissioner B.K. Saha has also lined up a meeting with the management, the unions and the administration on Tuesday. "Hopefully, we will be able to reopen the mill on the same day," Saha said.

The mill management had issued a suspension-of-work notice yesterday, after violence broke out over allegedly overworking of a section of the workers.

Reacting to Saha's statement, mill official D.R. Nagar said: "If the mill reopens by Tuesday, we will be able to pay the dues soon."

Howrah deputy superintendent of police Humayan Kabir claimed that 12 workers, including the six named in the FIR,

were arrested. "We are conducting raids and hope to pick up all those involved," he said.

Nearly 100 workers staged a demonstration in front of the mill gate this morning, demanding their weekly payment. But police kept them at bay as an uneasy calm prevailed near the mill.

District magistrate Sunil Gupta said he has discussed the issue with representatives of the mill management and two unions. Superintendent of police Somen Mitra was present.

"We tried our best to resolve the issue but could not succeed as differences cropped up over productivity," said Gupta.

Badal Bose, president of the factory's CITU-led union that is affiliated to the Bengal Chatkal Majdoor Union, said: "We have learnt a lesson from the Baranagar and the Ganges Jute Mill incidents, involving assault on management staff. So, now we have to shun violence even if the management goes wrong."

The condition of the two injured executives, general manager M.K. Pandey and personnel officer U. Nagar continues to be critical.

THE TELEGRAPH

THE TELEGRAPH



Section of workers saves officers' lives

# Jute fury blows up on executives

FROM OUR CORRESPONDENT

**Howrah, July 7: The fuse that ignited the Baranagar Jute Mill powder keg in January exploded in Howrah Jute Mill today, but a section of workers saved the lives of two senior executives who were beaten unconscious by a group of employees.**

General manager M.K. Pandey and personnel officer Umesh Nagar were punched, slapped and hit with iron rods and bricks at Howrah Jute Mill this morning, according to an FIR. Both of them have been rushed to a nursing home and Pandey's condition was stated to be critical.

The disquiet in Bengal's dying jute industry had erupted at Baranagar mill in North 24 Parganas, where two officers and a worker were killed, and spread to Hooghly's Ganges Jute Mill, where a worker died in police firing last month.

Tension had been brewing at the 111-year-old Howrah Jute Mill, now owned by the Mall group, for the last six months over the deployment of staff in the spinning and preparing section.

While the workers had been claiming that their workload had multiplied after the staff strength

in the department was reduced, the management maintained that it was only the surplus staff that had been transferred. The mill employs over 4,500 workers.

Matters reached a flashpoint this morning when a team of officials visited the department to find out whether the demands of the workers were justified.

According to the FIR lodged by company at the Shibpur police station, Pandey, accompanied by Nagar, went to inspect the weaving section of the mill around 6 am. Forty minutes later when they came out, they were confronted by a large group of workers from the spinning and preparing section. "It was clear that the mood of this section of the workers was belligerent," said human resource development advisor Sunil Sarkar, who filed the FIR.

The complaint said about 50 workers surrounded the officers, charging them with overworking them. As tempers frayed, the workers started pushing the two around. The two officers then ran towards the labour office, thinking that they would get protection from the guards there. But before they could make much headway, the workers pounced on them and started beating them up.

However, as the officers fell do-

wn, workers from the other sections of the mill rushed to their rescue. After a scuffle, the workers managed to rescue Pandey and Nagar who were unconscious.

The belligerent section of the workers then went on a rampage. They returned to their own section, roped in about 1,000 more workers and went round the factory, asking others to go on a strike.

It was at this time that the police arrived. This seemed to anger the workers more and they went on a rampage again. The police finally had to burst teargas shells.

"In the last 14 years, since the mill was taken over by us from Jardine Henderson, we have had no major problem," Sarkar said. "True, there was tension in the past few months, but what happened today was totally unexpected."

Industry minister Nirupam Sen condemned the assault on the officers, saying that it was "regrettable". He, however, added that the "workload on the employees should not have been increased by the management".

The Howrah district secretary of the CITU, the dominant union at the mill, said: "We, too, condemn the attack on the officers. But this is a malaise that has afflicted the jute mills all over the state and it calls for a larger solution."

# Jute mills' closure affects 57,000

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STATESMAN NEWS SERVICE

KOLKATA, July 3. — About 57,000 workers have been affected because of the closure of 16 jute mills in the state, said the labour minister, Md Amin. He was asked about the same by the Trinamul MLA, Mr Saugata Roy.

The minister said at present, lock-out/suspension of work has been declared in 16 jute mills.

Mr Roy's second question was about the names of jute mills which had been closed down since 31 March this year and steps taken by the government in this regard.

As stated by the labour minister, the mills closed since 31 March this year are Kankinara jute mill (12.5.01), Kelvin (21.5.01), Naihati (18.5.01),

Premchand (8.5.01), Nuddia (14.5.01), North Bruk (2.5.01), Ganges (20.6.01), Reliance (21.6.01), Auckland (21.6.01), Khardah (25.6.01).

According to the labour minister, bipartite and tripartite meetings had been convened by the labour commissioner's office for the reopening of these mills and attempts are on.

Mr Roy's second salvo was at the commerce and industries minister, Mr Nirupam Sen.

Mr Roy asked about the foreign trips undertaken by the West Bengal Industrial Development Corporation chairman, Mr Somnath Chatterjee, in the past five years, total expenditure incurred and the total investment received because of these foreign trips.

The commerce and industries minister's reply was that Mr

Chatterjee had made six foreign trips involving an expenditure of Rs 22,28,824.27.

As for investment received, Mr Sen's reply is that the "purpose of these trips were to promote the state among foreign investors and to build a positive image of West Bengal for attracting foreign collaborations".

Replying to the Trinamul Congress leader, Mr Ashok Deb's query on unemployment, the labour minister informed the House that the number of registered unemployed in the state was 58,93,401. Of this 44,27,976 were men and 14,65,425 women.

In reply to Mr Kamal Mukherjee's question, the minister for mass education stated that the literacy rate in West Bengal was 69.22 per cent.

THE STATESMAN

# New ILO safety standards for farm workers

By V.S.Sambandan

*log out of S. Sambandan*

**CHENNAI, JUNE 26.** The 89th session of the International Labour Conference which concluded in Geneva recently has adopted a new set of safety standards aimed at protecting the world's 1.3 billion agricultural workers.

The comprehensive international standards, termed 'Convention on Safety and Health in Agriculture,' fix the minimum age for "assignment to potentially dangerous and unhealthy work" at 18 years, and provides that workers in the sector should be covered by an "insurance or social security scheme against fatal and non-fatal occupational injuries and diseases as well as against invalidity and other work-related risks". The coverage should be "at least equivalent to that enjoyed by workers in other sectors".

The member-states of the International Labour Organisation (ILO) that ratify this convention would have to ensure that "an adequate system of inspection of agricultural workplaces is in place and is provided with adequate means".

The convention gains importance in that it seeks to put in place basic standards of protection for agricultural workers who are largely unorganised and a majority of whom are in small holdings or carry out subsistence farming. Of the 1.3 billion agricultural workers, barely five per cent are subject to supervision by labour inspectorates and have any legal protection.

According to the ILO, agriculture apart from mining and construction, is one of the three most hazardous occupations in the developing and industrialised countries, with estimates having that "about half of

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the world's 1.2 million occupational fatalities" occur in agriculture. The two "primary causes" of injuries and diseases in this sector are "exposure to pesticides and other toxic chemicals and accidents with machinery". The convention excludes from its scope subsistence farming, agro-industries, the forest industry and certain undertakings and categories of workers which are to be determined after tripartite consultations, the ILO said. In the Indian context, the presence of a very large informal sector is among the several issues that would have to be addressed to put in place minimum standards for occupational health.

That the globalisation process and its impact on job-creation has engaged the attention of the Organisation was obvious in the content of much of its deliberations. The discussions on globalisation and employment, co-operatives and on social security are instances of the growing realisation that labour issues would have to be seen in the context of larger economic changes.

Against the backdrop of increased pressure by the advanced countries to enlarge the scope of the World Trade Organisation (WTO) to include labour and trade within its ambit, the ILO's Working Party on the Social Dimension of Globalisation, which met during the Conference, has decided to examine in detail the implications of trade liberalisation and employment.

During an interaction with visiting journalists from the developed, developing and the least developed countries in Geneva recently, the ILO officials were of the opinion that three issues would have to be addressed: increase in inequalities, marginalisation and the effects of trade liberalisation.

# Ganges Mill will reopen soon, says Amin

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## STATESMAN NEWS SERVICE

KOLKATA, June 26. - The Ganges Jute Mill at Bansberia, Hooghly, will open in a few days, the state labour minister Mohammad Amin said today. The mill was closed on 20 June after violence claimed the life of a casual worker.

Mr Amin, who met representatives of the mill's eight trade unions this afternoon, said his department would talk to the management tomorrow and ask it to restore the status quo before the violence.

The unions have demanded that the management reopen the mill and pay arrear wages to the workers.

The minister refused to comment on the violence, saying: "There is no use of talking about it now. The law will take its course."

Meanwhile, about 300 casual workers of Khardah Jute Mill demonstrated in front of the mill today demanding reopening of the mill. They said they would start "an indefinite hunger strike" from tomorrow if the management did not open the mill and absorb all of them.

Mr Amin said the government was making efforts to reopen the 15 jute mills. The Auckland Jute Mill is likely to reopen soon.

A hearing was held before the Board of Industrial and Financial Reconstruction in New Delhi today on the six closed jute mills of the National Jute Manufacturing Corporation in the state.

He said closure of jute mills at this time of the year was an annual phenomenon as the price of raw jute increases and many workers go on leave.

Though union leaders agreed with this contention of the minister, they disagreed that the violence at Ganges Jute Mill or for the Baranagore Jute Mill were stray incidents.

They said the seeds of trouble existed at all jute mills. All mills were witnessing a reduction in the number of permanent workers and a simultaneous increase of casual workers who were divided into various grades.

Also, managements of the mills frequently changed hands and the government was very often in the dark about such changes.

# Khardah Jute Mill suspends work

BY OUR CORRESPONDENT

**Kolkata, June 25:** Khardah Jute Mill served a suspension of work notice on Monday morning. It is the third jute mill after Bhatpara and Reliance which has declared a lockout in recent times.

The government-owned National Jute Manufacturers' Association runs the mill, which employs around 3,000 permanent workers and at least 2,000 *badli* workers. Their future has now become uncertain.

NJMC also runs five other mills

— Union Mill in Kolkata, Alexander Mill in Jaggadal, Kenison Mill in Titagarh, National Mill in Sankrail and the Katihar Mill in Katihar — and sources said the mill in Kolkata will next come under the axe.

These mills employ 16,000 permanent workers and 4,570 contract labourers.

A Union government team reportedly carried out a survey of the Khardah Mill recently. The Board for Industrial and Financial Reconstruction may finally decide to run only four mills of NJMC

and close down Union Mill and Khardah Mill. A trimming of the contract labour force is also on the anvil.

Meanwhile, workers of National Jute Manufacturers' Association have asked for the assistance of the West Bengal government in running the six mills on a co-operative basis.

The BIFR had given a preliminary winding up order to NJMC on February 23 and the final hearing is on June 27.

The Sangrami Shramik Union has lamented the inaction on the

part of various bodies who, it believes, have been dragging their feet on the issue of revival of the ailing public sector jute company.

"As part of the revival scheme chalked out by the Industrial Investment Bank of India, the operating agency appointed by BIFR for the revival of NJMC, IIRA was supposed to submit its report to the NJMC management after a detailed study of the plant. However, the report has not yet been submitted," Prafulla Chakraborty of Sangrami Shramik Union had earlier said.

THE NEWSPAPER

1975

## A DICKENSIAN DISTRESS

CHILDREN CONTINUE TO work despite a law and a court order. In 1996, the Supreme Court called for the enforcement of the Child Labour Act, passed a decade earlier. But the evil did not disappear. A recent report says that 48,000 girls are employed by multinational companies in their Andhra Pradesh hybrid cotton seed farms. In fact, another 350,000 girls are to be found in such fields in and outside the State. An International Labour Organisation study is even more disturbing: there are nearly 15 million toilers below 14 in India out of the world's 250 million. And many of them spend a good part of each day in some of the most dangerous professions, such as the match and fireworks factories in the South, and the glass manufacturing units in the North. For these unfortunate souls childhood is just about a mirage, working as they do in dark, dirty and suffocating holes often for 14 or 15 hours. Despite pressure — both internal and external (child-made rugs are boycotted) — children struggle trying to earn a pittance. If education is a far cry for them, a decent existence too eludes them.

If it is a shame that India has not been able to, after more than half a century of independence, eradicate child labour, the fact that big firms are partners in this crime is scandalous. Equally reprehensible is the system of hiring very young boys and girls for household chores. Invariably underpaid and sometimes abused, they grow up into illiterate, ill-informed and maladjusted individuals. The very thought that thousands of such people are being added every year to an already whopping number of uneducated (often the benchmark for literacy is one's ability to sign his or her name) evokes a sense of revulsion. And now, with large interna-

tional chains turning slave drivers, one can clearly hear the alarm bells. With their money and might, these organisations can be ruthless in their pursuit.

However, the Government is ultimately responsible for all this: see the way rules are flouted in this country. Those who head or run a commercial establishment violate laws with their eyes wide open and a dare-you attitude, and if that earns them the cheap services of teenagers, the fault lies, at least to a large extent, with a system which is selfishly callous to the pain and suffering of a voiceless group. Admittedly, this is a gigantic problem with no easy solutions. But the question is, has the administration even made a decent beginning in addressing it. Child labour in India, as it is elsewhere, is linked to poverty. As someone once remarked, there are at least no beggars and prostitutes in Sivakasi, where firecrackers and matches are made. This, in any case, is hardly a consolation for turning out hundreds of thousands of young men and women who get desperate and despondent after years of backbreaking grind. Certainly, nobody below 14 must work, and those above have as much a right to education as those younger. Big companies must contribute here; perhaps they can teach their young employees not quite literature and science, but how to read and write, and vocational subjects. There is now a move to set up a National Commission for Children, and when this happens, it must make it a point to tackle child labour. But before that, it is imperative that our policy makers and functionaries try and understand the obligations an adult has towards a child. Otherwise, the millions of its ilk will continue to wallow in Dickensian distress.

# Trade union unity and politics

By V. Krishna Ananth

110-12  
25/6

**A**LMOST A decade after the Congress(I) was emboldened to give up its socialist pretensions and allow the then Finance Minister, Dr. Manmohan Singh, to announce in Parliament the decision to adopt the principles of market economy (July 1991), the leaders of the various central trade unions, cutting across the spectrum, have agreed to come together on a single platform now. A beginning was made at the last session of the Indian Labour Conference (ILC) at which the Bharatiya Mazdoor Sangh (BMS) was seen leading the charge against the Government.

The striking aspect here is that the pro-Left trade unions seem to have allowed themselves to concede the leading role to the BMS; and there are reports of the unions now finalising the details of a combined offensive against what have come to be known as the "second generation" reforms. The pro-Congress(I) Indian National Trade Union Congress (INTUC) too seems to have agreed to be part of this campaign.

A unity of trade unions of this magnitude against the Government is a development that is bound to leave Mr. Atal Behari Vajpayee and his colleagues in the Cabinet as well as the captains of industry disturbed. After all, the BMS is today the largest central trade union (in terms of membership figures). And the second largest trade union, the INTUC, has also decided to agitate against the reforms programme along with the pro-Left unions who had even otherwise managed to resist some substantial aspects of the agenda in the past decade.

The pro-Left unions had managed, on their own strength, to force successive regimes to dampen the spirits of the market enthusiasts within. Dr. Manmohan Singh was forced by sections in the Congress(I) to go slow halfway through the 1991-96 period. Similarly, Mr. P. Chidambaram and Mr. Yashwanth Sinha too were hardly given the freedom to do what they thought was "good" or "inevitable" for the economy. All the Finance Ministers, despite their commitment to "reforms", were restrained by their partymen at various stages.

Given this measure of success even when the pro-Left unions were fighting

the battle alone, the unity now taking shape among the unions does have the potential for a show-down in the industrial sector. More so with the BMS coming out in the open against the Government despite the common lineage it shares with the BJP. The days ahead are bound to witness considerable unrest, particularly in the Central Public Sector Undertakings across the country. The BMS is indeed strong in the coal mines and the power sector. This could force a rethink within the BJP in the immediate context.

Be that as it may, the development is indeed a cause for serious concern. The concern here is not because such unity will force a slowdown of the reforms pro-

cess. Instead, it springs from the enthusiasm with which sections within the pro-Left unions are going about celebrating the unity. By doing so, the Left unions seem to have given up whatever was left of their political agenda and agreed to reduce the trade union movement to mere bargaining over wages.

***By aligning with the BMS, the Left unions seem to have given up whatever was left of their political agenda and agreed to reduce the trade union movement to mere bargaining over wages.***

Left parties were conscious of the dangers posed by the shift to the Right in the political discourse, the trade unions aligned with them were also clear about the need to ensure that the opposition to the reforms package was not reduced to mere bargaining over wages. They were convinced, all these years, about the dangers involved in an anti-liberalisation discourse bereft of a strong anti-right-wing content and hence refused to join hands with the BMS. It is this agenda that the trade unions belonging to the Left have now agreed to give up.

