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**The authoritarian bias for labours in India during COVID-19 and its
distorting effect on labour relations**

by

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Abstract

This article is a humble attempt to cover the recent series of helter skelter actions taken by government agencies and the attitude of state executive machinery and Industrial houses towards the working population in the wake of COVID-19 pandemic. It also tries to list down possible explanations ranging from state apathy to well calculated kafkasque plans which led to mass exodus or forced reverse migration for labourers from Urban centres to their native places in rural India. The paper attempts to capture the impact of a series of steps taken by government and its apathetic attitude on Labour relations and its propensity to affect Industrial peace and prosperity as well suggests measures for achieving cordial labour relations post COVID-19. Also the viability of subsidised rent accommodation at workplace and educational facilities arrangement for children of migrant workers has been discussed as a step forward by government and Industry for venturing into a new paradigm of Labour relations.

Keywords – Migrant Crisis, Labour relations, Industrial Peace, Migrant Workers, Labour Shortage

Understanding the Phenomena

Labour¹ is considered to be the most important factor of production which translates into Human Resources in the commonly used management terms. As per 2011 census data there are around 142 million migrant workers in total out of which around 11 million work in manufacturing and construction sector and three million as Agricultural labourers. They are the ones who have been most vulnerable and at the receiving end of this COVID-19 pandemic, moreover due to the short sighted executive actions², government policy oversight³ and lack of labour centred disaster mitigation approach. The harsh truth is that more labourers have lost their life in the process of traveling and reverse migration over to

their native villages than that of COVID-19 infections. The inhumane conditions of quarantine centres where there are challenges in getting even a two square meal for adults⁴, milk for children and safe drinking water for survival is self-evident of the apathy and bias towards the workers.

It was a policy oversight and the authoritarian arrogance which made the government think of making labourers captive by announcing a sudden JantaCurfew followed by a series of lockdown. Although the obvious reason cited for holding back migrant workers movement was geographical containment of virus and classification of labourers as potential carriers of virus. But it seems that it was rather a sinister plan of making labourers captive by catching them unaware and decapitating their movement to home destinations for the purpose of restarting industries, which has resulted in the labourers exhausting the limit of their patience and finally decided upon to move on their own. The policy makers failed to empathize with the on-ground living conditions of labourers. It is worth mentioning that most of the labourers live in accommodations specifically meant for supporting them in Night and protecting them from Rain. In some cases the shop floor at day acts as their resting places for night⁴. There are jam packed make shift arrangements containing sleeper births or just a mat on the ground. These places are used for sleeping during night time and for safe storage of cloth and essentials. It is irrational to think of these places as supporting infrastructure for more than fourty days of stay for labourers. Coupled with meagre living conditions there was very little food arrangements⁵ from the side of contractors or company, mostly they were left to fend for themselves. The government food supply chain was hardly able to support their food requirements and with some respite from NGO and political parties they were able to survive for the initial few weeks of lockdown. On the top of that an attempt by the Hindi media channels to pass it off as a political aggravation by local parties or lack of discipline on the parts of labourers is an unworthy act. Policy makers, selective media houses and the armchair

population who are busy experimenting culinary delights from the comfort of their cosy homes stocked with provisions for whole period of lockdown, failed to empathise with the agony and pain of walking thousands of miles under direct sun. It is worth mentioning here about the government and industrial houses that they admitted labour being the centrepiece of economic activities but “they tried to obtain that by force and mischief rather than affectionate facilitation and truthfulness”. Talking to my colleagues in construction industry the situation report which I got, adds more to worry. Although few trains have been started to ferry stranded migrant labourers still it is not the free flow but controlled by a token given by local police station. There are cases in which the builder lobby has make arrangements with police officers to deny the train tokens to labourers willing to return home. The compelling reason for builders to do so is due to the risk of expiry of raw materials at construction site, as the shelf life of Cement is ninety days and there is looming danger of rusting and corrosion on steel reinforcement bars. Sooner or later this cunning act on the side of builders will be known to labourers and will be the final nail for their little remaining faith in their employers. And it happened in fact labourers pooled the fare and hired trucks in masses for their home destinations. These little canny acts at the cost of faith of labourer just for saving raw materials worth few millions will have far reaching consequences in terms of permanent loss of faith of labourers and ultimately will be a forever snap in the link of labour relations.

