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New Democracy

Editorial : Unravelling in the wake of Corona

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On Birth Anniversary of Karl Marx

Making Bharat Ayushman – A Response

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On AP Tribal Reservation Case

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NEW DEMOCRACY

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CONTENT

Editorial : Unravelling in the wake of Corona	2
Northeast Delhi Violence: Vengeance under Covid cover	12
On First Death Anniversary of Com. Rama Rao	24
On May Day 2020 : What needs to be done?	27
Covid19: Blowing in the wind	35
On Birth Anniversary of Karl Marx	48
IFTU on Vishakhapatnam Industrial Gas Leak	55
Making Bharat Ayushman – A Response	60
India's Covid Mess	65
On AP Tribal Reservation Case	76
Relevance of 1857 for Struggles Today	94
TUs : Stop the War on the Workers	98

Unravelling in the wake of Corona

Consistent rejection of Science and Sense was designed to serve a purpose. There is a pretense of Sense having dawned but not before a mess had been made of everything around.

The Health Minister's advice to the people that we have to learn to live with Corona, begets the question that why did it take so long for the Govt. to realize this when it was being so routinely talked of by Epidemiologists and Virologists. But the Govt. chose scientific advisors according to the advice it wanted i.e. which suited its purpose. Take the first phase, when the Corona epidemic was rampaging through China and WHO sounded the alarm. Indian govt. fielded so-called experts to say that India need not worry so that Govt. could continue its minority bashing. Then with the spurt in Western countries came the second phase, when Govt. fielded another set of experts to proclaim that it will shut India's borders to Corona, lock it out. Came on stage a set of advisors who claimed that what was needed was to suppress all gatherings, even with retrospective effect. Epidemic Diseases Act was pressed into service along with other draconian weapons in the arsenal. Victor Bruce (Viceroy in 1897) may learn if he could, a few lessons in using the Act. Large scale arrests of those who were indulging in protests and arresting of dissenters lest they undermine the resolve to fight Corona began. Every person afflicted with Corona, Muslim the better, became a lawful target of attack. Bravado was punctuated

with theatrics so that effect of their ‘war’ was not lost on the people. Ignoring elementary science is the prerogative of the ‘chosen’ and the ‘blessed’.

Theatrics complemented the incompetence. This could be passé, a self-congratulatory exercise though totally undeserved. But the design in the madness is apparent with inclusion of police along with health workers for being lauded- what for? To have quelled dissent and arrested dissenters; to have beaten migrant workers black and blue; to have inhumanly treated the common people in the name of enforcing lockdown? Let there be no mistaking- *thalis*, *diyās* and petals were not primarily for health workers who wanted equipment and were hounded for wanting them; but for police and organs of repression. These were fascist exercises on the dates from the RSS calendar to whip up support for suppression.

In this period, while RSS-BJP Govt. was feigning to fight Corona they were using it to build their “Hindu Rashtra”, crush dissent, persecute democratic rights activists, and most importantly, to deliver to Corporate those changes in labour laws which the latter had been demanding since the advent of New Economic Policies but which successive govts. had failed to deliver. Misery of the hundreds of millions of workers and peasants was but a small price for this heaven being built on earth. People asked to sacrifice, the only thing they are ever and always asked for, for the coming days of jobs galore and no want; all these akin to promises in after life.

Corona continued its spread. By now i.e. by 9th May, it has crossed sixty thousand cases and two thousand deaths. India has entered the club of Corona powers and may well be on the path to

emerge a super-power like we already are in the case of a number of infectious diseases. And now come another set of experts saying that the country has to learn to live with Corona and serious cases are to be managed in hospitals. In the whole exercise of fighting Corona, the Epidemiologists and Virologists, who could be most useful, were not seen, rather ignored. Proximity to power and acceptability to Nagpur was the key and not ability in Science or standing in the field; even those with standing caved in to keep the bread of their careers buttered.