The shift, at a time when organised labour has even otherwise fallen into the trap of the right-wing rhetoric in a big way, is fraught with serious consequences. Take, for instance, the rise and growth of sectarian political groups in all those centres that were strong bases of the trade union movement. Mumbai, Kanpur and Ahmedabad, where the political discourse was dominated so completely by the industrial workers and their unions (the Left as well as the INTUC kind), were reduced to witnessing bloody sectarian violence in the past couple of decades. The unions there were mere onlookers even when their own ranks were involved in the vio-

lence. All this happened only because those who led the pro-Left unions, particularly in the post-independence phase, were unable to integrate into their activity a strong dose of political priorities and they ended up reducing the trade union movement into merely an instrument to confront the immediate superior (at the floor level) with, apart from bargaining on wages. In other words, they refrained from internalising democratic and secular ideas into the day-to-day agenda of the unions.

This is what made them deficient compared to the trade union leaders of the pre-independence phase, in whose time the industrial workers were radicalised to such levels that anti-imperialism as an idea was central to their discourse as much as bargaining on wages. This is the failure of the present trade union movement in the country.

This is why the celebration among a section of the pro-Left unions of the BMS-inclusive "unity" is a cause for serious concern. For, the prospects of a further dilution of the secular and democratic political agenda by these unions will only help sectarian and communal forces in the long run. After all, there is no denying the fact that a strong and vibrant trade union movement committed to democracy and pluralism is integral to the fight against forces engaged in fracturing the polity on caste and religious lines, as well as in building a civil society.

If the inability of a whole generation of post-independence trade union leaders to build a politically vibrant labour movement had helped the rise and growth of such forces as the Shiv Sena or the Bajrang Dal in the various industrial centres in the past couple of decades, the new unity being celebrated now will only lead to the erosion of whatever democratic values are still left on the union scene. This is the price a section of the leaders in the Left-leaning unions seem to have decided to pay in order to "build" a stronger opposition to the reforms package.

In other words, the "unity" could indeed lead to a situation where the unions will be reduced to mere mercenaries fighting for economic issues, pushing the political agenda completely under the carpet.

THE HINDU

# Jute mill worker dies in police firing

HT Correspondent  
Bansberia (Hooghly), June 20

A CASUAL worker was killed and eight injured in front of the Ganges Jute Mill gate in Bansberia today when police fired on demonstrators. The management has declared a lock-out following the violence. The Trinamool Congress has called a 24-hour bandh in the Hooghly industrial belt tomorrow.

The victim, Someswar Rao, was only 18. Casual workers were agitating in demand for 'statutory' benefits. They torched police vans and ransacked local trade union leaders' houses.

Trouble erupted in the morning when 600-odd casual workers along with some outsiders defied police directive and prevented permanent workers from joining work as per a recent wage agreement. The police first lathi-charged and fired tear-gas shells to disperse the mob. When this failed to bring the rampaging mob under control, they opened 12 rounds of fire.

Mill officials said some miscreants had masterminded today's violence. "It came as a shock to the ailing jute mill that has already been referred to the Board for Industrial and Financial Reconstruction," said Personnel Manager S N Sana.

The police firing created ripples in the Assembly, where the Opposition walked out demanding a statement from the Chief Minister. Buddhadeb Bhattacharjee said: "There was tension over wage agreement for the last two days. The police had imposed Section 144. The O-C was present at the gate since morning. But casual workers



A cycle burnt by an angry mob outside the jute mill.

clashed with their colleagues at the mill gate, violating Section 144. They pelted stones at the police and set police vans on fire. Twenty-eight people have been arrested." He maintained the incident was a sequel to the declining worker-management relation, especially in the jute industry. He also blamed a "section of dishonest mill owners" for such incidents.

Forward Bloc MLA Robin Ghosh was, however, certain that some local politicians were behind the violence. "How could casual workers mob the mill gate when the management had assured all trade unions that their issues would be taken up after 10 days? All the eight recognised trade unions, including those of the Opposition, had agreed to it."

Lost in the political strife, none cared to console Someswar's mother Bhagirathi Devi. "My husband is deranged and can't work. Someswar was the family's only bread-earner. Only if he had left for Andhra Pradesh a day ago."

THE HINDUSTAN TIMES



# Firing kills jute mill worker

Labour & S. L. Choudhury

ANUPAM DASGUPTA  
STATESMAN NEWS SERVICE

## BUDDHADEV BLAMES MALPRACTICES

BANSBERIA (Hooghly), June 20. - A casual labourer of Ganges jute mill was killed and another injured when police fired to control an agitation by the mill's casual workers here this morning. The workers were demanding absorption in the Ganges Manufacturing Company Limited, which owns the mill.

Four policemen too were injured when they were stoned by the mob that set ablaze a police van and a jeep. Four other police jeeps were damaged. The injured have been admitted to Bandel and Chinsurah Hospitals.

Someswar Rao (19), who died today, is the fourth victim of violence inside a jute mill in the state in less than six months. Violence claimed the lives of three people - a worker and two managers - of the Baranagore Jute Mill on 13 January.

The one-man panel appointed after that incident to probe, among other things, "conditions within the jute industry in the state", is being viewed as nothing

KOLKATA, June 20. - Mr Buddhadev Bhattacharya told the Assembly today that jute mills were facing problems because of forward trading and other malpractices by a section of unscrupulous mill owners. He said today's jute mill trouble was the result of tension building up for the past few days over the workers' demands. The Opposition, especially the Trinamul, was not satisfied with the chief minister's statement. - SNS

### ■ Details, another photograph on page 3

but an eyewash before the polls. The government hasn't even made public the report of the panel.

After Baranagore, the chief minister agreed that any repetition of such an incident would mar the investment climate in the state.

There was tension in the vicinity of the Ganges jute mill and in fact the entire Bansberia town. Broken glass and stones lay scattered inside the mill complex.

Trouble started after about 2,000 casual workers tried to "forcibly" enter the premises around 9.20 a.m.

Police said eight rounds had been fired after tear-gas failed to check the workers. However,

eyewitnesses claimed many more rounds had been fired.

District officials maintained silence when asked why so many people were allowed to gather at the gate though prohibitory orders under Section 144 Cr.P.C. were in force in and around the mill. These orders had been clamped as police had feared violence owing to the agitation by the casual workers.

Mr SN Sana, personnel manager of the mill, said: "The management tried to arrive at a solution on the salary problem involving the casual workers, comprising nearly 25 per cent of the total work force. But some of the casual workers never agreed to a solution."

He alleged that these casual

workers mingled with some criminal elements of the area and threatened to take on the management. Today's incident was a handiwork of these "outside elements", he alleged.

The casual workers were demanding that the company give them appointment letters. They agreed to accept Rs 80 a day or Rs 2,400 a month but wanted that the company give an undertaking in writing that they would get ESI benefits and a bonus payment.

Suresh Mahato, a casual worker, said: "The incident was the fallout of a collusion between the administration, police and the mill management."

Mr Gurudas Dasgupta, Aituc leader, said "the incident only reflects the serious delinquency that is all pervasive in West Bengal's jute mills."

The Aituc has called a 24-hour bandh in Hooghly tomorrow.

A weeping Bhagirathi Rao - mother of the casual worker killed - said her son was the only earning member and now there was no one to look after her and her daughter. Work at the mill has been suspended.

## LITTLE LABOURERS

110-15 29/5

YET ANOTHER STEP has been taken by the Union Government in its long-drawn attempts to end child labour. The expansion of the list of activities considered 'hazardous' for the country's little ones by adding six more activities, including rag-picking and scavenging, is a right move in that it widens the ambit of the prohibitive law. For, it reflects an extension of the law that bans child workers from the establishment to the non-establishment mode of employing labour. The crucial import of the latest inclusion is that it marks a beginning in addressing sections of the labour market that account for a serious, but oft-neglected, part of the problem. The latest addition, which takes the total number of areas where child labour is banned to 70, should be seen in the larger framework of the country's legislative, administrative and economic processes. By bringing rag-picking and scavenging within the ambit of the Child Labour (Prohibition and Regulation) Act, the Government has made a move that seeks to blur the lines of the legal nod to child labour between the formal and the non-formal sectors.

Yet, howsoever correct the direction of the governmental action is on reaching the goal of elimination of child labour, the pace at which the malaise is being addressed throws up a not-so-encouraging picture. While it is true that total elimination of child labour is a process that requires time, there is an urgent need to hasten, given the large numbers involved and the steady replenishment rate in the occupations that involve child workers. Equally important is the need to protect the rights of the child by providing a system that ensures universal education as well as retains the child in the classroom. The change in approach that has been signalled by latest additions to the Act should be taken to its logical end and the Union Government must bring in the much-demanded ban on employing

children as domestic help and in several other establishments that have remained outside the purview of the Act. This should then be extended to end child labour in all forms. The approach to such a solution will have to factor in larger economic and social realities as well. Economic deprivation of families of the child workers is the most serious reality. That many a family's income in India is supplemented by child-wages is a fact that cannot be ignored. The required, but still neglected, corrective is to ensure assured sources of income for parents. Studies on child labour have it that the 'unattractiveness' of schools have accounted largely for children choosing to drop out and seek a living. This requires urgent correctives by means of providing an education system, in which teachers play a crucial role, that engages the attention of the school-going child.

At yet another level, there is the need for convincing the parents of child workers on the long-term benefits of education for their children, in place of the short-term gains of a few additional rupees. The time has also come to prepare the ground for a total elimination of child labour by doing away with the distinction between 'hazardous' and non-hazardous classifications of employment for the child. Clearly, any situation that deprives a child of his or her childhood is to be considered as exposing him or her to danger. The success of economic reforms has several measures. An important one will be the ability of the Government to bridge the prevailing social inequities and create a social and economic setting that does not provide any rationale for child workers. To move towards this end, the present multi-ministerial mode of tackling the problem, given the processes involved on both the labour and education fronts, should be further strengthened with an emphasis on overall social empowerment.

THE HINDU

23 MAY 2001

## WORK TO GOAL

The 37th Indian labour conference witnessed the prime minister at his firmest. The budget tabled this year by the Union finance minister, Mr Yashwant Sinha, had been aimed to give "second generation" reforms a hard push onward. The means proposed for the development of industry and higher productivity were enough to put off left parties and trade unions, especially since these were closely tied up with redefined labour laws and disinvestment. The protests reached a crescendo when the Bharatiya Mazdoor Sangh, the trade union affiliated to the Rashtriya Swayamsevak Sangh, jumped on to the bandwagon. This was a potential embarrassment for the Bharatiya Janata Party. The RSS's sporadic tirades against the policies of the National Democratic Alliance usually have Mr Atal Bihari Vajpayee as the prime target. This time, the BMS made clear that it wanted Mr Sinha out of the scene. But the prime minister snubbed it roundly, moving away from his prepared speech for the conference to pick the BMS's argument to shreds point by point.

The BMS, predictably enough, is not willing to face realities. The argument, in its essentials, is hardly different from those of the other trade unions and the amorphous grumbles of certain opposition parties. But the BMS's voice is often shriller, since its focus is on the damage to national interests *via* the damage to workers' interests. The demands ultimately boil down to a wish — or a fancy — that India should not abide by the World Trade Organization conditions. That, apparently, would solve all problems: stop disinvestment of weak public sector units, do away with streamlining of production teams — and with uncomfortable possibilities of accountability of workers, eliminate the worry of having foreign investors walking into native fiefs, erase the bother of competition from foreign products — in short, return India to the paradisaical state it is in danger of losing. While Mr Vajpayee laughed off the idea of leaving the WTO and prospering in isolation from the rest of the world, he was firm but reassuring about the issues of disinvestment and the closing of sick industrial units. Nothing would be done without careful and detailed consideration. His remarks showed that an increase in productivity is inevitably tied up with industrial and labour policies, and that without the input of foreign direct investment, development at this stage would stall. But what he said was less important than the way he said it. The arguments have been trotted out repeatedly, and few are incapable of following them. His stance was the true message.

Two things have emerged from this little encounter. One, the prime minister is unlikely to be dislodged from his position at the moment. Even if there are some modifications under specific circumstances, the general attitude will probably remain the same, no matter how many sets of statistics are lobbed at him. And two, he is least likely to be dislodged by the BMS or its peers. This is important because it exposes the paradox that lies at the heart of the trade unions' objections. The clash of class interests presupposed in their argument no longer works in the same way. If development is the goal, then it is beneficial to all grades of employees as well as to their employers. They need to display competence and accountability together in order to change the existing conditions. The BMS and its cohorts are sadly anachronistic. The prime minister simply underlined this point.

## Govt. not to oblige trade unions

410-18  
21/5  
By Our Special Correspondent

**NEW DELHI, MAY 20.** The Government seems to be in no mood to oblige trade unions by deferring the proposed legislation to amend the Industrial Disputes Act and the Indian Labour Contract Act.

The Prime Minister's Office today categorically denied that the Prime Minister, Mr. Atal Behari Vajpayee, had given any assurance to unions on this matter as claimed by them at the Indian Labour Conference on May 18.

Mr. Satyanarain Jatiya, Labour Minister, had earlier stated that the Government would bring forward legislation to amend the two Acts during the coming monsoon session of Parliament. Trade unions have been strongly opposing the move describing it as anti-labour. The Bharatiya Mazdoor Sangh has called for action, including a strike, to protest the changes which would virtually bring in a hire and fire policy in all factories and establishments employing less than 1,000 workers.

During the Indian Labour Conference, some trade union leaders claimed they have been able to get a concrete assurance from the Prime Minister that the proposed changes would be deferred till the National Labour Commission

submitted its report expected by the year-end.

### 'Working class ignored'

Our Legal Correspondent reports:

The trade unions have expressed disappointment over the outcome of the Labour Conference. In a statement issued after a meeting here today, the leaders of the AITUC, INTUC, BMS, CITU, HMS, UTUC and the UTUC (LB) said the Prime Minister, in his speech at the ILC, had ignored the issues raised by the workers' representatives and had responded and accepted only the points raised by the employers' group.

The unions expressed shock at the statement of the Prime Minister reiterating the employers' claim that unemployment and poverty had gone down in the liberalised policy regime.

The meeting, while reiterating its opposition to the economic policies of the Government, expressed the urgent need for a agitation by the working class against these policies and in particular against thoughtless privatisation of profit-making and potentially viable PSUs, including defence sector industries. The central trade unions would meet again on May 24 to decide further course of action.

THE HINDU

21 MAY 2001

# PM announces social security for labour

BY OUR SPECIAL  
CORRESPONDENT

AA-2  
19/

New Delhi, May 18: Prime Minister Atal Behari Vajpayee said on Friday there was no going back on the economic reforms and a consensus would be arrived at to make amendments to labour laws.

Inaugurating the 37th Indian Labour Conference here, Mr Vajpayee allayed fears that the opening up of some sectors to foreign investment will be

counter-productive for the Indian economy. Licences for foreign investment will be issued only after a thorough investigation of the case, he added.

He also announced a social security scheme for the 12-crore-strong unorganised labour in the country. The scheme, he said, will commence from July 1 this year and will have a corpus of Rs 150 crores initially. Through the scheme, the unorganised sector will be brought under the insurance

and pension cover, he added.

Speaking extempore, Mr Vajpayee said his government was committed to the welfare of the workers, but in the absence of capital, manpower could not be utilised to its optimum level. India is not as lucky as the oil-producing countries in the matter of capital. Hence we need extra planning to overcome the situation, he added.

The tone of the deliberations, which will go on for two days, was set by Mr Arvind R. Doshi,

representing the employers, and prominent labour leader Has-mukhbhai Dave of the Bharatiya Mazdoor Sangh.

Both presented diametrically opposite arguments and statistics to bring their point home. Besides labour minister Satyarnarain Jatiya, minister of state for labour and employment Muni Lall, Haryana chief minister Om Prakash Chautala and chairman of the second national commission on labour Ravindra Verma were also present.

THE ASIAN AGE

19 MAY 2001

19 MAY 2001

18-1 AMENDMENTS TO LABOUR LAWS PUT OFF: BMS

# Vajpayee swears by reforms

By Our Special Correspondent

**NEW DELHI, MAY 18.** The Prime Minister, Mr. Atal Behari Vajpayee, today rebuffed the trade unions and other critics of the NDA Government's economic policies by unequivocally declaring that there was no question of going back on economic reforms.

Putting up a strong defence of the policies of his Government while inaugurating the two-day 37th session of the Indian Labour Conference here, Mr. Vajpayee said the Government was committed to securing justice for workers and at the same time wanted the economy to prosper. He justified the disinvestment policy by asking "what does one do with PSUs which are making losses".

There was a significant development during the tea-break when leaders of the central trade unions claimed to have secured an assurance from the Prime Minister that controversial legislative proposals to amend the Industrial Disputes Act and the Indian Labour Contract Act would not be introduced during the forthcoming monsoon session of Parliament as announced by the Union Labour Minister, Dr. Satyanarayan Jaitiya, earlier this week.

According to the national secretary general of the Bharatiya Mazdoor Sangh, Mr. Hasmukh Bhai Dave, the proposals would

18-1 19  
Taking on the critics of disinvestment and economic reforms, Mr. Vajpayee said that, in principle, no one was opposed to these reforms and disinvestment. The same political parties which were opposing reforms at the Centre were following them in the States ruled by them.

On disinvestment, he said the Government did not want the PSUs to close down. The interest of the workers were being protected and none has been thrown out following disinvestment. "There is a tendency to overreact or react sharply. In the fast changing world, we have to compete successfully. Our products and services have to be cost-effective to face the competition in the market-driven economy."

Referring to the objections raised in relation to the Foreign Direct Investment to the extent of 26 per cent in the defence production sector, he said all aspects of the country's security would be considered before granting licences.

For investment purposes, foreign capital was needed since India was not like the oil-rich nations. The country was spending a lot in foreign exchange on petroleum imports though efforts are on to find alternative cheap fuel.

He said reforms had not resulted in unemployment; ultimately, they would help create employment and lead to growth.