The recent news report from Haryana where eight lakh labourers have applied for returning to their home states despite of industrial activities being resumed in there. The hardships faced by labourers in form of paucity of food and miles of walking concocted with hopelessness and despair have strengthened their resolve to stay back at their native places at all costs. To empathise with them it is important to understand the concepts of ‘*Swadesh and Pardesh*’ (native land and foreign land) still holding close to their hearts. Even though working in different states of India the thought of returning to their village is never off the mind. Almost

none of the labourer take flight with a thought of residing permanently in other states. It is circumstances and a little luck along with an earned fortune which makes them stay in metro cities. Also we have to understand that in most of the cases they become permanent citizens only after their children have grown and are acclimatized there in City ecosystem and it is the reluctance of their children which forces the aging worker to stay there forever. The image of a worker bowing to the holy earth of native land after being successfully repatriated or the other one swearing in front of media persons to relish the delight of salt and bread rather than returning to metro cities.

The desperation of business houses in connivance with the state governments is akin of a failed relationship where the arrogant brat is still reluctant to apologise and make amends for the disregard. The common modus operandi of builders is to hold back salary of previous months so that the labour is bound to stay for him not willing to forego his previous month's salary, which will be gone forever in case he decides to leave the organization. Contrary to a debt trap we can call it credit trap. The wages for the lockdown period when labourers were stranded at site is being used as a bait to make them stay at work otherwise there is risk of total credit being foregone.

The urgency of business houses to emerge buoyant from this labour shortage is driving them to take desperate steps and foremost among them is threat of disciplinary action against and cancelling of MNREGA jobs. As every action has its equal and opposite reaction this miscalculated reactionary tactic of business houses will be met with same fate. It is too early to predict the exact response of labourers to empty threats of government but one thing should be clear and through to labour policy advisors that no threat is bigger than the threat of life and no bait with malafide intentions can hold the labour force to ransom for eternity.

Potential for upsurge in labour activism

State Governments modification and even suspension of labour rights is founded on their conception of labour laws which makes them to think that it is favouring the hoi-polloi. They even accuse the justice system of favouring the labourers supported by the mechanism of socialist era labour laws. It is too dwarf of the policy makers to hold negative connotation about the labour jurisprudence. Rather contrary the objective of passing these acts were to check and balance the hidden interests of hyper active labour leaders. In absence of any labour law the workers will lose total faith in the arms of government such as labour enforcement officers and labour courts and will submit his power in the hands of militant union leaders. With the suspension of labour laws it is indicating the loss of faith of labourers in the government mechanisms of labour administration and it will bring back the bygone era of mass labour movements. Only thing holding them was the restored faith in labour laws reinforced by an increasing number of decrees favourable to labour community. Furthermore it is naïve on the part of state and central government to think of suppression of labour rights forever by putting them under fear of police action. Furthermore by suppressing the labour rights the government is preparing a breeding ground for labour heroes which in term will become threat to existential Industrial peace for years to come.