While spread of Corona is a function of factors relating to both agent and host, the mortalities resulting from it are largely related to the host i.e. health of the host & existence of co-morbidities and most importantly, the quality of medical care. It is here that the statement of the Health Minister assumes significance. He is preparing the people to accept large number of deaths. Despite so much time being available, the RSS-BJP govt. did neither prepare hospital facilities for the people particularly specialized care facilities on a wide scale, nor arrange appropriate equipment for health personnel. And now the Health Minister's statement is a clear pointer that this Govt. has no intention of doing either. When Modi and Bhagwat talked of this pandemic having given lessons in self-reliance, what was meant was not end to dependence on foreign countries but that people will be left to their own devices.

While Corona tests the health status of an individual, the pandemic has tested the class/social fabric of society and the strength of its institutions. The effect was most glaring where the two coincided which explains varying response to Govt.'s acts of commission and omission. That there is little accountability of the Govt. and no attempt on the part of those who can hold it accountable in the immediate sense to do so, is largely due to these

factors. People can do so and will do so but that is in the ultimate sense. The social groups that manage the state machinery are drawn from the sections who anyway practice social distancing; the classes whose interests this machinery serves are perpetuating and further strengthening economic distancing and the resultant political distancing from the people of the ruling parties. Strength of the institutions is a euphemism which stands for the otherwise weakness of these institutions, lacking any inherent strength like the classes they serve.

This criminality of the conduct of the callous, communal, caste chauvinist and corrupt ruling dispensation in managing the pandemic is largely due to some factors shared by India with other backward countries (despite Health Minister counting India among developed countries) and some factors unique to India. Executive is very powerful in India like in other countries with colonial past where state machinery was built to crush the people. The whole legal framework gives unbridled powers to the Executive with formal but in practice little actual rights of the people, only asserted to the extent people are willing to fight for and depending on the strength of that fight. Take any legal right, the ability to enforce it is crucially and critically dependent on the strength of the people seeking to enforce it. It is not accidental, it is inherent to the very structure. Pandemic has been used by rulers of all these backward countries to extend their powers and abrogate those of the people in these countries.

India further suffers from some factors which are unique to its features, some long lasting and some brought about by developments since 1947. The rise of media has been commensurate with the consolidation of the financial power of big capitalists who control the mainstream media. These sections may

not have the kind of capital like in developed capitalist countries given the size of India, but its concentration is very high and it is able to exercise almost total control over the media. It defines the agenda and how the debate on the agenda is conducted. It controls not only the staple propaganda but also coverage of dissent. For its own credibility this media is forced to cover the sufferings of the people too, but here too the emphasis is only on rousing pathos but carefully avoiding any reference to what might be a pointer to the way ahead. The audience is assuaged and the ghost is exorcised. That this media is tightly controlled is borne out by a number of examples which need not be gone into here.

A very significant aspect of response in India is its social divisions which have been nurtured, deepened and forged as weapons for wielding power. The most important is communal – caste divisions in India, both interpenetrating and also overlapping. The socially dominant groups of majority community have been chauvinistically mobilized. The social divisions are being unleashed to prevent class solidarity and unity for which the ground is being increasingly prepared by increasing inequality, rising power of the super-rich. With policy framework increasingly favouring this course of development, ruling classes' need is to rally social groups with talks of ancient glory to the exclusion of present misery, the former growing in proportion to the latter. That this ploy is getting increasingly rusted accounts for the increasing conspiracies of the rulers at deepening social divisions with a helping hand from those (knowingly for some and unknowingly for many) who would not see the real reasons behind these conspiracies; who would root for the past in the present but shut their eyes to the future in the present; who confine themselves to the ground prepared by the ruling classes and do not see the new emerging paradigm. There are

however green shoots, attempts to foil the conspiracies of ruling classes and reclaim India.