The Prime Minister, Mr. A. B. Vajpayee, with (from left) the Labour Minister, Mr. Satyanarayan Jaitiya, the Haryana Chief Minister, Mr. O. P. Chautala, the Chairman of the Second National Commission on Labour, Mr. Ravindra Verma, and the Union Textiles Minister, Mr. Kashiram Rana, at the Indian Labour Conference in New Delhi on Friday. — Photo: V. Sudershan.

In the changing world economic scenario, it would not be possible to stay aloof and prosper. The transitional problems should and could not be seen in isolation and resolved, he said, adding that rigid labour laws would have to be relaxed after due deliberations.

Mr. Vajpayee, who kept aside his written speech and spoke extempore, said the changed ground realities warranted a holistic approach to economic and other problems. The Government would secure the future of the workers and for the purpose the process of consultation with them through tripartite and other mechanisms would continue and be used more effectively.

wait till the submission of the report of the National Labour Commission expected towards the year-end and there would be consultations with social partners including trade unions and employers' organisations. The employers' representative agreed to this course, Mr. Dave claimed.

## Self-reliance, the goal

Earlier, in an obvious reference to the BMS criticism and its demand that India quit the World Trade Organisation, the Prime Minister said it was wrong to say that there had been a change in the thinking or values espoused by the ruling party or the Government. "We want to make the country self-reliant and strong."

## Govt. is ready to amend Industrial Disputes Act

NEW DELHI: Stiff resistance from trade unions notwithstanding, the Central government said on Wednesday that it would go ahead with the proposed amendments to the Industrial Disputes Act and Contract Labour Act for effecting lay-off, retrenchment and closure. "The legislation, whose provisions may apply to industrial units employing not less than 1000 workers instead of 100, would be introduced in the monsoon session of Parliament," labour minister Satyanarayan Jatiya told reporters here. Major central trade unions, including the Sangh Parivar-affiliated Bharatiya Mazdoor Sangh (BMS), have come out openly against the proposed changes in these two acts saying it would be anti-worker.

Mr Jatiya, however, sought to allay apprehensions in this regard asserting that no steps would be taken against the interest of workers. He said the labour ministry

would consider various aspects before implementing the policy as 80 per cent of the units came under the category where the number of workers was below 1000.

He also said that government would wait for the second National Commission on labour to submit its report on various crucial issues before taking any final decision on major policies. "The report is likely to be submitted by December," he said.

Mr Jatiya said the government was contemplating creation of a Rs 150 crore welfare fund for agricultural workers who constituted 60 per cent of the unorganised sector.

Stating that the Centre was keen on providing insurance to agricultural workers, he said the government was ready to contribute double the amount paid by the labourers as premium.

He said that in due course, the facility would be extended to beedi and mine workers as well.

THE TIMES OF INDIA

17 MAY 2001

# BMS takes up cudgels against FDI in Defence

HT Correspondent  
New Delhi, May 16

THE BHARATIYA Mazdoor Sangh today announced a programme of agitation, including an indefinite strike against the entry of FDI in Defence, and its chief declared that the Vajpayee Government would fall under its own weight. The announcement comes two days before the Indian Labour Conference, convened by the Government, meets.

Releasing ILC's agenda, Labour Minister Satyanarayan Jatiya today said the Government plans to introduce amendments to the Industrial Disputes Act and the Contract Labour Act in the next session of Parliament.

The BMS general secretary, Hasubhai Dave, condemned the Government's "unilateral" move. The proposed "privatisation" in Defence sector is not only anti-labour but anti-national as well, he said. "The BMS will not seek the Government's resignation because we believe it will fall under its own weight," he told journalists.

The Mazdoor Sangh will organise dharnas and rallies against 26 per cent FDI in Defence, between June 4 and June 9. If the decision is not reversed, it will organise an indefinite strike in 39 Ordnance factories from July 3, Mr Girish Awasthi, BMS Defence workers' union patron, said.

Dave plans to raise the issue of private participation in Defence when the ILC meets on Friday. The BMS chief believes there should be no private investment in profit-making units. Private participation in Defence production, he thinks, would compro-

mise needs of secrecy.

"Is there any guarantee that FDI will remain fixed at 26 per cent?" Dave asked. "It could go up, thousands of workers in Ordnance factories could lose jobs. The last war has shown that jawans were using substandard goods," he said.

He demanded changes in the Bonus, Provident Fund, and Wages Acts. The BMS will organise district level agitations against Government policies from July 23.

Dave was not aware that Labour Commission Chairman Ravindra Verma wanted to resign after learning that the Budget had proposed labour law changes without waiting for the Commission's report.

The Labour Minister said workers' interests would be protected if the labour legislation was amended. The amendments to the ID Act and the contract law proposed in the Budget were only an expression of Government policy.

The passage of the amendments in Parliament was a different matter: the Opposition would be consulted, and the amendments could be referred to a Select Committee.

The Government had kept aside Rs 150 crore to finance a social security scheme for agricultural workers who could get upto Rs 1 lakh at the age of 60. The Government would provide two-thirds of the funds for the project, and workers would provide the rest.

The Minister said the Provident Fund Trustees' Board had recommended a higher interest rate for workers, but it was up to the Finance Minister to announce a final decision.

THE HINDUSTAN TIMES

17 MAY 2004



# Labour laws and output growth

By Pulapre Balakrishnan

**A** TARGET rate of growth of nine per cent, by comparison with the current six and something, has increasingly entered discussions on the future of the economy. Most prominently, it has found mention in the budget speech of Mr. Yashwant Sinha. Subsequently, it has figured in analyses of India's potential and the factors holding back its attainment. The background to the announcement of an higher target rate of growth for India is the increasing recognition, on the eve of the completion of one decade since the initiation of the reforms, that in terms of the rate of growth of output the economy appears to have not been sprung onto a higher trajectory. This of course does not necessarily damn the initiative itself for there is no single overriding criterion by which we may evaluate the reforms. There is, after all, the question of the balance of payments, and it has been not appreciated enough that, literally, every single indicator of India's external payments position has improved since 1990. Nevertheless, the fact remains that the promise of a faster rate of growth did spike the rhetoric of reforms, and we do not have one as yet.

The more prominent among the reformers now argue that India's 'labour laws' are significant impediment to raising the economy's rate of growth. Indeed, this is part of an argument that the 'second generation' of reforms must address the factor markets, the first generation having addressed the product markets where the possibility of competition has been introduced via the abolition of industrial licensing and the liberalisation of trade. Actually, prohibition of lay-off, retrenchment and closure, collectively referred to as 'labour laws' have not been with us always. The Industrial Disputes Act (IDA), 1947, which had emerged out of the Trade Disputes Act of 1929, had made a provision for these without providing a procedure to be followed. The IDA (Central Rules), 1957, had introduced such a procedure. The IDA (Amendment) 1976 introduced prohibition in the form of requiring the employer to first seek the permission of the 'appropriate' Government prior to lay-off, retrenchment or closure. In 1984, its ambit was extended to cover industrial establishments with more than 100 workers having till then been confined to establishments

with more than 300 workers.

It is not at all clear what precisely may have motivated those responsible for the provisions that appear to prolong the tenure of the already employed under the IDA. Whatever it may have been, though, it cannot be the level of employment, leave alone of output for, in a market economy, the demand for labour is 'derived'. Since labour is hired to produce, the demand for labour is derivative of the demand for output. If labour laws, in the form of clauses against closure, are unable to help create employment might they possibly damage otherwise good prospects for it? They may, in two ways. First, where the substitution of capital for labour is possible, for fear of being stuck with excess labour firms may well choke-off any rise in employment that

nad and a permanently higher one in Limatnad. However, this transfer does not by itself affect the rates of growth of the industries that remain in the former state which will be determined by factors such as the growth of demand and the growth of infrastructure, to name only two. The example here considers a spatial transfer. However, the writ of the IDA is economy-wide and thus the transfer that we need to consider is a temporal one. That is, where labour laws act as a disincentive investment is permanently postponed, once again affecting the level of output. Yet the parable of the two states enables us to see clearly that factors other than labour laws would have to be the ones at work when it comes to accounting for the differential in the rate of growth of output over time.

**The increase in the rate of growth of investment in the 1980s does point to the feature that labour laws do not necessarily fetter output growth.**

would naturally accompany rising output. Such 'jobless growth' actually appears to have occurred in the 1980s and 1990s when official statistics reveal slow growth of employment despite a considerable step-up in the rate of growth of output. Of course, noting such an episode is far from having established that this is due to the existence of labour laws. Note that even when such causality is established the outcome does not necessarily involve loss of output. Recall that we have here allowed for the possibility that labour may be substituted by capital. In fact, now final output may be higher, for the substitution of labour by capital involves a larger order for equipment. Where a substitution of labour by capital is infeasible any disincentive due to restrictive labour laws would depress not only the hiring of labour but also the level of investment. The behaviour of investment would then be one way of divining the impact of labour laws.

This can be better seen through an example. Shall we say that wary of the 'no-retrenchment' stance of the Government there our intrepid capitalist moves lock, stock and barrel away from the intrusive rulers of Lamnad to neighbouring Limatnad, a *laissez-faire* paradise. This would mean a permanently lower output in Lam-

growth of the Indian economy. We can get some handle on this issue by studying output growth in Indian industry over time and in relation to the economies of East Asia from the experience of which the nine per cent goal has been borrowed. It is now widely recognised that the truly impressive East Asian growth was accompanied by a steadily rising growth of investment. Five countries there figure among the only 15 internationally to have raised investment to as high as 30 per cent of their total output. For perspective, India currently has an investment-to-output ratio of about 24 per cent. Since 1950, in India, the level of investment in relation to output increased slowly but steadily till the 1980s during which decade the ratio displayed a marked increase, only to stagnate in the 1990s. This by itself goes some distance in both accounting for the record of growth since 1991 and for enabling us to comprehend the likely role of labour laws. The credit for sloughing-off in the 1980s the slow growth of the preceding three decades goes to a shift in the investment rate, and the stagnation of growth into the 1990s is entirely due to the inability of the reforms thus far to bring about its further increase.

The significant increase in the rate of growth of investment in the 1980s does point to the feature that the labour laws, enshrined since the 1940s, do not necessarily fetter output growth when supply and demand factors are favourable. Nevertheless, extant restrictions on the exit of firms must go. The labour laws that form the basis of these constitute the curious meeting ground of three historically distinct self-serving forces: of a colonial rent-seeking state hostile to native enterprise, of a bureaucratic paternalism that was the fig-leaf termed socialism by its Indian successor, and the desperate attempts by Indira Gandhi to secure personal power during the Emergency by purchasing the support of groups that included a susceptible intelligentsia.

India's workers face some of the most trying conditions in the world. Their due is beyond laws. Among its ingredients are a vibrant economy, enabling interventions in the social sector and, of course, good management. This calls for intelligent and compassionate leadership, both political and corporate, not pious legislation.

THE HINDU

9 MAY 2001

# The debate on child labour

NEW VISTAS  
JEREMY SEABROOK

THE acrimonious and inconclusive arguments about child slavery in West Africa are a symptom of the unsatisfactory debate about abusive child labour in general.

There is denunciation and anguish, there are recriminations, there are ineffectual government regulations. But there is also the inexorable logic of a globalisation which increases the gap between rich and poor, which compels the poorest to see in their children a source of potential income.

This is why everything dissolves in hand-wringing, a sterile anger and blame that go nowhere. The vast majority of enslaved children in the world are not working for transnational entities, on cocoa plantations or in sweat-shops: they are working in family fields, in domestic service, in

**Those who say the labour of children is an outrage are accused of ill-will towards the poorest families, who depend for survival upon the wages of their working children. If people in the West protect against it, they are suspected of being covert protectionists...**

small manufacturing units, brick-breaking, prostitution, employed locally, often by their own kin.

It is one thing to be united against child slavery, but all forms of coercive child labour are a form of slavery, whether or not there are identifiable traffickers and traders in human misery.

The daily of reality in places where children are driven by poverty to work creates a more nuanced discussion. Those who say the labour of children is an outrage are accused of ill-will towards the poorest families, who depend for survival upon the wages of their working children. If people in the West protest against it, they are suspected of being covert protectionists, whose only wish is to prevent the poorest people in the world from competing with their own workforce.

On the other hand, those who are more tolerant towards child workers open themselves to the charge that they are soft on the exploitation of the weakest and most undefended people on earth.

The received wisdom is now that of gradualists. This means the phasing out of the worst forms of child labour. Children should be exempt from work in the most dangerous and damaging occupations - with toxic chemicals, with unguarded machinery, in mines and mills, in glass, fireworks and pharmaceutical factories, those employed as bonded labour, on plantations, in prostitution and domestic service.

If they must work to support their families, this should involve a minimum

of interference with their right to education and to play: there is nothing wrong with children acquiring skills, as long as this involves only a limited period of the day - a maximum of five hours - and can be accommodated within time for schooling and for the normal pursuits of childhood.

In an effort to define what is and is not acceptable, attempts have been made to distinguish between child work, which is appropriate, and child labour, which is not.

Both the International Labour Organisation and Unicef have sought to draw a line between the two. Such distinctions are, however, extremely difficult to sustain. The anthropologist Therese Blanchet (*Lost Innocence*, Stolen Childhoods, University Press, Dhaka, 1996) shows how,

according to this version, boys working in the bidi factories of Kustia would be classified as child labour, while their sisters, working at home, for less pay, longer hours and in worse conditions, would be called child workers.

In deference to this new realism, which acknowledges that child labour will not quickly disappear, many non-government organisations now provide education in shifts, so that it does not interfere with the earning capacity of children.

A school run by the Underprivileged Children's Education Programme at Mohammadpur in Dhaka holds three classes of three hours each day, so that the children who work breaking bricks for road-building and construction do not have to give up their work.

Some organisations have campaigned for working children to be released for two hours a day, so that they may at least be made literate.

Noyon Foundation in Dhaka has tried to convince those who employ children in repair shops, metal factories and small manufacturing units that it is also in their interest to educate children in the workplace.

The greatest problem has been collusion between employers and parents - the beneficiaries of cheap labour and the recipients of the meagre earnings of children sometimes unite to deny the need for education.

Some working children do acquire skills that will support them throughout life. Others - often unwaged "apprentices" - serve merely as cheap (and unpaid)



labour, and finish up as adults without any transferable competence.

They wind up as cart-pullers, agricultural labourers, rickshaw-drivers, construction workers, servants.

The wisdom of this "gradualism" needs to be questioned. For an apparently well-intentioned realism conceals other assumptions, which are as questionable as outright abolitionism or the insertion of labour clauses into the rules of the World Trade Organisation.

For gradualism depends upon a future creation of wealth which will raise families out of poverty and liberate children from work.

In other words, this benign approach bears a curious resemblance to the resuscitation by stealth of *laissez faire*, which in turn, makes possible more direct forms of slavery. Economic growth in poor countries, this reasoning goes, will automatically lift from children the burdensome compulsions of labour.

At some point (when?) the benefits of globalisation will reach the poorest, provide parents with a living wage, which will enable them to ensure their children attend school.

The model for this unproblematic transition is not far to seek. It is, after all, what happened in Britain. Indeed, the scenes of child labour in contemporary Bangladesh faithfully replicate those of their equivalents in Britain in the early industrial era. Why should they not be destined to extinction in the same fashion?

It was not, however, so much the

history of the West. This suggests that time will bring about the desired changes. It implies simply the necessity of every country following the Western path; even though that path was hacked out of history with the help of the most prodigious extractive project the world has ever seen.

The colonial inheritance of Europe, the destruction of indigenous cultures in the Americas and Australia created a secure base for those privileged by the raw materials, goods, wealth and land taken from others. The growth of social concern in Britain was fed to no small degree by a security and prosperity provided by imperialism. What the present-day gradualists do not say is which lands countries struggling to survive will annexe; what peoples they will lay under contributions; whom they will exploit to grow rich as we have grown rich.

Alas, the answer can be seen clearly in the faces of the children who are the objects of concern: domestic help, little girls of seven or eight, standing behind grilles as the sun casts the pattern of their ornamental imprisonment on their cheeks; the boys hanging on to the backs of jeeps and taxis as they collect the fares among the gaseous exhalations of the city streets; the little girls kidnapped and bonded to sexual slavery in the brothels of Mumbai and Kolkata; the gatherers of waste turning out each day their jute sacks of old springs, rusty tin, broken glass and bones; child workers in the factories locked into the toilets when inspectors or foreign buyers visit; flower-

legislation passed to protect children at that time as the growing enrichment of Britain which abolished the system of child labour; although, of course, the work of reformers and the growth of the labour movement also played a significant role.

It is now assumed that in Bangladesh, Brazil, Indonesia and India, the time will come when the labour of children will similarly be dispensed with, and will be viewed as the cruel archaism it is.

After all, these countries are now following in the footsteps of the G-7. Their pathway towards enrichment has been clearly indicated. They will follow the West in the general improvement in living conditions and life chances.

The means whereby child labour will be abolished are inscribed in the history of the West. This suggests that time will bring about the desired changes. It implies simply the necessity of every country following the Western path; even though that path was hacked out of history with the help of the most prodigious extractive project the world has ever seen.

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sellers offering wilted rosebuds at the traffic lights; beggars scavenging the never quite exhausted charity on the streets; seven-year-olds welding iron gates on the sidewalk, a piece of scratched plastic protecting their eyes from fountains of blue sparks.

It doesn't necessarily make you a secret protectionist if you raise your voice against these abominations. Nor are you perform a stern realist if you advocate the necessity and practical wisdom of children learning a trade. Permissiveness towards child labour - even the least harmful - is not a particularly moderate or benign position.

It is no service to the poor to rely on a gradualism that makes no protest at childhoods broken before being swallowed up in the anonymity of an adulthood from

**What the present-day gradualists do not say is which lands countries struggling to survive will lay under contributions; whom they will exploit to grow rich as we have grown rich. Alas, the answer can be seen clearly...**

which a living wage is also withheld. To rest in the comforting assurance that one day, (though not in time for this generation, or perhaps even the next), child labour will be eliminated, is not a response of humanitarians but a reaction of indolent fatalism.