The way out

The path to 'labour reforms' should be modelled around keeping labour relations in mind. If handled in a proper way, this catastrophic event can itself be a source of instilling confidence of workers into the state. Although much water has flown under the bridge and we have surpassed the preparedness stage of this disaster still there is hope left if the government and industrialists are able to take a slew of measures in mitigation of this disaster. First and foremost make immediate arrangements on war footing for all who are still stranded and want to return to their native villages. It is high time that government and industrialists should

realise that they can't extract work by a workforce of captive labourers. A long history of India through freedom struggle and these many years of socialist governments and emergence of dalit rights movement, they have a renewed sense of empowerment and self-respect and they are now courageous enough to fight their own battles. The humble request with government is that please do not direct the situation towards flashing point. Apart from making arrangements for their safe journey back home, do not forget that we still have a pandemic to keep in check, thus the testing facilities along with adequate quarantine measures should be strictly followed. After having reached home and been through quarantine what they need most is cash in hands, which can be made available to them via postal networks. The current tranche of 20 lakh crore relief package being announced by honourable finance minister is not making much sense in terms of direct relief to the working class and hence widening the rift between industry and labour. Although there is shortage of labourers in Industrial clusters of Bharuch, Chakan belt, Chennai automotive industries, Manesar industrial belt, Jalandhar hosiery industries, Construction sector all over India including major projects such as Delhi T-3 runway extension, Bengaluru Airport, Mumbai metro and road constructions all over country and also the agricultural farms of Punjab-Haryana. In the face of facing criticism over media footage of pregnant women and young children walking over thousands of kilometres, honourable finance minister announced Rs40,000 crores for MGNREGA works, the one and only announcement which can be classified as a relief measures for migrant workers . Even on a conservative estimate it can hardly cover for three months of wages at current rates of Rs200. It will be huge mistake on the part of government to think about MGNREGA as a temporary holding mechanism and by squeezing it slowly they will succeed in forcing migrant workers out of their native villages towards industrial centres. It will be Industrial Relations disaster to drive the labourers by depriving them of their choice of livelihood.

These abovementioned Industries which are waiting for labourers to resume their production at full efficiency may have to wait till August when the Northern plains of Bihar is flooded with the waters of Kosi and Baghmata, when labourers have no other means to survive for themselves usually that is the month when they consider moving out in search of livelihood. So in this time of three months and as suggested by finance minister in her 'packages' corporate and government should be ready with the housing facilities for accommodating them at site. These housing facilities can be built on PPP mode and will be should be rented to labourers on nominal rent basis. We should keep in mind that labourers have a strong social network with their fellow workman and if there is positive arrangement for initial few months the word will spread and fellow labourers will consider joining their peers at site. One of the arrangements which can be made to last long and will change the pattern of stay of labourers is considering educational facilities for the children of migrant labourers. Education for their children have become a major area of concern and also drain their considerable resources, if it is taken care of at their place of work, it will act as an anchor and motivator for labourers to stay at their place of work. Academic arrangements can be made with the government schools in near vicinity of workplace for preferential admissions of wards of migrant labourers. In the end we should be aware that it takes long to forge a relationship and a small act whether intended or by mistake can ruin it forever.

Conclusion

This episode of harsh treatment being meted out and authoritarian bias for migrants movement within country is bound to leave a permanent fissure in the bond between labour and industry and subsequently their faith in the systems of capital generation. For a healthy industrial ecosystem to flourish, respect and dignity of Industrial Worker is as important as is rain and sunshine for natural ecosystem. The on-going fight against COVID-19 where the lockdown was implemented in haste so that labourers were denied a chance to get back to

their home states either from the fear of an internal migration chaos or with an agenda to keep industries running, the ultimate casualty is labour relations.

Notes

1. Labour and Worker has been used interchangeably in the article for representation purpose.
2. Although free rations have been allocated but no mechanism for those without ration card. Haphazard pattern of bus provision to few of labourers on arbitrary basis as per the whims and fancies of State Chief Ministers who wanted to come across as saviours.
3. Provision of safe passage to Labourers for returning home was never considered seriously by Government. Prolonged captivity they exhausted their patience and compelled them to move on feet.
4. This news report widely covered in Indian media shows the dismal state of lockdown centre in Agra and people rambling over biscuit packets and water bottles.
5. As per data of The Hindu newspaper around 96% migrant workers did not get ration from government.