The hard realities of the unfolding situation are making the situation increasingly pregnant with possibilities. Despite all might of the state, workers came out onto streets and forced their plight into recognition. (Walking Into The Frame: India's Migrant Workers, ND, April 2020) The long marches undertaken by them, avoiding the roads (for the presence of police), dying due to hunger and exhaustion and also due to locomotives who would not take them anywhere in this world but do not mind ferrying them to netherworld. All these have forced them into the reckoning, evoking sympathy of the well meaning and irritation from some others. But these enforced long marches, covering thousands of kilometers, have many other things to tell. These long marches signified the growing lack of faith in the Govt. and growing conviction that they do not exist from it. But these long marches are also brimming with examples when villagers came out to give them food and rest. Peasants pitched themselves on the roadsides to provide food to those trudging their way homewards. These were not *kawariyas* for whom RSS would pitch tents and govts. will arrange stay. They were not ones for whom vehicles would be arranged to stand on, for what is meant to be essentially done by walking on foot. They were the ones who had no such holy purpose but were forced to walk as Govts. refused transport. This was pilgrims' progress in reverse. The splendid examples of worker-peasant unity in action!

But return of migrant workers to their native villages has vast importance in other respects. They have not come back on leave or holidays but have been pushed out. Their contributions to the society have been totally ignored. Their coming back is also a rolling back of their option to migrate to cities for survival of their families.

Their hopes of making two ends meet lie shattered. Their dreams of doing better in cities and toiling to improve the lot of their children, their future, lie crushed. More importantly, this migration acted as a safety valve for agrarian distress. Unwilling to brook any basic change in rural India, particularly in class and social relations which are stifling for the overwhelming majority of the people of the villages, the ruling classes did in fact encourage this option. While furnishing cheap labour for cities, for menial services, in unorganized sectors e.g. as construction labour, rickshaw pullers, loaders and sundry service providers, the migrant labourers also provided an outlet for the agrarian distress which has been a smoldering cauldron in India.

It is also significant that these migrant workers are drawn from social sections which had been in the struggle for change in the countryside. These are areas of relatively stagnant agrarian relations where even the employment of capitalist methods of agriculture has not been qualitatively significant. Added to the rural stagnation was lack of any industrial employment, even the City of Joy losing all joy. Mostly eastern states of India, marked by backward agriculture and declining or absent manufacture, have been the source of migrants e.g. Bihar, West Bengal, Odisha, Jharkhand, Chhattisgarh, UP (mainly eastern part), Assam and MP. Some other states have sent migrant workers but largely to developed countries and Gulf, contributing to relatively better paid migrant labourers, referred to in more respectable terms. The internal migrants contribute to the economy of their native states which are now reluctant to take them back, and to that of the states where they toil and who have anyway insulted the migrants' contribution to their economies denying them wages, food and shelter. Their utility is not recognized as contributors to the

wellbeing of the state they work in but only as a source of cheap labour, many of these states trying to force them to remain there to provide labour even on more onerous terms. Both these sections are after all grades of labourers, distinct from the traders and professional groups living abroad, who are respectfully called NRIs who crowd Howdy Modi but contribute relatively little to the country.

Unraveling of the dreams and crushing of the hopes is not only a personal tragedy for hundreds of millions of migrant workers, and the tragedy of social groups from which they hail and to members of whom they represented an outlet from the subhuman existence in villages, where they lack both social dignity and economic survival. This will have a profound effect on deepening agrarian distress. It will intensify contradictions in rural areas of major part of India. It is this India which is the key to change of India and it is this India which will march on. Their modest dreams have been taken away and they may as well target the immodest dreams of the growing list of super-rich rooted in growing inequality in the country with the richest 1% cornering 73% of the wealth added last year.

Corona may have an unintended effect. While it is medically ravaging the cities particularly the important centres of trade, it may have the most ravaging political impact on the countryside. Corona pandemic has got into a crisis ridden country and has greatly intensified all its contradictions. How these contradictions will play out, how the various political forces intervene, will determine not only the immediate situation in the countryside but even the longterm implications of the pandemic. The developments may take time to mature but assert they will and leave their imprint. It is too good a pandemic to be wasted!

Besides making clear how much the ruling classes care for

their toiling millions, the unfolding situation once again puts a question mark on the model of development particularly its regional spread. A crisis like Corona pandemic has exposed all the talk of great national unity overshadowing regional differences. India is home to several nationalities and Corona crisis has brought that home in sanguine terms. Movement of migrants might has been reported to be on the scale similar to the migration of the people during Partition. In fact many commentators have drawn similarities between the two, with the stream of people with their belonging on their heads, children in tow trudging along pathways through fields. One difference is that then the people were driven away from what were their homes, and now they are driven from where they wished to make their homes.