For, if these scenes of desolation must wait upon the majestic impersonality of wealth creation, we are back with the most puzzling aspect of globalisation, which is our capacity (or powerlessness) to intervene in its inexorable progression.

Or does this impotence merely indicate a lazy acceptance of the sufferings beyond endurance of others; and not just of any others, but of the most defenceless and vulnerable in the world?

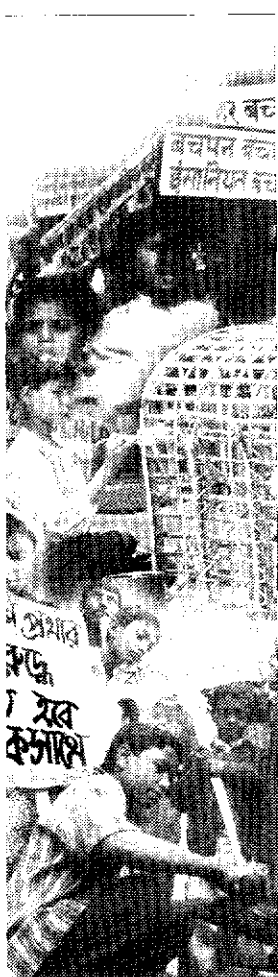
Whether the interest raised by the movement of West African Totenschiffs with their cargoes of child labour will make any difference to the growing necessity of the poor - those disadvantaged by the globalising imperative - to put their children to work seems on the present evidence unlikely.

\* Jeremy Seabrook's book *Children of Other Worlds*, which compares child labour in early 19th century Britain with that in contemporary Bangladesh, is published by Pluto Press, May 2001.

(The author lives in Britain. He has written plays for stage, television and radio, made TV documentaries, published more than 30 books and contributes to leading journals around the world.)

# child labour

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# 'Sincere efforts needed to eradicate child labour'

## STATESMAN NEWS SERVICE

BHUBANESWAR, April 30. — The air-conditioned auditorium, soft reclining chairs are comforts which these children — labourers — can never dream of. One could not blame them as they dozed off even as speeches were being delivered at the International Child Labour Prevention Day function here.

Children marched in a procession raising slogans against child labour and reached the venue at 10 a.m. Visibly tired, they slumped into the soft chairs to listen to the speakers. By the time eminent social activist, Swami Agnivesh, started speaking most of

them had fallen asleep.

NGO activists and others heard in rapt attention. Labour minister Mr Bimadhar Kuanr and BJD MP Mr Prasanna Patsani said it was futile to hold such events as a routine ritual without follow up action plans.

"Do not observe this as just another event or divas," Mr Patsani said. Mr Kuanr said without sincerity of purpose and devotion, nothing can be achieved.

The minister said he had worked as child labour for three years as his parents could not afford his education. "I used to return from school and then work for six hours at a soap making

unit, yet I never discontinued studies," he said.

Swami Agnivesh said the fault lies in the system of governance wherein the ruling elite creates an exclusive world of his own. Instead of improving government run hospitals, schools, postal services etc they create nursing homes, public schools and courier services, he said.

Swami Agnivesh urged the government to formulate a policy to ensure that only those who have passed out from a government run school will be eligible for government service or politics in a particular state.

Those educated in English medium

public schools can look for other avenues including big jobs in World Bank or Washington etc, he quipped.

Swami Agnivesh regretted that government offers the excuse of dearth of funds when it comes to education sector or human resource development, but has enough money for other things.

"I told all those who were shouting for construction of a Ram mandir at Ayodhya that they should build a Vidya Mandir for the ram lallas", Reliant and full time education should be ensured for all, Swami Agnivesh said while regretting that the government was not even paying heed

to Supreme Court verdicts on the matter.

Mr Kuanr said the "the number of schools, schemes, teachers, NGOs and funds will increase and so will number of children engaged as labourers unless people are sincere in their effort to eradicate this social evil".

Congress MP and labour leader, Mr Ramachandra Khuntia emphasised the need to create awareness on the issue. In last four years only 1,00,000 child labourers have been rescued, he said quoting official figures. A child labour commission should be setup, he said.

THE STATESMAN

1 MAY 2001

# Free market economy will lead to lay-offs, fear union leaders

By Vidyadhar Date

The Times of India News Service

MUMBAI: With news reports trickling in about massive lay-offs in the United States and Europe, trade union leaders in the city are feeling vindicated. "This is what the free market economy does to workers," they pointed out.

About 86,000 workers were rendered jobless in the United States over the past 13 months. Last week, leading departmental store chain Marks and Spencer laid off a large number of workers in Paris.

Not surprisingly then, protest movement against the layoffs, too, are gaining momentum all over the world. Paris recently saw a massive rally by unemployed workers.

Mumbai — with has several housing textile mills that are on the verge of closure — is no exception.

On Monday, Congress-led Rashtriya Mill Mazdoor Sangh organised a rasta roko at Parel to protest against the National Textile Corporation's decision to close down 25 mills in Mumbai and 11 in other parts of the state. Moreover, trade unions have called for a Maharashtra bandh on April 25 to protest against globalisation, the growing power of the free market, increasing unemployment and the adverse impact of the World Trade Organisation's (WTO) requirements on Indian farmers.

With the unions of State Transport and BEST joining the April 25 bandh, life in the state could be considerably affected. According to a trade union leader, "Efforts will also be made to block suburban

trains in Mumbai." The strategy for the bandh was discussed at a meeting held at the Central Railway Workshop Welfare Hall, Parel, on Sunday.

The trade unions have suddenly found a new ally, the farming community. "So far, workers bore the brunt of the liberalisation process. With the implementation of the new Exim policy, farmers, too, will feel the pinch. That is why farmers from different parts of Maharashtra turned up in large numbers for a rally organised by left political parties at Shivaji Park last Saturday," said one of the trade activists.

The rally was attended by three state ministers Ganpatrao Deshmukh, Mohan Patil and Meenaxi Patil, all belonging to the Peasants and Workers Party.

Meanwhile, trade union leaders in Maharashtra will watch with interest the Shiv Sena's response to the bandh call on April 25 since the party has suddenly taken an aggressively pro-labour stand. It has strongly criticised the central government's new policy on labour, globalisation and imports of agricultural commodities. At a recent rally organised by the party on March 21, Sena leader Uddhav Thackeray gave a call to all trade unions to come together to oppose the policy of globalisation.

Although the Left-wing trade union leaders claim that they are not averse to Sena's support to the bandh, they are not keen to share a platform with the Sena leaders. "We must maintain our separate identity," the leaders said.

THE TIMES OF INDIA

11 APR 2001



# MINES SAFETY-1

## Lessons From Bagdighi Disaster

By AK ROY

**W**ITH the last body out of the mine Bagdighi has ceased to become news. The crowds have deserted. The colliery is silent. Only some sullen faces and some distant sobbing remind one of the tragedy that has taken place. It was on 2 February at about 11.30 am that the incident occurred providing a watery grave to 29 people.

After Chasnala and Gashtand it is another major accident in the Dhanbad coalfield. However, it has two exceptions. One person was found alive after fighting death for several days to tell his harrowing tale. Secondly, here miners are not alone. They have the rare company of two executives in their watery grave. But the basic question remains: how long will the miners become victims of such disasters, especially when they are found later to be easily avoidable? So with grief there is anger as water and fire remain side by side in the collieries.



### MINERALS

After Chasnala and Gashtand, the Bagdighi tragedy has again brought to the fore the unresolved questions of mines safety for discussion. Mines are the mother of minerals. Minerals are the base of the earth carries many precious elements in her womb for the use of man and coal is the most important of these.

There is always some risk in working underground. So some special laws, the Mines Act, came as long back in 1901 during the British regime. The first Act was modified in 1923 and then amended in 1935, 1938 and 1940. However, after Independence this Act was replaced by the more comprehensive Mines Act 1952. Then came the Coal Mines Regulations, 1957 meticulously carrying provisions of safety and welfare with XVII chapters and 196 sections. An organisation of "Inspectorate" was created in 1901 to enforce the Act and regulations which assumed the name of Director General Mines Safety in 1967 with its head office at Dhanbad. It is an irony that on 7 January it celebrated with fanfare its centenary inviting ministers only to witness a disaster in Bagdighi on 2 February which it certified as

*The author is former member of Parliament.*

"safe" only a month before.

So in Bagdighi with BCCL, the DGMS is also in the dock under 304 IPC against both. The DGMS has its own story to tell. It has become weak after nationalisation of the collieries. With its meagre manpower through under a separate Ministry of Labour and not Energy to which the BCCL belongs, it looks like a department of the

BCCL which nobody cares for and which certainly the BCCL does not fear. The Kumaranagalam committee in 1980-81 recommended augmentation of this organisation to which the government paid no heed.

It is claimed that after nationalisation, accidents have declined in collieries. In 1973 the death rate per million tons coal produced was 2.73. This became 0.68 in 1993. But these figures are deceptive. In 1973 coal production was 78 million tons and in 1993 it became 238 million tons (now around 300 million tons). But in 1973 some 80 per cent of the production used to take place from underground mines while in 1993, 80 per cent of the production used to come from open cast where chances of accidents are less.

### CASUALTIES

The underground mines of BCCL have remained unsafe. Casualty figures per year confirm this. The number of miners killed in coal mines in the last decade was 165 in 1990, 143 in 1991, 183 in 1992, 241 in 1994, 146 in 1996, 165 in 1997 etc. The ups and downs of figures indicate lack of control. According to the list published by the DGMS since 1901, there are 52 major accidents in the coal industry where more than 10 persons died where death by roof fall and surface disturbances (12 incidents) was 164, by inundation (14) 646 and by fire, poisonous gas etc (26) 1339. With smaller accidents the figures will be bigger. Mines safety has to deal with

all the three states of matter — solid, liquid and gaseous. To prevent a roof fall it has to deal with solid substance, either rock or coal as it happened in the Kesurgarh Colliery (BCCL) in 1975 killing 11 persons or the Topa Colliery (CCL) in 1982 killing 16 persons. Using proper support of wooden or preferably steel props and roof management such accidents can be prevented. Sections 108 (systematic support Rules) and 109 (setting support) of the Coal Mines Regula-

tions (1957) give details of the measures. Accidents occur by water accumulating in the upper seam of the mines, which is what happened in Chasnala (MISCO) in 1975 killing 375 workers, the biggest casualty in any single mishap, Hushlachh (1982) killing 19 and now Bagdighi (BCCL) killing 29.

Inundation can take place by surface water flowing into the mine as it happened in the Gashtand Colliery (BCCL) in 1995 killing 64 miners.

### BARRIERS

Leaving adequate barriers of more than 60 metres thick and building strong dams can help avert such tragedies. Sections 127 of the Regulations (danger from underground inundation), 126 (danger from surface water) and 129 (construction of water dam) have dealt with this menace. Accidents take place by poisonous gases, explosives and fires as it happened in China Kuri (ECL) in 1958 killing 268 workers, in Dhori (CCL) in 1965 killing also 268, Jitput (MISCO) in 1973 killing 48, Sudamdih (BCCL) in 1976 killing 43 and in New Kenda (ECL) in 1994 killing 55. Taking precautions in gassy mines using mask, methanometre and other scientific instruments can help avert such accidents. Chapter XI and Sections 116 to 124 of the Regulations have dealt in detail with steps to face these hazards.

So now the question arises: how with all rules and regulations, advice and instructions, do accidents occur and that too so frequently? The answer lies in the human factor which no rule, no instrument can substitute. How can Sections 108 and 109 help if steel props bought are used only on paper and the wooden props if used are of improper size and later removed to make cots and furniture?

*(To be concluded)*

# BJP defends labour law amendments

STATESMAN NEWS SERVICE

NEW DELHI, March 25. — The BJP has defended the stringent labour laws proposed in the budget saying these were needed "in the overall interests of the economy". At the same time, it urged the government to take "utmost care" to protect the workers' interests.

The economic resolution passed today at the party's national executive meeting said the budget would help facilitate economic growth with social justice.

The executive, however, warned that the crisis of confidence created by the Tehelka expose could damage the economy which had started looking up. "When there's an all round sense of hope and confidence, the phony crisis created by Tehelka tapes and the sinister exploitation of the same by the Congress has caused damage to the economy."

5-8/2003  
Trying to strike a chord with the middle class, the party asked the government to consider providing relief to small saving depositors who have been hit hard by the decision to cut down the interest rate on small savings from 11 per cent to 9.5 per cent.

It praised the decision to raise import duty on crucial products to protect the farmers' interests, but urged the government to further raise customs duty to boost their confidence. The resolution said farmers are suffering losses because of the fall in agricultural prices and that the situation might worsen after the quantitative restrictions are withdrawn to honour WTO commitments.

The executive defended privatisation of PSUs through strategic sales. The disinvestment process, it claimed, was following the policy of the party and the government which aims at introducing professional management in the PSUs.

While defending an easy exit policy, the resolution said the proposal to facilitate this for unviable units employing up to 1,000 workers would encourage investment, leading to a growth in employment opportunities. Stringent exit policy has been the major deterrent in flow of investment and also a major cause for the increase in non performing assets, presently pegged at Rs 60,000 crore, it said.

The executive's endorsement of the proposed labour laws is likely to give a boost to the second generation of economic reforms which are facing stiff opposition from within the Sangh Parivar. The proposed amendment to contract labour laws would encourage employers to go in for fresh recruitments, specially in labour intensive units. The economic resolution praised the NDA government for maintaining a six per cent growth rate and for containing inflation at four per cent.

STATESMAN NEWS SERVICE

25 MAR 2003

WEDNESDAY, MARCH 7, 2001

*Followed S. Sinha*  
**HARD TIMES** *110-12 213*

REFORMING LABOUR LAWS, a politically sensitive issue that has remained unaddressed in a decade of economic reforms, is now set to occupy centre stage with the Union Finance Minister, Mr. Yashwant Sinha, spelling out the Government's intention to amend two important laws — the Industrial Disputes Act and the Contract Labour Act. As the months ahead are to witness hard decisions on the labour front, it is crucial that these reforms proceed along correct lines. They should centre around the sensitivities of the country's large manpower base, and not be done merely to facilitate capital inflows. The amendments sounded out by Mr. Sinha in his budget speech may not correspond entirely with what proponents of a 'hire-and-fire' policy would have liked, but they have indicated to industry the initial steps to be taken towards introducing flexible labour laws and freeing industrial establishments from legal rigidities as a prelude to a more comprehensive exit policy. In a broader context, however, they do raise serious and politically emotive questions on what the "minimum level of protection" for workers should be in a liberalised economy.

One argument in favour of the proposed amendment to the Industrial Disputes Act has been that workers' interest are not done any good by a continued dependence on a financially unviable concern. The waiting period, sometimes running to a decade, for completing the winding up process has wreaked havoc on the workers of these financially unviable concerns. As the crux of the problem surrounding layoffs is governmental delays in according permission to concerns seeking the bureaucratic nod, procedural solutions, such as setting stringent time limits to dispose of cases that are referred for closure, should have been the way to begin the corrections. Announcing strict measures to clear the 10,074 cases that are pending in industrial

tribunals could have been one such step. The Government should also open itself to debate if it can relinquish its responsibility to protect a large section of labour, as over 70 per cent of industrial establishments employ less than 1,000 workers. The separation package of 45 days' wages for each year of service is no doubt fair recompense but whether it will deter easy layoffs needs to be tested, especially with industry calling for a reduction in the payment, citing financial difficulties.

As the biggest challenge ahead would lie in addressing the national mindset which is bound by the concept of "secure jobs", preparing the country to face the consequences of changed labour laws — some of which could be hard — gains importance. The reforms decade of the 1990s saw a sharp rise in the number of registrations in employment exchanges, especially since 1995, and these must not be ignored in the efforts to continue with economic reforms. With 41.3 million job-seekers on the live registers of the nation's employment exchanges, it is imperative that the Government initiates reforms that generate employment. Mr. Sinha's proposal to introduce an insurance scheme for workers in the organised sector affected by the on-going liberalisation is welcome, and should be carried to its logical end. Possibilities to bring in more workers under such schemes should also be explored. Above all, as the proposed changes in labour laws are set in the backdrop of broader changes — examples include cuts in Government jobs and the disbanding of the Banking Service Recruitment Boards, both of which have had a strong symbolism as providers of secure jobs — they should be carried out in a calibrated manner and not in sudden bursts. If reforms in labour laws are to succeed, the Indian workforce should be assured beyond doubt that the Government is sensitive to its interests.

**THE HINDU**

- 7 MAR 2001



# Labour reforms: Cong divided

## STATESMAN NEWS SERVICE

NEW DELHI, March 3.—The Congress appears uncertain how to respond to Mr Yashwant Sinha's tactic of tossing the ball on next generation of economic reforms into its court.

The party which has consistently claimed credit for starting the reforms is now weighing the possible impact of supporting major amendments to the Industrial Disputes Act on its prospects in the coming Assembly polls.

The finance minister has said the success of his "landmark" budgetary proposals "depends on the attitude of the Congress party", which can make or break it in the Rajya Sabha.

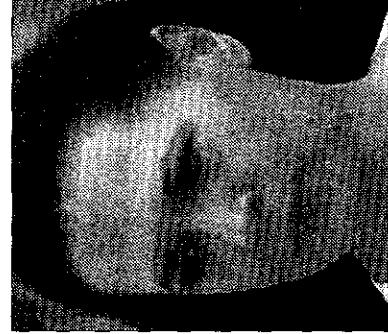
Conflicting views are emanating from the Congress camp. Some leaders said the party was not likely to back moves that remove hurdles to lay-offs, retrenchments and closures. Others feel the party

A section in the party feels it cannot de-link itself from the stand taken by its trade union wing, Intuc, which has over seven million members across the country. There are also signs that the group opposed to economic liberalisation is gaining clout within the party, and that is why Dr Manmohan Singh often finds himself sidelined.

The Congress spokesman, Mr Jaipal Reddy, appeared keen on keeping the finance minister on tenterhooks. "Mr Sinha can't take credit for his seemingly bold budget and then pass the buck to the Congress. He is adopting the approach of an escapist", he told **The Statesman**.

Mr Reddy said the party was committed to economic reforms, but opposed privatisation of public sector undertakings.

The Congress appears divided on the position it would take in Parliament on the labour law amendments. A sec-



Mrs Sonia Gandhi

tion, said to be close to Mr Pranab Mukherjee and Mr AK Antony, are not in favour of becoming party to anti-labour laws.

But the other group, which includes Mr Kamal Nath and Mr Digvijay Singh, wants the party to support the reforms and the related legislations.

A party MP said the Congress was in no position to antagonise big industrial houses

and multi-national companies by going against the reforms. What the party would probably do, he said, was to create the "right noises" but then decline to use its strength in Rajya Sabha to stall the amendments.

One sector where the Congress appears united in opposing the government is the agriculture and food policy, a CWC member said.

Meanwhile, the Intuc has come out openly against the Centre's move. The organisation's national secretary, Mr Chandidas Sinha, told **The Statesman** that the proposed amendments to the ID Act and repeal of the SICA "are anti-labour".

"The Intuc leadership is meeting soon to formulate the strategy. Intuc representatives among the Congress MPs will take up the issue in Parliament and if the government did not revise the decision we will resort to mass agitations" he said.

# Trade unions observe anti-budget day

18-14  
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By Our Special Correspondent

**NEW DELHI, MARCH 2.** The working class across the country observed Friday as anti-budget day to protest against the "anti-people proposals" in the Union Budget presented by the Union Finance Minister, Mr. Yashwant Sinha, on Wednesday.

A call to protest the budget of the Vajpayee Government was given by the All India Trade Union Congress (AITUC), National Platform of Mass Organisations, and several other trade unions which criticised the budget for its anti-labour orientation.

According to the National Platform of Mass Organisations, thousands of workers owing allegiance to major trade union centres, including the AITUC, the CITU, the HMS, the UTUC, the TUCC, the UTUC-LS, the AICCTU and major federations of banks, insurance, railways and Central and State Government employees participated in the protest.

The protest day was marked by rallies, marches and demonstration by the working class. In Delhi,

a large number of people assembled at Jantar Mantar and proceeded in procession towards Parliament. As they were not allowed to go further, they held a demonstration at Patel Chowk.

Trade Union leaders condemned the budget and said it exposed the gameplan of the NDA Government to hand over the national economy to the MNCs and enslave the working class by scuttling all labour laws.

The budget has facilitated speedy take-over of all major industries by the MNCs, and will eliminate the small-scale sector in totality and generate huge unemployment. It also aimed at taking away all labour rights and impose the conditions of slavery on the working people, they said urging people to organise country-wide resistance against the "disastrous budget and prepare for massive strike action in the days to come".

Those who addressed the protest rally included Mr. M. K. Pandhe (CITU), Mr. J. Chittaranjan (AITUC), Mr. S. G. Mishra (HMS), Mr. Abani Roy (UTUC) and Mr. Shyam Charan Gaur (TUCC).

THE HINDU  
MARCH 2, 1997

# Pruning may change labour and employment scene

CL MANDUJ  
STATESMAN NEWS SERVICE

NEW DELHI, March 2. — The labour and employment scene in the country may undergo a sea change if the Centre had its way with two budgetary proposals — downsizing of government staff by 10 per cent within five years and an amendment to the Industrial Disputes Act that would liberalise the procedures of lay-off, retrenchment and closure.

The government justifies the proposals as in tune with the new economic environment, but the silence in various departments reflects the apprehensions of employees, which could lead to a confrontation between them and the government.

It is estimated that the Centre employs around 37 lakh people, with the Railways alone having around 16 lakh work employees, followed by P&T (around 9 lakh) and defence (6.5 lakh). The proposed 10 per cent downsizing will amount to roughly 160,000.

Already, there is a pending "surplus pool of government employees", a fall-out of the Narasimha Rao government's decision to do away with some "unproductive slots", which according to some abolished as many as 160,000 posts during the past four years.

There are indications that the proposed 10 per cent downsizing could just be the beginning of such steps.

In terms of money, the fifth Pay Commission said, report, the salary bill of the central government staff is roughly Rs 32,000 crore and amounts to 13 per cent of the revenue expenditure of the Union budget.

While the Centre justifies the "downsizing" by citing these "surplus" as "flab that eats away a huge salary bill and thus widen the fiscal deficit to alarming heights", Mr GL Dhar, national sec-

retary of the Confederation of the Central Government Employees and Workers, disagrees.

"Don't conclude that the majority of the targeted 1.60 lakh employees are babus. A large majority of them are on the operational staff in crucial areas, and their downsizing will result in declining efficiency of services or even dismantling of many vital services like village post offices and dispensaries." Mr Dhar told The Statesman. "Can the government, which is targetting the lower staff, dare touch the class one employees, who have grown from 1371 in 1997 to 1692 last year?"

Further, the government's decision to cut the PF interest rate, two-year freeze on LTC and the proposal for an employee-contributed pension scheme have also being resented, even when the government justifies this as part "expenditure cut and fiscal management".

"In one stroke", a government employee said, "the value of my hard-earned saving (PF) has been shrunk, and my right for availing LTC has been denied. This obviously hits my budget".

The unions say the government took the decisions unilaterally without discussing it at the "Joint Consultative Mechanism", the legal platform for government-employee discussions on matters of mutual interest.

On the other hand, the proposed amendment to the Industrial Disputes Act and the Company Act have created tension as most of the industrial workers might lose their "cover".

While the government justifies these moves as "the much-needed changes to tune the labour laws with the new environment", AITUC national secretary, Mr DL Sachideva, said: "It will give licence for a hire-and-fire policy besides putting the selling of PSUs on the fast-track. We will fight it unitedly".

THE STATESMAN

- 3 MAR 2001

# FM bullet hits labour laws

STATESMAN NEWS SERVICE

NEW DELHI, Feb. 28.

Preparing the ground for taking off on the second generation of reforms, the Finance Minister in his budget has hit probably the most volatile and sensitive target - labour - which his predecessors have been shying away from for obvious political reasons.

Mr. Yashwant Sinha has proposed a major amendment to the Industrial Disputes Act, that will liberalise the terms for lay-offs, retrenchment and closure in industrial establishments. He has also proposed to repeal the SICA and amend the Companies Act that can have far-reaching implications. Mr. Sinha has also proposed VRS in all government departments for employees

with over 20 years of service. As soon as Mr. Sinha fired the "bullet", all major trade unions, including the pro-BJP Bharatiya Mazdoor Sabha vowed to fight the proposal tooth and nail.

The central TUs have called an all-India anti-Budget protest day on 2 March which will also be supported by their youth and students wings.

The proposed amendment and the TUs' determination to fight it could set the stage for many confrontations in the industrial sector, especially in states like West Bengal and Kerala where TUs are strong and the rate of potential closure is also high.

Mr. Yashwant Sinha's proposal is part of the government's efforts to "address the

issue of rigidities in labour laws" and to tune them in accordance with the new "economic environment".

Chapter VB of the ID Act stipulates that employers in specified industrial establishments must obtain prior approval of the appropriate government authority for effecting lay-off, retrench-

ment and closure, after following the prescribed procedure. Now it has been proposed that these provisions may apply to industrial establishments employing not less than 1,000 workers instead of 100 workers.

The pro-BJP BMS leader, Mr. A. Dogra, said his union was disappointed by this "anti-

worker proposal".

He said the move to introduce the proposal in the budget rather than the normal course of the Labour Ministry holding talks with the TUs clearly showed that "government was looking for a short-cut". While vowing to fight it, Mr. Dogra said the BMS national council meeting beginning in Baroda tomorrow will discuss the issue and form the future course of action.

The Budget is anti-people and anti-worker and lacks positive direction, the Citu general secretary said in Kolkata today. The Finance minister has sought to give unlimited powers to employers to retrench workers by proposing repeal of the Sick Industries

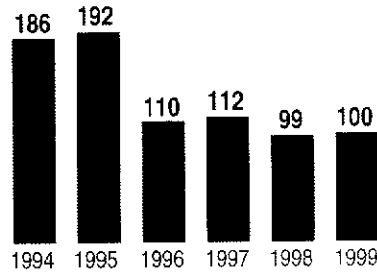
■ See LABOUR: page 2

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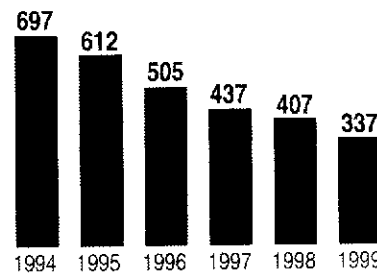
**Fatalities in CIL mines**



**Fatalities in BCCL alone**

1994	37
1995	104
1996	26
1997	29
1998	26
1999	27

**Number of seriously injured**



**Injuries in BCCL alone**

1994	133
1995	192
1996	79
1997	80
1998	90
1999	56

Figures include casualties in all subsidiaries of Coal India Ltd. (i.e. ECL—Eastern Coalfields Ltd, BCCL—Bharat Coking Coal Ltd, CCL—Central Coalfields Ltd, NCL—Northern Coalfields Ltd, SECL—South Eastern Coalfields Ltd, MCL—Maharadi Coal fields Ltd, and NEC—North Eastern Coalfields Ltd.)

Source: Annual Report of the Union Ministry of Mines and Minerals, Dept. of Coal.

Graphic by Varghese Kallada

40-15  
18/2

# Safety buried alive

**T**HE ENTIRE coal belt spread over the Chotanagpur region of Jharkhand is today a picture of woe. For, a series of accidents have recently rocked the collieries, including the Bagdigi disaster earlier this month in which the official toll is 29 with one miner being rescued after six days underground. This disaster occurred when water from an adjoining mine flooded the one where the miners were working.

The accidents caused by water and gas (the Victoria West Colliery incident of last week received little attention because the miners managed to escape) highlight the dangers the miners face in both underground shafts and open-cast mines.

The accidents also underscore the insensitivity of both Bharat Coking Coal Limited (BCCL) and Central Coalfields Limited (CCL) towards problems of safety at the planning level, in taking remedial action and conducting rescue operations. Coal India Limited (CIL) and the Director-General of Mines Safety (DGMS) cannot escape blame either.

Indeed, the flooding of the Chaitudih mine would have gone

unnoticed save for the fact that it occurred within days of the Bagdigi catastrophe. In Chaitudih, one miner was killed while the other 113 managed to escape.

Anyone in the coal sector cannot but admit that the maps of the mines underground are outdated because of illegal practices. Corruption is rampant. So much so that even the open-cast Ashoka Colliery of the CCL in Chatra was flooded in August last when an open barrier was breached for failure to maintain safety norms. It would be futile to expect adherence to rules and regulations inside an underground mine in such circumstances.

There is no gainsaying that both

**The coal mines in Jharkhand are veritable deathtraps.**

**And, writes K. BALCHAND, the managements have turned a blind eye to the miners' plight.**

the recent tragedies were avoidable. The walls underground had been eroded to the point of disappearance by illegal mining. The tragedy is that both the BCCL and the CCL have turned a blind eye to the miners' plight. The mines in Jharkhand are operated by these two subsidiaries of the CIL, with the presence of the Eastern Coalfields Limited (ECL) being nominal, limited to Rajmahal.

In neither Bagdigi nor Chaitudih had the DGMS cared to prohibit mining till calamity struck. Officials of the DGMS fail to explain their failure in conducting inspections despite repeated such incidents. The role of the DGMS is all the more important because the security officers and surveyors of each mine are directly under the supervision of the respective General Manager, who is driven by several considerations, and cannot be expected to defy the line of command.

Unlike in countries such as Australia where mines safety is a state subject, in India it is a Central subject. That underlines the importance attached to safety aspects. But all this remains on paper. There is little or no training on rescue operations in case a mine

floods. The very fact that Naval divers were brought in shows that in-house disaster management is non-existent in the mines.

In Bagdigi, there was criminal delay in rescue operations. Water pumps had to be borrowed from other pits. The Naval divers quit operations in despair for want of proper maps.

The more distressing part is that the CCL is going the BCCL way in incurring losses. The natural corollary is increasing accidents for want of funds for security measures. The number of mine accidents are highest in the BCCL among the coal companies, all of which are controlled by the CIL. The record of the CCL is not encouraging either, keeping in mind that the majority of its mines are open-cast.

Miners in both these undertakings are panicky. That compelled the authorities to shut down some of the mines. This action of the BCCL and the CCL is also causing distress to lakhs of people in areas such as Jharia, Patratu and elsewhere.

Unfortunately, the top brass seem to be at a loss in finding remedies, lacking not only willpower but also the finances.

# Heads roll as Minister suspends key officials

PRESS TRUST OF INDIA  
NEW DELHI, FEB 11

FOUR officers — three of Coal India Ltd and one of Bharat Coking Coal Ltd (BCCL) — were today suspended by Coal Minister Shahnawaz Hussain, holding them responsible for the mines tragedy at Katras Choitudih and Bagdighi, where 21 miners are still trapped.

The Minister has suspended A K Sengupta, deputy chief mining engineer and agent, R N Kundu, ex-assistant survey officer and R C Dass, assistant survey officer for lapses leading to the trapping at Bagdighi from where 16 bodies have been recovered so far, an official statement said here.

In BCCL's Katras Choitudih, where one miner is reported to have been trapped underground, while 113 escaped when water gushed during the blasting operation on February nine, Bhola Mahato, a shot firer, has been placed under suspension.

The stern action has been initiated by the Minister a day after he

visited CILs Bagdighi mines in Dhanbad.

Hussain had yesterday stated that there was a prima facie case against the agent and two surveyors of the Bagdighi mine for the disaster and they would be placed under suspension pending inquiry.

The suspension follows a preliminary inquiry into the incident and further action would be taken once the inquiry report is sub-

## MINE MISHAP

mitted, Coal Secretary N K Sinha said.

The Minister announced an ex-gratia payment of Rs 1.25 lakh to each of the family of the bereaved of the Bagdighi mine. He also announced an ex-gratia payment of Rs 50,000 to Salim Ansari, the lone survivor in the Bagdighi mine.

Meanwhile in Dhanbad, the body of two miners, including an official, was recovered today from the Bagdighi mine, taking the toll to 14.

BCCL sources said a six-member rescue team recovered the

bloated corpse of Manager A K Upadhyay this morning, while the body of cableman Sartraj Prasad was recovered this afternoon.

Only one miner Selim Ansari was found alive on Thursday and 23 others, including the assistant manager, were feared dead.

Sources said two 'rotary pumps' were working at the site to remove the slush and all the bodies could be recovered in another two-three days.

Rescue workers were searching dewatered areas of the pump from the Jairampur side.

The body of Pritam Singh (cable operator) was found on February five. Subsequently, bodies of Chhotu Mian (line mazdoor), Chanderdeo Harijan (dresser), Brij Mohan Singh (Mazdoor), Sheo Charan Tanti (cableman), Swaminath Nonia (mining sardar), Arup Yadav (prop mazdoor), Rajendra Prasad Yadav (foreman), Arvind Kumar (foreman in charge), Manoj Kumar Jaswar (cableman), Abdul Hamid (mining sardar), Upadhyay and Sartraj Prasad were recovered.

INDIAN EXPRESS

12 FEB 2001

10 FEB 2001

# Another coal mine flooded

**Pankaj Kumar**  
Dhanbad, February 9

IN WHAT would have been a bigger disaster than the one that struck at Bagdigi coal mines on February 2, water today flooded the Chaitudih mine at Kairas township of Dhanbad district, trapping one miner. Over a hundred others managed to climb out of the pit to safety.

It was a virtual rerun of the Bagdigi accident, when a wall dividing two mines gave way while blasting operations were on. Water from an abandoned seam gushed in, but before it could trap the miners, they managed to escape.

Since this is the second accident at a Bharat Coking Coal Limited (BCL) mine in less than a week's time, doubts have been raised about the outfit's commitment to safety of workers. Not only did the company take measures to plug the loopholes in the safety norms that caused the Bagdigi tragedy, the management seemed directionless while carrying out rescue operations in the absence of some

key BCL officers.

Till now, a temporary chairman-cum-managing director was heading BCL. An over-worked CMD of Eastern Coalfields Limited was looking. It is only now that the Union Government has woken up to the gravity of the situation and has appointed B N Pan as fulltime CMD of BCL. But two key

## Judicial Probe

THE GOVERNMENT on Friday announced a judicial probe into the Bagdigi mine tragedy in which at least 29 miners were feared drowned.

**PTI, New Delhi**

vacancies are yet to be filled: that of director (personnel) and general manager, coordination.

Though one miner has been rescued from the Bagdigi mines, certain questions pertaining to accident remain unanswered. As per norms, the water level of the abandoned seam of the Jaitampur mines should have been measured

# Woman hacked to death over property row

A MAN hacked to death his 60-year-old mother-in-law this morning over a property dispute in Bishrupur, South 24-Parganas.

Asgar Ali Sheikh was hounding Parijan Bewa (60) for her property the past six years, ever since he married her daughter Asia. Parijan Bewa steadfastly refused to bow to her son-in-law's wishes and Sheikh finally left Asia, who returned to her mother's house.