As a matter of principle, this model of development should be seriously rethought. Every region must be developed. Building of financial islands and industrial clusters in select pockets is not the way forward for multinational diverse India. We have seen attacks on migrant workers and those seeking employment. On the one hand are those on whose soil these industries and institutions are built and hence their expectation to be absorbed in them. On the other hand, are the multitudes who contribute to building these islands not only through labour but also through resources which are drawn from all over India. A Delhi or a Mumbai is not built with resources of that region alone. A more balanced development covering all regions, where national oppression is not added to class oppression, where capitalist greed for maximizing profit does not ride roughshod over the realities of India, shortcuts are not preferred over long term plans. Big capital may thrive on cheap labour and on fomenting contradictions between local and migrant workers, but that cannot be the way forward for India. It is not

totally surprising that mainstream media thriving on corporate support and operating under their control has not even touched this aspect. These drum beaters of national chauvinism have brushed under the carpet the plight of Indians in India itself.

While India suffers, RSS-BJP Govt. is happy in its drum beating. These modern day Neros have created havoc and are relishing it. Every opportunity is a good opportunity for them to fleece the people. While industrial activity is at a standstill, they are intent on robbing the people. Recently Central Govt. has increased excise duties of diesel and petrol by Rs. 10 and Rs. 13 per litre. In the process they are going to raise Rs. 2.85 lakh crores. Contrast this to a mere Rs. 15000 crores they are spending on health care needs for tackling Corona or a mere Rs. 1.74 lakh crores they have announced as financial package (some part of it recycling of already budgeted expenditure and some others which they have announced without any intent to spend). They are looting the people as if there is no tomorrow. With prices of crude oil declining to one third in the international market (from nearly US\$ 69 per barrel to nearly US\$ 28 per barrel) the decline is more than accounted for by increase in taxes, with states joining in with increased VAT and prices increasing. All economists favour reduction in prices of diesel and petrol to spur economy and reduction in prices to spur consumption, but Modi Govt. follows Nagpur school of economics in which people's material wellbeing is adversely proportional to their spiritual wellbeing except for those who can afford *yatras* in modern *raths*.

Any hope that there will be any return to Sense and Science, is in vain. Pretension to it may be useful for the gullible. But respecting Science and unleashing people's initiative in tackling Corona pandemic is the last thing on the minds of mandarins of Nagpur.

North East Delhi Violence

No Justice-Vengeance Rages Under Covid Cover!

Aparna

Let no man live,

Uncurbed by law nor curbed by tyranny;

- Aescheylus

A vicious drive is on by the Delhi Police under the tutelage of the Central Govt. of BJP-RSS to take full advantage of the lockdown for the pandemic to wreck vengeance on leading Muslim women and students linked to the peaceful anti CAA women protest sit-ins. Alongside, some open-ended FIRs have been lodged by the Delhi Police in various police stations in this district. They are being used to call Muslim youth to the police stations in the period of general lockdown to harass and intimidate them, and also to arrest some. It is difficult for lawyers also to move at this time, courts are not functioning normally and full advantage is being taken of these factors to throw both these youth and the women and student leaders into jail. It is also being used to link the totally peaceful anti CAA women protests which had added a new chapter to the women's movement in India, to the police abetted violence in the North East district, thus foisting a criminal intent on the former.

Communal polarization was being provoked and a hate campaign against the anti CAA protests was being carried out systematically by the BJP RSS top functionaries ever since the protest against the CAA by the Jamia students began. In Delhi

several centres of women's protests slowly established themselves in the wake of Shaheen Bagh. The Delhi elections in February were preceded by a rabid hate campaign of massive proportions by the BJP and RSS leaders. Their rhetoric targeted the anti CAA protests in general but specifically and pointedly the anti CAA protest sites chosen and maintained by anti CAA women protesters in the city.