On Thursday, Sheikh paid them a visit and even stayed the night. Parijan and Asia found he was following them to the bus stand while they were on the way to Kolkata.

An altercation took place and Sheikh attacked the two with a chopper. Sheikh managed to escape as Parijan and her daughter fell down. Area residents took them to the Diamond Harbour hospital where Parijan was declared brought dead. Asia is in a critical condition.

**HTC, Kolkata**

on a regular basis. Water had been accumulating at the quarry since 1962, but the authorities neither checked the water level, nor had taken measures to dewater the abandoned pit. Mining experts say that the pit should have been filled with sand long back.

The company also did not carry out sonic survey for determining the thickness of the barrier between the two underground mines. This technique is in practice in certain other Coal India mines. The Director General of Mines Safety (DGMS) has alleged that it did carry out such a survey in the beginning of this week and had warned the BCL about this.

**Rs 5-crore relief:** Seven days after the Bagdigi coal mine tragedy, Coal India limited has put aside Rs 5 crore for the next-of-kin of the victims. The amount will reach BCL headquarters within two days.

The Coal Ministry had decided to extend all cooperation to CIL for quick relief and rehabilitation of the affected families.

# Chhattisgarh: 100 days of hope, hype

**Chandrakant Naidu/Pradip Kumar Maitra**  
Raipur, February 7

**D**URING THE 100 days since its formation, Chhattisgarh has been swinging between hope and hype. Chief Minister Ajit Jogi and his party made news quite frequently, thanks to the State government's well-oiled media management machinery. But, the rest of the nation has not heard much about the State and there are reasons behind that.

First, there has been little administrative success. Second, the Centre is yet to pick a major issue on which to pin down the nascent State government.

A few hours before the formation of the State, Jogi was not sure of being installed as the CM, despite Sonia's backing. The Congress presented a dismal picture — that of a party waiting to disintegrate. Jogi looked tentative even after months of being in the hot seat.



**Ajit Jogi**

Today, if Jogi is in saddle, he should thank the BJP. One of BJP's legislators left the party and the Assembly to pave way for Jogi's election to the House. Today, the Chief Minister is seen as a master manipulator, who will do anything to overcome odds. It won't surprise many if Jogi wins the Marwahi poll in Bilaspur district this month. But the BJP's submission might.

Soon after coming to power, Jogi realised that his future lay in the

past. He started invoking Chhattisgarh's forgotten heroes such as Vir Narayan Singh, Guru Ghansidas and Pt Sunderlal Sharma.

Jogi's emergence as a shrewd politician has not been matched by any spectacular show at the administrative level. He has failed to tackle several issues. His opponents are sceptical about his achievements.

"He has made over 100 announcements during the last 100 days. How many of them were implemented and how many of them are feasible?" they ask.



# Miners' kin gherao divers

STATESMAN NEWS SERVICE *SSA*

DHANBAD, Feb. 6. — Angry relatives of the trapped miners today gheraoed the Navy divers after they failed to offer them any hope or information.

As the divers returned empty-handed from yet another search, the relatives, mostly young men, rushed towards them and asked whether they had been able to locate any of the miners. The divers refused to tell them, saying they would report only to the BCCL chairman-cum-managing director.

The furious relatives immediately surrounded the divers at the mouth of the pithead.

Some of the divers managed to evade the crowd and jump into a waiting truck, but the relatives sat down before the lorry and began shouting slogans. The truck was held up till late tonight.

"We haven't eaten or slept for five days," said a relative. "Our patience is running out."

"Get the bodies out if you can't get them back alive," shouted another at the divers huddled on the truck.

The BCCL's rescue control centre at Bagdighi reported that no contact with the victims had been established tonight, add agencies.

"We failed to find any bodies

*labour union*  
today," said the general manager (HQ), BCCL, Mr MC Jain.

Mr Sukhdeo Narayan, an official in the control centre, said: "It will take two more days for the water level to go down sufficiently for rescuers to enter."

The deputy director of mine safety, Mr AK Rudra, who had entered the Bagdighi mine, said he had smelt "a stinking odour".

The body of cable operator Pritam Singh, which floated out yesterday, was handed over to his family after an autopsy.

■ Photograph on page 8

THE STATESMAN

7 FEB 2001

# More miners may be trapped in pit

● Key official missing ● Registers untraced

Naved Zahir  
Dhanbad, February 6

THE TOLL in the Bagdiggi colliery tragedy could be higher than the "official count" of 30. Independent sources confirmed that some daily-wage labourers were working in the quarry when water poured in.

"A large number of daily-wage labourers were sent in by the contractor on February 2," said Balram Pandey, brother-in-law of the trapped colliery manager. A K Upadhyay.

Colliery agent P R Sengupta is missing, so are a number of registers and documents. Though officiating general manger P K Sinha claimed that officials from the directorate-general of mine safety had taken them away, some employees insisted that Sengupta had them with him. Importantly, among the missing papers are the lamp-allotment register and the *dihari* (daily-wages) rolls.

Sources at the mine named at least two daily-wage workers—Bhagwan Turi and Sanjay Kumar. They were digging in the same seam that was submerged.

Two contractors engage the colliery's daily-wage labourers. One of them, Islam, has gone missing. The other, Lala, flatly denies having sent in anyone to pit on February 2.

BCCL officials, when asked for comments, said no daily-wage worker was working in the quarry that day. "We have no information that there are other miners with the 30 trapped inside," said Sinha.

Other than issuing a denial on the possibility of contract labourers being stuck in the flooded pit, the coal company remained tightlipped on the progress of rescue and salvage efforts.

With operations to pump out water from the flooded pit continuing late, more bodies are likely to be fished out tonight.

Though no official confirmation was available, Dinesh Paswan, second-in-command of the BCCL's



Grieving relatives of a dead miner at Bagdiggi colliery on Tuesday. Photo: HT

rescue team said: "Three more bodies have been recovered."

A member of Paswan's team said: "With every passing hour, the relatives of those trapped inside are getting more and more agitated. The last thing the management wants now is a face-off with them. The decision to get the bodies out at night was deliberate."

Yesterday too, the salvage team had found cable man Pritam Singh's body early in the morning. But they took it out of the pit late at night. The police subsequently registered a murder case against the company management.

The body was today handed over to the family of the deceased after autopsy. BCCL's Ghanudih coal mines personnel manager R C Srivastava said the family was given more than Rs 10,750 as immediate assistance.

This includes Rs 10,000 as ex-gratia and the rest for cremation. The company would release more

grants soon. The family has demanded a job on compassionate grounds for the deceased's elder son.

Paswan said thigh-deep mud, slime, chunks of floating coal and wood were making the going tough inside the mine. "Every time you take a step, the clear flowing water turns murky. It's virtually impossible to locate bodies. Even after the water level goes down, it will remain chin deep. Only then will we be able to probe more extensively."

Ram Swaroop Paswan, who heads the salvage team, said the management had asked his men to keep their lips sealed. But he clearly was in no mood to follow the stricture.

"We are human beings. Now nothing matters to us. We will tell you the truth."

Around 6 pm today, a team of Navy divers entered the mineshaft through the Jairampur colliery.

THE HINDUSTAN TIMES

7 FEB 2001

9/2/01 ✓

# Depths of despair

Bagdigi underscores the unsafe mining practices in India

**N**OTHING short of a miracle can bring the 37 people 'trapped' in the Bagdigi coal mine of Bharat Coking Coal Limited back alive. Even after nearly a week, the authorities have not been able to ascertain what exactly has happened to the miners. The divers of the Indian Navy have come and gone after ferreting out just one body. It's no surprise that the relatives of the 'trapped' men are so agitated over the cavalier attitude of the management that they even gheraoed the divers, necessitating the intervention of the police. The insensitivity of those entrusted with mine safety can be gauged from the fact that minister of state for coal with independent charge N.T. Shanmugham of the Pattali Makkal Katchi (PMK) was busy politicking in Tamil Nadu when he should have been overseeing rescue operations. Their fate did not seem to have even crossed his mind when he and the other PMK minister E. Ponnuswamy resigned from the Vajpayee government in search of greener political pastures. With the kind of political cynicism that prevails in the country, it is no surprise that the lives of some miners do not engage the attention of the powers-that-be. After all, they are not rich and well connected enough to keep the government's communication channels busy with anxious queries from their relatives around the world. They are like the thousands of poor who perished in the super cyclone that lashed Orissa.

Unlike the Orissa and Gujarat tragedies, the blame for which can, perhaps, be laid at the doors of Nature, the authorities have only themselves to blame for the Bagdigi tragedy. In fact, the incident is so similar to the infamous Chasnala disaster that occurred in the same

region in 1979, killing 375 miners. In both the cases safety norms were thrown to the winds when the miners were forced into the deep and cavernous mines. The walls that separated the ill-fated mines from adjoining abandoned and water-filled mines were so thin that when underground blasts were triggered, water gushed in with disastrous effect. Five years ago, a similar disaster occurred in the Geslitand mines, also in the same area, when river water entered the mines drowning 64 people. As there had been several incidents of inundation in the past, the mines safety codes prescribe certain safety procedures to avoid such accidents. It is these procedures that were flouted at Bagdigi.

Safety has never been the watchword for those who managed the coal mine sector. When the mines were nationalised, one of the main objectives of the government was to protect the interests of the miners and save them from exploitative and haphazard mining practices. Unfortunately, the performance of the nationalised coal companies has not been any better in this regard. In the latest instance, the Bagdigi mines authorities were under pressure to produce more coal and that is what forced the colliery manager to walk into the mine and virtually lead the miners from the front. Had the safety of the miners come first, the BCCL would have abandoned the mine, filled it with debris and sealed it a long time ago. But when human life, particularly that of miners, is considered expendable, it is not surprising that the BCCL finds it cheaper to mine the existing, overmined mines, rather than explore new coal veins. In any case, who in this country bothers about safety?

INDIAN EXPRESS

INDIAN EXPRESS

9 FEB 2001

# Mine miracle: Worker found alive after six days in Dhanbad

The Times of India News Service and agencies

DHANBAD: A miner entombed inside the Bagdihi mine was miraculously found alive but unconscious on the seventh day on Thursday as three more bodies of trapped miners were located.

Salim Ansari, a 50-year-old worker who was found unconscious at about 6 a.m. by a rescue team, was taken in an ambulance

to the hospital where he was reported to be out of danger, Bharat Coking Coal Limited (BCCL) sources said. "One body was found floating at level number three, while two others have been located," deputy director general in the

department of mine safety A.K. Rudra said.

Rescuers had, on February 5, retrieved the bloated body of a cableman, Pritam Singh, during dewatering operations.

At least 38 miners, including two officers, were trapped in the Bagdihi colliery of the BCCL when water from the adjacent Jairampur colliery gushed in through a breach last Friday. Of the 150 miners at work in the mine, 214 metres below the surface, 115 had escaped.

An emaciated Ansari was brought out from the pithead on the Jairampur side by the rescue team at 7.30 a.m.

Medical superintendent of the

department of anaesthesia at the central hospital V.K. Singh said Ansari had regained consciousness and was now out of danger.

"Ansari, a fitter, has survived because he had been drinking water in the mine. Although he is in a highly traumatised state, he remembers his name. We have told him to speak as little as possible. He also spoke to his brother-in-law before being admitted to the ICU," the doctor said.

"Ansari must have climbed to level one, atop the flooded mine area, when water gushed in from Jairampur. He survived because of the existence of an air pocket there," the deputy director of DGMS said.

Eastern

Coalfields' chairman-cum-managing director Ashok Mehta said. "We are very happy that we could rescue one worker, who is alive. I thank God and the rescue team."

DGMS director general R.L. Arora had said on February 5 that he did not completely rule out the chances of finding survivors in Bagdihi even though 16 million gallons of water had surged in on February 2 and swamped the mine.

"According to calculations from our map of the underground area, some miners were working at a higher level in the Bagdihi mine on Friday when water rushed in. These miners could have taken shelter and may be alive," Mr Arora said.



Salim Ansari, one of the trapped victims, was rescued after six days on Thursday.

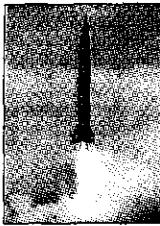


Jacquie Frazier-Lyde, daughter of conference in New York on Wednesday of boxing legend Muhammad Ali, Joe Frazier had beaten Muhammad

## Chinese missile

By Manoj Joshi

NEW DELHI: The U.S. is carefully watching that China may be committing a serious commitment, given to last November, exporting missile technology according to a report by a U.S. Senate select committee on intelligence on Wednesday.



Mr Tenet said "worried" that Pakistan's continued development of the two-stage Shaheen-II medium-range missile "will require additional Chinese intelligence." According to him, it was Chinese intelligence that "enabled Pakistan to move rapidly

THE TIMES OF INDIA

9 FEB 2001

# Navy div

HT Correspondent & Agencies  
Dhanbad, February 7

**N**AVY DIVERS hunting for survivors in the flooded pits of Bagdigi colliery today called off their search operations. They are now convinced that all those who were trapped in the mine have perished.

(In what appears to be a related development, the acting Bharat Coking Coal Limited (BCCL) CMD, Ashok Kumar Mehta, was replaced, a PTI report said.)

Mehta has been replaced by B N Pan, who is the director (technical) of South-Eastern Coalfields Ltd.

Navy divers entered the mine-

... the Atchafalaya Swamp, the largest river basin swamp in North America. His goal is to find a mysterious and ill-tempered creature known as the Amphiuma. The Amphiuma has the blunt head of an eel and the body of a snake but tiny arms and legs and it swims like a fish underwater.

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**ANIMAL PLANET/7.30 PM.**  
**HORSE TALES: CANADIAN MOUNTIES**  
After two years with the Royal Canadian Mounted Police's famed 'Musical Ride', Officer Donna Harvey must now give up her place and face the prospect of losing Samson, the horse that she has grown to love. This moving tale follows Donna on her last journey with Samson across Canada to give their last parting together, culminating in the spectacular

## WALKER, TEXAS RANGER

Texas Ranger Cordell Walker is a man of few words and swift moves, and works on instinct, often drawing on the traditions of his Native American ancestors. He would stop at nothing to battle for justice. In today



Tune in to BBC World at 11 a.m. & 7 p.m. for this episode of *Waterworld*

## PRIMETIME MOVIES

**CCC/9.30 PM.**  
**ANAND**

This superhit film was made at a time when Rajesh Khanna was the reigning superstar and Amitabh Bachchan just a tall lanky actor with brooding eyes, trying his luck in Hindi films. Poignant songs like *Zindagi Kaisi Hai Paheli Hai, Kahin Door Jab Din Dhal*

she moved away to again. But there's and he hires a shea her down in Miami ful than ever -- he Marv has become

THE HINDUSTAN TIMES

- 8 FEB 2001

# Miner defeats death at Bagdighi

STATESMAN NEWS SERVICE

DHANBAD, Feb. 8. — One of the 38 miners trapped in Bagdighi mine was found alive this morning, six days after water gushed in and trapped them.

Mr Salim Ansari (50), a fitter, was found on level 1 of seam 5 around 6 a.m. by a rescue team. He was very weak and unconscious but regained consciousness on way to BCCL hospital.

The hospital superintendent said Mr Ansari mumbled a few words to his brother-in-law before he was taken to the ICU. A doctor said: "Mr Ansari sur-

ived because he had been drinking water. He remembers his name but he is under trauma. He's being given oxygen and glucose. We've told him to speak as little as possible."

(Mr Ansari's rescue has raised hopes of more people being alive, reports UNI. The kin of those who are yet to be rescued are praying that they would be alive. As news of Mr Ansari's rescue spread, some people on dharna at Bagdighi mine demanding rescue of their trapped relatives rushed to Jairampur colliery, where Mr Ansari was brought up.

(But the relatives of Chhotu Mian, Chandradev Harijan and Brijmohan Singh, whose bodies were fished out today, were shocked. They broke down over the bodies, crying inconsolably. Others too burst into tears.

(With water receding in the mine the relatives began pressuring the rescue teams and BCCL officials to speed up operations. The rescue operation chief, Mr KN Singh, said the trapped miners would be taken out either dead or alive.)

Mr Ansari was spotted by the BCCL general manager (operations), Mr S Prakash. The oth-

ers in the rescue team were the adjoining Jairampur colliery manager, Mr RP Singh, mining sardar, Mr Ramdeo Mistri, and Mr Ramswarup Paswan.

The Bharat Coking Coal Ltd and Eastern Coalfields Ltd CMDs, Mr BN Pan and Mr AK Mehta, visited Mr Ansari at the hospital. Mr Mehta said: "We're very happy to rescue one worker alive. I thank god and the rescue team."

The deputy DGMS, Mr AK Rudra, said three rescue teams had been sent into Bagdighi from Jairampur colliery.

Mr Rudra said water had

receded from level 1, where Mr Ansari was found, and some other levels. Ten pumps are drawing water at the rate of about 1 million gallons a day but water is still gushing into Bagdighi mine from Jairampur colliery.

**Navy clarification:** The Navy today said its diving team gave up rescue efforts and left the Bagdighi mines yesterday only on the directions of the "coal authorities", adds PTI from New Delhi.

■ The beat of a drum saved him; page 8



Mr Salim Ansari at the BCCL hospital in Dhanbad on Thursday. He was rescued from Bagdighi coalmine on Thursday. — The Statesman

THE STATESMAN

79 FEB 2001

# Three bodies found, survival chances slim

Naved Zahir  
Dhanbad, February 5

NEARLY TWO days after rescue operations were launched to save the lives of 38 trapped miners at a Dhanbad coal mine, one body was flushed out today along with water from the Bagdigi mines while two others were recovered by the divers. Though the bodies were yet to be identified, the dead miners sported caps 164, 230 and 231.

Earlier in the day, a five-member team of divers arrived here from Vishakapatnam to join the rescue operations. Known as the 'Clearance Diving Team', it is headed by the deputy director general of mines, AK Rudra. Equipped with sophisticated detection gadgets, the divers entered the ill-fated Pit 5 from the Jairampur colliery end at around 4.30 pm after studying the map of the mine.

The executive director (Safety), BCCL, KN Singh, sent on deputation from the BCCL headquarters to supervise rescue operations, was confident that Jairampur mines would be cleared of water by tomorrow evening.

But BCCL officials did not have too many words of assurance for the family members and relatives of the trapped miners who have been camping at the site for three days now. RK Lal, the Technical Director of BCCL, told The Hindustan Times: "I have personally told the relatives of the people trapped inside, 'Aap tayar rahan har tarah ki baat ke liye' (be ready for all possibilities). I also told them not to be misguided by

rumours floating around."

Another BCCL official confided, "The water pressure flowing into the Bagdigi pit from the Jairampur side is just too much. I personally feel that finding a survivor would be a miracle."

Ram Bali Singh, who has spent many hours daily inside the pit, too, felt that chances of finding survivors are at best remote. Arguing that water by now must have flooded the entire area where the miners are located, he said that rescue operations are now restricted to finding dead bodies.

However, no effort is being spared to flush out as much water as possible. Senior BCCL official PK Sinha, who is in charge of the operation, informed that six pumps are working round the clock. He said that they are now trying to install pumps inside the pit, but certain technical problems have cropped up. Around three metres of water have been flushed out of Pit 5, he added.

But relatives of the trapped workers complained that rescue operations were tardy. They alleged that one of the pumps crashed within minutes of its installation.

The district administration and BCCL officials have lined up seven ambulances at Jairampur colliery from where rescue operations are now being carried out.

However, police sources said it is being presumed that the miners trapped inside the pit are dead and the ambulances are there to ferry the bodies for post-mortem.

# Fingers pointed at bosses as glitches stall mine mission

FROM SALMAN RAVI

*Now & then*

**Inside Bagdigi mine (Dhanbad)**  
Feb. 5: It is 1 pm, exactly 72 hours after the seventh seam of this mine was submerged with water gushing in from an adjacent underground water dam and trapping at least 30 coal workers, including two officers. The fate of the trapped miners continued to hang between hope and despair as workers from other collieries of the Bharat Coking Coal Limited (BCCL) went down the trolley lift into the mine with heavy-duty motors, pipes and mechanical accessories.

As the trolley touched the base of the mine's eighth seam, the dark and humid gallery suddenly lit up with hundreds of lamps flashing from the helmets of the workers. They began unloading the equipment. While some were busy carrying the heavy machines, others were giving a final touch to the fittings.

The eighth seam of Bagdigi mine is being used to instal pumps and dig bore-holes for the dewatering process while the rescue mission is underway in Jairampur colliery. As dewatering carries on at a snail's pace, a stowing fitter, Kailash Paswan, who has been drawn from the Putki colliery, is a worn-out man. Since morning, he has been busy fitting the pipes to make the pump work, but in vain. Five pumps were flushing out water which had inundated the seventh seam after 72 hours. Paswan was hopeful that the sixth pump would become functional by evening.

Suresh Rajak, the colliery electrician, is not happy at the pace of the dewatering process. "These pumps are too weak to flush out such a huge quantity of water logged in the seventh seam. These pumps have a capacity of 90 horse power while we require at least 220 horse power pumps. At this pace it will take days for the water level to recede," he said. Rajak's words proved true with the water-level coming down by only four metres after three days.

Shankar Kumar, a mechanical fitter who has come from area 9 of the company, feels there should have been at least eight such



Relatives and colleagues of trapped miners help in the rescue effort. Picture by Somnath Sen

pumps at the Bagdigi mine alone and an equal number at the Jairampur colliery.

As Rajak was speaking to **The Telegraph**, there was sudden chaos under the mine. It transpired that the 11.3 metre bore hole dug up, according to the plan of the surveyor, for the installation of another pump got obstructed by a huge pillar of coal. "Now we have to dig another hole. You see this is how things work in the mine. Even the surveyor has no idea about the mine though he has got a map of the colliery. You can see now how faulty these maps are and the risks faced by miners who excavate coal according to the map's layout," said Ram Avtar Paswan, who is also a union leader.

Asked about the abundant flow of water in the eighth seam,

Paswan pointed out that water was being flushed in from the seventh. "They have lifted water from the seventh seam and pushed it into the eighth seam. Water has started logging in the eighth seam as well. If steps are not taken, there are chances that even this seam will soon be water logged, hampering rescue operations," he said.

Other workers involved in the mission underground echoed similar views. They felt that the BCCL authorities were competent enough to instal heavy duty pumps. An official of the Directorate General of Mines Safety, who was also in the mine, said he had already expressed his displeasure to the BCCL authorities over the lack of safety norms. He said the water dam which had burst out from the Jairampur

colliery end was beyond the barrier of coal.

"The map maintained by the colliery management indicates that the barrier is 70 metres. So there was no question of inspecting it. Had the map indicated the thickness to be less than 70 metres, we would have certainly inspected the spot before allowing the miners to excavate coal from there," the official said. He also pointed out that the dam existed since 1962 when the mine was run by private colliery owners.

Ranjit Kumar, another coal worker, said the Bagdigi colliery produced an average of 500 tonnes of coal per day. He alleged that in order to meet production targets, the colliery management shrugged off safety norms and forced workers to extract coal at any cost.

6 FEB 2001



# Coalmine yields rotting body

SNS & AGENCIES

DHANBAD, Feb. 5. — The rotting body of one of the 38 trapped miners at Bagdighi coalmine floated out as water was being pumped out today. The stench of bodies coming out of the mine caused a diver to faint and later to start vomiting blood. He has been taken to hospital.

But the director-general of mine safety, Mr RL Arora, said there are still hopes of finding survivors, though 76 hours have passed since the accident.

Five naval divers from Vizag, the second batch since yesterday, entered the Bagdighi mine today.

The decomposed body found at the adjacent Jairampur colliery in the morning was identified as that of Pritam

Singh, a Sikh worker employed as a cable man.

"According to calculations from our map, some miners were working at a higher level in Bagdighi on Friday when water rushed in. These miners could have taken shelter and even be alive as the Navy divers couldn't reach these areas yesterday," Mr Arora said.

Detailing what happened on Friday, he said 16 million gallons of water swept into the Bagdighi mine from Jairampur, but only 10 million gallons submerged the mineshaft. The rest flowed out. "Of this, two million gallons had been pumped out till this morning.

"The water which entered the 'drift' (inclined tunnel) was 16.5 metres, but vertically it could be 3.3 metres."

The GM, Lodna colliery, Mr PK Sinha, coordinating the de-watering operations, said 12 pumps were working to drain out the water. "If the pumps work round the clock, the water level will go down sufficiently for rescue teams to venture in."

The Union coal secretary, Mr NK Sinha, the CIL acting chairman-cum-managing director and director, personnel, visited the site to review the rescue operations. They reportedly expressed satisfaction over the work being done and announced free rations and some cash for the families of the trapped miners.

A BCCL official said water was receding at the rate of 0.8 metres every hour and it was expected that by the evening, the water would go down to the 71-metre level, making the rescue team's work easier.

THE STATESMAN

- 6 FEB 2001

## Chasnala revisited

THE BAGDIGHI mining disaster cannot but recall the Chasnala tragedy. Not so much in terms of the fatalities but in terms of the apparent reason that caused them. For one thing, both Chasnala colliery and the Bagdighi coalmines belong to the Bharat Coking Coal Ltd. For another, like Chasnala where the mine was inundated by the sudden onrush of water from adjacent abandoned mines, killing 375 miners, 38 have been trapped in Bagdighi precisely under the same circumstances, with water rushing into the mine following a routine dynamite blast which destroyed the wall separating it from the Jairampur collieries. There is still a glimmer of hope for the miners but precious time has already been lost in rescuing them. As reports suggest, human error and the tardy rescue operations may prove fatal for those trapped, whose relatives are blaming the officials for the tragedy.

It is shocking that for a week no one seemed to bother to look into complaints that water was seeping in from a wall separating the ill-fated Bagdighi mine from the Jairampur colliery. Why is it that each time a disaster strikes, the authorities are found wanting? Is it a typical bureaucrat response that when pumps were badly needed to be pressed into service, only one was found to be working? That maintenance standards are generally abysmal is no secret, but it is only when a tragedy of this nature takes place that this fact is noted. One reason perhaps is that no lessons are learnt from earlier accidents. One can take small comfort from the fact that our safety record is not all that bad, except in the Seventies. The year 1975 marked the most tragic year in India's mining history when as many as 800 lives were lost. Better safety measures and modern equipment account for the subsequent decrease in the number of fatalities.

But the record has now been tarnished. If the underground barriers in the mines were becoming narrow, why was nothing done to stop it? A judicial enquiry alone can reveal the real causes, but it is to be hoped that the findings are acted upon and those found guilty brought to justice. The immediate priority of the Government is to rescue the trapped miners and provide adequate relief to the victims' families. No less important is the need to take determined steps to prevent such occurrences in future. After all, what is the use of modern safety drills if human error or the lethargic response of officials render them infructuous in times of crisis?

D. K. ...

THE HINDUSTAN TIMES

6 FEB 77

# Mine disaster could have been averted, says expert

PRESS TRUST OF INDIA  
DHANBAD, FEB 4

THE disaster at the Bagdigi mine, of the Bharat Coking Coal Ltd (BCCL), could have been averted had the mine authorities not reduced the 'thickness' of the underground barrier which failed to withstand the water pressure from the adjoining mine, mining experts said.

The experts, after studying the underground plans of the Bagdigi mine, said the thickness of the barrier, between Bagdigi and adjacent Joirampur mines at Lodna area, was reduced to 60 feet from 80 feet possibly to extract more coal.

As the mine management reduced the thickness of the barrier by 20 feet, it could not withstand the heavy water surge from the adjacent mine, one of the experts said.

"The 80-foot thick barrier stood like a strong wall between the two mines.

But following the alteration of its thickness nearly 60 million gallons of water surged in from Jairampur mine leaving that mine completely dry," he said.

This factor should be investigated, the experts said.

Officials, trapped in the flooded Bagdigi colliery of the Bharat Coking Coal Limited

(BCCL) since Friday, are now feared dead, BCCL sources said here today.

Divers were being requisitioned from Kolkata to trace bodies or possible survivors in the inundated mine shaft, 241 metres underground, they said.

The miners were trapped when 60 million gallons of water gushed in from adjacent Jairampur mine breaching a barrier.

Boring operations from the surface, which began on Friday evening to establish contact with the trapped miners, continued till late last night, the sources said.

The pumps which were dewatering the mine at the rate of two lakh gallons of water per hour would take another 48 hours to bring the water level down to enable a rescue team to look for bodies or survivors, if any, the sources said.

One of the seven pumps which was sucking out water, however, broke down, the sources said.

Meanwhile Navy divers from Mumbai are due to reach Lodna on Sunday for operations in the flooded Bagdigi colliery, where 38 miners, trapped since Friday noon, were feared dead.

"The navy is sending six divers from Mumbai. They will fly to Kolkata and then reach here,"

Union Minister of state for Rural Development Rita Verma said.

She said she would believe the BCCL management's claim that "chances were bright" for the trapped miners in Bagdigi mine, only if they walked out alive.

"If they (miners) do not (walk out) I will consider this a failure and inefficiency on the part of the management," Verma said.

She said during a meeting with the management she was told that the trapped workers could be alive if they had found an air-pocket which would provide oxygen for survival or if they had managed to reach high ground.

Verma who went around the accident site said the dewatering process had reduced the water level inside the mine by three metres. A further drop in the water level was necessary for speeding up operations. The water level inside the mine was 11 metres.

She also regretted that the BCCL had failed to update its underground MAPS. Though Coal India Limited had directed BCCL to update the plans which could be helpful during such a crisis, it had not been done so far, she said.

The management had earlier said the miners could have survived if they had managed to reach the right side of the flooded seam which was at a higher level.

INDIAN EXPRESS

5 FEB 2001

# Seven miners dead, 23 missing

Naved Zahir  
Dhanbad, February 4

SEVEN OF the thirty miners trapped inside the Bagdigi colliery have been found dead. The rest, inside the mine for more than 48 hours now, are yet to be traced and rescuers fear they are dead.

At 2 pm today, five Navy divers, air dashed from New Delhi via Kolkata, entered the mine strapped with oxygen cylinders. Barely two-and-a-half hours later, they came out and declared that they had seen seven workers huddled on a ledge inside the mine. Officials coordinating the rescue operations went into a scurry. A plan was chalked out immediately — the divers would go down 240 metres below the earth's surface and then enter three outlets at right angles to each other to reach the miners. But the miners would not be immediately rescued.

"We will carry supplies and assure them that we will come back to bail them out with proper reinforcements once the water level comes down," the divers' team leader, Unit commander Lieutenant Amit Prakash, said before entering the mine through Pit no 5 of the



Rescue workers prepare to enter the flooded mine on Sunday. Photo: HT

Jairampur Colliery. Blankets, dry pieces of clothes and food were sent with the divers. A doctors' team, equipped with life-saving drugs, followed the divers. A battery of ambulances was kept parked with their engines idling.

The director general of mine safety, R L Arora entered the pit around 6.15 pm. Officials, meanwhile, were tightlipped about the divers' progress. Miners from nearby collieries were getting impatient without any news of the divers or the miners. And suddenly at around

7.35 pm word spread that the divers were emerging from the pit. Soon after coming out of the pit, the divers announced that the seven men they had seen lying on the ledge inside the mine were all dead. They had not been able to trace the rest of the 23 miners, including two officers. The clearance divers and doctors then retired for the day.

But officials told *The Hindustan Times* that the 23 miners would in all probability be dead, either because of asphyxiation or of drowning.

THE HINDUSTAN TIMES

5 FEB 2001

# Hopes fade for trapped miners

PRESS TRUST OF INDIA

DHANBAD, Feb. 4. — After initial hopes, the prospects of finding alive the 38 trapped miners in Bagdighi coalmine virtually faded when the director-general of mines safety said late tonight that Navy divers had failed to establish contacts with them.

Earlier in the evening five Navy divers, flown in from Mumbai, had said they heard some miners calling: "*Hum sab thik hain* (we are okay)". A Coal India Ltd official had said the divers had entered the Bagdighi mine through the adjacent Jairampur colliery's pit number 5 around 2 p.m. After more than two hours, they had come up to the surface for 10 minutes to say they had

established contact with the trapped miners, though they couldn't specify whether all the 38 miners were alive.

But the DGMS, Mr RL Arora, later said: "When the diving team from Mumbai emerged (finally) just before 7.00 p.m. none of the miners could be traced... I have personally spoken to the divers. The report from Coal India Ltd that contact was made is incorrect."

Mr Arora said the divers had apparently searched the entire pit but found no trace of the miners, trapped for the past two days. A routine dynamite blast around 12.30 p.m. on Friday destroyed an underground barrier separating Bagdighi and Jairampur collieries after which water gushed in.

What are the chances that the

miners are alive? Mr Arora said the "chances are less, but hope always remains. We had very high hopes earlier but the chances are less now."

Twelve pumps were draining 4,000 gallons of water every minute from the mine and the water level inside has fallen.

Past midnight tonight, two groups of Navy divers, five from Mumbai and six from Visakhapatnam, took the earlier team's route into the Bagdighi mine, the BCCL CMD, Mr AK Mehta said. The Mumbai divers, working since this afternoon, had been forced to come up to the surface a little before 7 p.m. after they faced some problems with their equipment.

'Safety Act violated': The minister of state for rural

development today blamed the BCCL and DGMS for the accident. The BCCL and ECL are carrying out mining operations in gross violation of the coalmines' regulation Act, Ms Rita Verma, also former coal minister, said at Bagdighi. In their enthusiasm to exceed targets, the BCCL and ECL have made the mines "accident-prone". The underground maps to ascertain the mines' conditions hasn't been updated, she said, though as the coal minister she had asked CIL to do so. "The instructions have been blatantly ignored by the CIL." The Bagdighi accident could have been averted had the two companies followed a new map.

■ Photograph on page 2

THE STATESMAN

5 FEB 2001

# Mine escape route stays closed

FROM SALMAN RAVI

Dhanbad, Feb. 3: A groping administration today failed to rescue the people trapped in a mine that collapsed at the Bagdigi Colliery yesterday, with the rescue team not being able to reach the seam that had caved in.

As the water level in the mine is still high, the chances of survival for the 30 trapped are remote. Officials had said yesterday that 10 heavy-duty pumps have been requisitioned to flush out the water, but only three were installed more than 24 hours after the incident.

A fourth pump, with a capacity of draining out 600 million gallons per minute, can only be installed tomorrow. Besides, only three bore-holes have been dug so far to dewater the Bharat Coking Coal Limited (BCCL) mine in Lodna.

"Whatever is being done is only an eyewash. These small and weak pumps cannot flush out such a large concentration of water. The water is continuing to flow into the mine much faster than it is being flushed out," said Anand Upadhyay, brother of Abhay Kumar Upadhyay, the colliery manager trapped inside.

"It is only today that the authorities are getting additional pumps from other collieries. I think it is too late by now," he added.

Those trapped could survive only if an airpocket is created inside the inundated mine, according to P.K. Sinha, a senior general manager of the company. However, hope receded with the level of water not going down inside the seventh seam.

A 10-member team, equipped with a portable pumpset, entered the mine this morning after it was beaten back last night by 'black damp gas' which caused lack of oxygen in the mine shaft, said BCCL chairman-cum-managing director Ashok Kumar Mehta.

Security considerations for visiting dignitaries overshadowed the rescue effort, leading to

chaos at the pit heads. Rescuers were also unable to install pumps within the stipulated timeframe.

This drew the ire of the relatives of trapped miners. Yesterday, BCCL authorities had said that at least 38 miners were trapped. They have now come out with a fresh list indicating that eight of those thought to be trapped had not reported for duty and are safe.

The Jharkhand government has held the BCCL management responsible for the disaster. "Prime facie evidence indicates that there has been a lack of adequate safety measures at the ill-fated mine," chief minister Babulal Marandi said.

At the Bagdigi Colliery headquarters, Marandi was greeted by a hostile crowd of union leaders and colliery workers who were sore that he chose to speak only to BCCL officials. Police had to use force to keep the crowd at bay. The mob rushed towards the chief minister complaining of "mismanagement and negligence by the BCCL management".

The chief minister later expressed his displeasure at the pace of rescue operations. "There has been a series of mine accidents in the Jharkhand region. This is only because safety guidelines are not adhered to by the CIL subsidiaries in the state. Most of the mines are unsafe and nothing is being done to improve the conditions," he said.

Marandi said that once rescue operations are over, the state government will launch an independent inquiry into the incident. Senior CIL officials indicated that the Centre may also order a court of inquiry by a retired high court judge.

Trade unions, however, want an investigation by the police after criminal cases are registered against senior colliery officials. Trade union leader S.K. Baksi of the Bihar Colliery Kamgar Union alleged that authorities were allowing rescue operations to linger as there was little hope of survival of those trapped.

THE TELEGRAPH

FEB 2001

# 38 feared dead as water floods Dhanbad coal mine

Pankaj Kumar  
Dhanbad, February 2

**I**N ONE of the worst coal mine disasters in recent times, 36 miners and two senior officials of the Bagdiggi Coal Mine under the Bharat Coking Coal Limited (BCCL) were feared drowned after a wall dividing Pit Number 5 of the Jairampur Coal Mine and Pit 8 of the Bagdiggi mine collapsed this afternoon. Those feared dead include the mines manager, A K Upadhaya, and the assistant mines manager, P R Singh.

According to initial reports,

the wall collapsed and water from the nearby pit flowed into the work area, flooding it completely. The miners of the first shift were on duty when tragedy struck.

Thirteen miners were successful in wading out of the flooded pit. But even as the mines authorities made desperate attempts to rescue those trapped inside, there seemed little hope as water continued to flood the pit even as rescue operations were on.

Sources claimed that miners had warned BCCL authorities about the seepage of water into the pit more than a week back, but nothing

was done to plug the leak. Arvind Paswan, a miner, alleged that water had indeed been leaking through the wall for the past few days.

Senior company officials, district and police officers have rushed to the spot and rescue operations were put into operation almost immediately. However, rescuers failed to bring out the trapped miners till late in the evening. A team of doctors is also camping at the site.

General Manager of the Lodna area, VS Srivastava, informed that rescue operations were in full swing. Three high-power pumps

have been pressed into service to flush out water from the flooded mine.

Rescue teams tried to enter the mine, but could not due to lack of oxygen in the pit. Another attempt was being made at the time of going to press. Srivastava told reporters at the pithead that the mishap occurred when the miners were blasting the coal wall. This led to the collapse of the wall that separated the mine from a pond of water. Thousands of people and anxious family members of the trapped miners thronged the area, making rescue work all the more difficult.



Family members of the trapped miners crowd the mishap site at Dhanbad on Friday. Photo: Sukhdeo

## PM for joint efforts to tackle child labour

By Our Special Correspondent

NEW DELHI, JAN. 22. The Prime Minister, Mr. A.B. Vajpayee, today called for all out efforts to remove the stigma of child labour from the country.

Addressing the concluding session of the National Conference on "Child Labour - Response and Challenges" organised by the Labour Ministry, the Prime Minister felt the task was no doubt stupendous but not entirely unsurmountable. All that was needed was inspiration, determination and sincerity of purpose to attain the goal of a child-labour-free society.

The Prime Minister said fragmented efforts to deal with the problem would not serve the purpose. The Governmental efforts alone would not do either. Non-

governmental organisations would have to contribute in a big way to eradicate the evil. Employers too would have to join the fight against child labour by arranging to educate such children.

If district collectors develop the will to write a success story in this regard, the task would become simpler. They ought to do everything from inspiring people to strictly enforcing the law against child labour.

Referring to the charge against India made by the members of the international community he said, those who were doing so were not aware of the ground realities. Child labour was a manifestation of hunger and lack of opportunities including education.

"They have no right to raise an accusing finger at us or enforce

economic sanctions (on this count). This cannot be tolerated", he said.

The Prime Minister reminded the international community that the principal aim of economic reforms was to eradicate poverty so that India could also eradicate the problems of underdevelopment, including child labour".

"Our Government has taken many initiatives to accelerate and broaden economic reforms. I am confident that these reforms will enable India to achieve faster economic growth and to remove both regional and social imbalances in development. I urge all sections of our society to further strengthen the consensus behind the process of economic reforms", the Prime Minister said adding that the country would definitely succeed in overcoming the prob-

lem of child labour.

Referring to the positive signals available, Mr. Vajpayee said "they show that, with collective and committed efforts, we can certainly achieve universal education and 100 per cent literacy. Doing so would be a big step towards elimination of child labour".

Those who address the conference include the Union Labour Minister, Mr. Satyanarain Jatiya, the Union Human Resource Development Minister, Mr. M. M. Joshi, and the Union Minister of State for Labour Mr. Muni Lall. The conference was attended by the Labour Ministers of the States, Labour Secretaries and Commissioners and the district collectors to devise a new action plan to tackle the problem of child labour.

THE HINDU

23 JAN 2001



# Trade unions call for Govt probe

Gautam Chaudhuri  
Kolkata, January 17

**B**ELEAGUERED TRADE unions have decided to go on a counter-offensive against jute mill owners by demanding a full length State Government inquiry into the current malaise in the sector. The unions continued to insist today that the Baranagar management—and not workers—was largely responsible for Saturday's mayhem at the mill.

The emergency meeting of eight

major TUs with a prominent presence in the jute sector agreed that though the lynching could not be supported, the primary blame must lie with the mill manager who gunned down a worker before his horrified colleagues.

"The incident has shocked the working class as a whole, but the shooting of an innocent worker remains a highly condemnable act. Hungry workers can naturally and rationally approach the management for work, but are they to be greeted by bullets...?" asked the unanimously adopted resolution.

In an obvious attempt to escape embarrassment, the unions took an aggressive stance. "We welcome the official inquiry on how the incident occurred and who were responsible. We promise full support to the State Government", State ATTUC joint general secretary Debasish Dutta said after the meeting.

Added INTUC State secretary Ganesh Sarkar: "Angry workers acted spontaneously when they saw their colleague being shot dead by the management. It would be wrong to call it

pre-planned". The unions took the chance to launch broadsides against the Indian Jute Mill Association and jute mill owners.

"The situation is anarchic in the jute sector in West Bengal, and this is largely the creation of the owners," said the resolution, and called upon the Chief Minister to put under the scanner the management's role in this regard. The unions charged owners with maligning them while concealing their own faults, and with attempting to throttle the workers' movement.

Also discussed at the meeting, though in a somewhat perfunctory fashion, was the unions' inability to keep the workers on a leash.

Presided over by CITU State president Niren Ghosh, the meeting decided that a follow-up meeting would be held soon.

**Baranagar reopening:** The State additional labour commissioner will meet with trade union leaders on 22 January and with the management on 24 January, to discuss reopening of Baranagar Jute Factory.

THE HINDUSTAN TIMES

JAN 17 1977

# State home secy to probe jute mill rage

An isolated case, says Buddha

HT Correspondent  
Kolkata, January 15

**H**OME SECRETARY S N Roy will probe the January 13 incidents at Baranagar Jute Factory. The "one-member committee" will submit its report in a month and a half, Buddhadeb Bhattacharjee said at Writers' Buildings today.

Roy will determine the reasons behind the clashes and killings. He has, however, been told to ground his report in the context of overall

worker-management relations in all industrial sectors State-wide, and will draw his conclusions after speaking with trade unions, workers and the management of several companies. "The committee will also make an in-depth analysis of the problems currently faced by the jute industry," the Chief Minister said.

The incident, Bhattacharjee announced, was an "isolated case". He hurried to add that it was "most unfortunate and horrible", and that he was not at all "minimising the graveness of the incident".

The "gruesome incident", he insisted, would have "little adverse impact on the investment climate in the State. Prospective investors would not get any wrong signals, because the captains of business and industry here knew only too well the ground realities".

Bhattacharjee reaffirmed his intention to deal firmly with "irresponsible and the so-called militant trade unionism". He recalled: "As Home (Police) Minister, I sent the police on two occasions to Bata and Pepsi to protect the management from attacks by some unruly workers." What did he have to say about former Chief Minister Jyoti Basu's cryptic remark that "nothing of this sort" had ever happened during his 24 years in power? Bhattacharjee was candid: "It is unfortunate that it has hap-

## Bullet Score

A MAN was arrested on Monday trying to sneak past the security at the Netaji Indoor Stadium with two bullets in his pocket minutes before the Chief Minister was to address a DYFI felicitation there. It was the metal detector that alerted officers of the Special Branch on Shiekh Anjam. The man claimed he used to work as a security guard at the Watgunge-based Ideal Security Services and had retained his gun even after taking up a job with HMV. A resident of Nanoor, Anjam said he had gone in search of a friend at the stadium. The police have traced the Watgunge security firm but refused to disclose anything further regarding the case.

HTC, Kolkata

pened during my tenure."

The Chief Minister's announcements on punishing the guilty notwithstanding, there was a very strong feeling in Baranagar today that the grisly murders of two top factory executives was masterminded by people with very powerful political connections - connections that have tied the

police's hands. The investigators appeared to be close to zeroing in on the killers, but were apparently hamstrung by political interference. Senior policemen did not see too much coming out of their probe - at least not in the near future. The probe itself went a step further today. An eight-member team of forensic experts went around the factory and collected samples of blood, pieces of burnt out cane baskets and other evidence. They will return tomorrow. Politics hobbles Baranagar probe: P3

THE HINDU

16 JAN 2001

## THE REASON WHY?

### Analysis of the tragedy at Baranagar

THE Baranagar Jute Mill is typical of the jute industry in the state — no one knows who is the real owner, the workers are hopelessly unionized and leaders of all trade unions without exception, work to a single objective, the well being of union leaders and the neglect of the workers in whose name they run amok. The fact that workers do not receive salaries on time or at all, contributions to provident funds are not made, casual labourers far exceed permanent workers, machinery is spirited away in broad daylight, are some of the malpractices the Left Front government has tolerated, indeed connived at, in the interests of democratic centralism and their vote banks for a very long time. Yet what happened on 13 January is unforgivable. The chief executive and the general manager were mercilessly attacked with iron rods, the grievance that some casual labourers were dismissed could have been dealt with under the law. On the face of it casual labour has no permanent rights of employment anyway. One executive whips out a revolver and uses it. Whether he acted in self-defence will never be known now as a large number of people set upon them, tied them to chairs, poured kerosene on them and burnt them alive. From Malda the Chief Minister promises a high level inquiry. He misses the point.

*S.T. 6 16/1*  
The executive should have been arrested and tried, it would have been for the court to decide whether he acted in self-defence or was guilty of second degree murder. It started with an assault on the executives with iron rods; a union leader justifies this by saying iron rods are freely available in jute mills! This is a grotesque illustration of the maxim that workers can do no wrong. It is also an example of the deterioration in the law and order situation. The assault on the executives was a crime, it went unpunished. The killing of a worker in firing should have been investigated; it wasn't because the law was invisible. The burning alive remains to be dealt with. The union leaders say that outsiders did the deed. Two questions arise. Who let hundreds of outsiders into what is a protected place? Two, what were the workers doing? We must tell the Chief Minister that the promised inquiry will achieve nothing.

*by Debou & S. S. S. S.*  
On past precedents firmly established, it is not difficult to foresee what will happen. As in 1982 when 18 Ananda Margis were burnt alive in broad daylight some arrests will be made, but cases will never come to court or if they do, then as in 1982, witnesses will be intimidated into not appearing or turn hostile and the accused will be let off for want of evidence. For confirmation refer to the complaint filed by the Public Prosecutor of West Bengal against the Editor-in-chief of this newspaper on a charge of defaming Jyoti Basu in an editorial. In attempting to refute the irrefutable, he gave details of five cases filed in the case of the Ananda Margis, accompanied by the admission that all the accused were let off because witnesses were either not forthcoming or had turned hostile. Hence it came to pass that the burning alive of 18 people in broad daylight admittedly did not result in a single conviction. We are a newspaper, we proceed on the basis of evidence but precedents are good arguments. Our view is that the same will happen to this inquiry promised by the chief minister. There will be no trials and no convictions although 27 people have been arrested.

And that Chief Minister, is the reason why, if you are looking for investors in the state, Indian or foreign, you are looking for a black cat in a dark room that is not there!

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149-10

## A NEGLECTED TASK *Labour & S. Leela*

THE UNION LABOUR Minister, Mr. Sharad Yadav's announcement on evolving a social security programme for the country's unorganised sector comes at a time when the country can ill-afford to continue with the past in several areas of economic governance. Among the several conundrums that confront policy-makers, one that has defied solutions is that of charting out a meaningful social security mechanism for the nearly 92 per cent of the national workforce employed in the unorganised sector. As the economy gears up for the more sensitive part of the reforms, amending labour laws, it is imperative that this major failing is corrected. That the issue of charting out a comprehensive social security policy is no longer merely an academic exercise, but will move towards forming a part of Government policy, was evident with the launch of an insurance scheme for landless agricultural workers. The scheme, launched in July 2001 and aimed at providing insurance cover to a million landless farm workers over three years, should come as a precursor to a new proactive policy. Given the track record of the working of the social security measures in the country, it is important to make crucial departures from the past, both conceptually and administratively, to prevent the new measures from turning out to be repetitions of the old that had noble intentions, but had failures in implementation and delivery.

The task, however, is daunting. A mere look at the figures shows the enormity of the challenge. That the unorganised sector continues to be the dominant employment provider is evident from the fact that this sector accounts for 369 million of the total 397 million workers in the country. The difficulties are several, but one common denominator is the problem of non-coverage. The reasons for this are also complex, the main one being the difficulty in collecting

contributions from employees and employers in the unorganised sector. It is against this backdrop that the insurance programme for the landless agricultural workers, under which the worker contributes a rupee a day and the Government two rupees a day, should be taken as a serious exercise that could bear important lessons for this crucial task. At a more fundamental level, the problem is also one of economic and political governance. With the focus of the past policies giving primacy to state-led economic growth and, as a natural corollary, the creation of a public sector, the approach towards social protection was also centred on institutions geared up for the purpose.

The Employees' Provident Fund Organisation and the Employees State Insurance Scheme, now in its 50th year, and legislation such as the Workman Compensation Act that were among the main segments of social security were mechanisms tailored for the organised sector, more specifically the public sector. Now with the re-definition of the economic role of the state from that of a provider to a facilitator, changes are required in these institutions as well. The larger domestic acceptance of the reforms taking place in India's economic institutions will be largely dependent on how the nation wins the confidence of its workforce. The schemes of the past, largely protective in nature, will not be adequate. There is also the need to initiate a set of promotional measures, with a focus on empowering the workers to find their own way in the newly-emerging scenario of enterprise and lesser dependence on the Government as the main job-provider. It is equally important to recognise that the issue at hand is not merely an economic one of providing protection to a large section of workers, but also a social one with deep political consequences.

**THE HINDU**

26 DEC 2001

# Labour law reform scales first hurdle

FROM MONOBINA GUPTA

New Delhi, Dec. 11: The noose is tightening around industrial workers.

A group of ministers examining labour reform laws last week cleared amendments to the controversial Industrial Disputes Act. This means the government can now put before the Cabinet the group's recommendations which are likely to include the most controversial of all amendments — a hire and fire policy.

However, amendments to the Contract Labour Act, which will put more and more jobs on contract, have been put on hold.

Labour minister Sharad Yadav, who has been resisting changes to both the Industrial Disputes Act and the Contract Labour Act, is believed to have been present at the meeting of the ministerial group. The Centre had set up the group in the wake of the furor over labour law reforms, particularly over changes in these two Acts.

One of the amendments to the Industrial Disputes Act that has provoked outrage relates to the change in the minimum number of workers that a factory must have to be closed down without the state government's consent.

At present, the Act stipulates that factories with less than 100 workers can be closed down without government approval. Now, with strong backing from industrialists, the government wants to raise the upper limit from 100 to 1,000. This would affect approximately 74 per cent of industrial workers, while a mere 26 per cent will be outside the scope of the amended clause.

According to the annual survey of industries in 1995-96, a little more than 29 per cent of workers were employed in 86 per cent of factories which had less than 100 employees. Over 44 per cent were employed in 13 per cent of factories which fell just one mark short of 1,000 workers. Together, they make up a total of

74 per cent workers.

Senior officials in the labour ministry believe labour law reforms go hand in hand with the process of economic restructuring that the government wants to speed up. Unlike trade unions, which are ready to throw out the whole gamut of labour law reforms, there are some who believe the reforms are necessary — but that they should be accompanied by safeguards like proper compensation for workers.

Sharad's predecessor, Satyarnarain Jatiya, had lost his job because of his opposition to pushing through changes in the Industrial Disputes Act and the Contract Labour Act. Jatiya was insistent on putting together a proper compensation package for retrenched workers.

Sharad, too, is not keen on being seen as sponsoring amendments that could swallow lakhs of jobs and make him unpopular with his OBC constituency in Bihar. However, as a ministry official says: "He will not have an option."

THE TELEGRAPH

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