These women protest sit-ins in turn, were born in opposition to the barbaric unprecedented police violence against Jamia Milia students' protests against CAA. This violence was so naked and hate filled that the Jamia administration was forced to say it was trying to file a FIR against it and against the police entry into Jamia campus. The mothers and sisters came onto the roads to protect their brutalized children. And in the midst of the tirade and hate directed against them by the BJP and RSS leaders led by the Home Minister in the course of the election campaign in Delhi, these sites remained centres of peace, bejewelling Delhi and carrying on the sit in protests against CAA. Post the elections, the hatred spewed and polarization attempted was used to tip the balance and violence tore apart North East Delhi from late 23th February for four days. To assess what happened and why, one remarkable fact must be kept in mind. The rest of the city remained totally peaceful. Not only that. A desperate simultaneous all Delhi rumour campaign on the evening of 1st of March of communal attacks everywhere, resulted in people panicking throughout the city but NO where did they rise to the communal bait. The North East district was also the one where the BJP won 7 of the 10 assembly seats; it only won one outside this district. This may have also contributed to aggressive stance of the BJP RSS in this area.

In the four days of horror in the North East District, few features were everyone's experience. The area was sealed in by the

police completely the first two days and no medical teams, no peace teams, no concerned citizens allowed in. Second, the newly elected Delhi Govt. and AAP MLAs did not stir into the area immediately; to the extent that Delhi Govt. did not even agree to send its ambulances in on the first night until a court directed the concerned DCP to do the same in the early hours of the second day. All the seriously injured and injured who made it to hospitals initially, spoke of outsiders being present in initial violence who had raised rabidly anti Muslim slogans and come in across the border with UP, of police support to them and of general partisan role of police. The accusation against the police persisted.

Evidence also poured out via social media and one such will have to be discussed eventually though many images were broadcast over channels as well. Whatever the estimates of various people, some facts are undeniable. 53 were recorded either brought dead or died of injuries in the designated Delhi Govt. hospitals. Of these two third were Muslims. Among the other dead was a policeman, an Intelligence officer and also others of the area; a DCP allegedly sustained serious injuries in a clash in the course of which the policeman was killed. There was massive targeting of property, systematic looting of property and also arson, hundreds of injured. Widespread displacement of Muslims was reported. Thousands of them crowded the relief camps of the Delhi Govt. and of other relief agencies.

The BJP and RSS leaders clamoured that it was the anti CAA women protest sites which had provoked the violence. However, these sites in all points in Delhi other than North East district continued peacefully though under constant threats from BJP sympathizers and also police. Arrests began in FIRs on the deaths of the policeman and the intelligence officer, with an AAP Corporator

and his brother also being arrested after being named by the family of the latter. However, there is no information available in public domain of whether there were arrests in the other 51 FIRs which must have been lodged as MLCs. This issue is even more relevant in the death of Faizan, who was one of some Muslim youth captured on video being mercilessly beaten by police personnel and being made to sing the national anthem alongwith. The force can obviously easily identify its own personnel. Tens of other videos and clips of violence surfaced with often police being the perpetrators, but it is not known if the police have identified and lodged cases against the guilty especially those of its own force.

By mid March the Corona virus took over events and with the lockdown of the country the anti CAA women protests sites which had held out despite threats and also practiced physical distancing, were shut down by police by making arrests under the Epidemic Diseases Act. But from immediately after the violence a firm demand had been raised by so many sections, democratic organizations and women's organizations, many of whom were part of the anti CAA - anti NRC, NPR countrywide mass movements, that there should be a public judicial time bound enquiry into the sequence of events in the North East Delhi violence. Equally strongly, it was demanded that BJP leaders like Kapil Mishra, Anurag Thakur, Parvesh Verma, Ragini Tiwari and Abhay Verma who had given blatantly provocative communally polarizing speeches, should be booked by the police.

In place of the Public Enquiry demanded, the Delhi police set up a SIT enquiry of 16 police personnel. This is blatantly against any principles of fair play and Justice, police being widely accused of being partisan. Thus obviously there has been no Enquiry but a witch-hunt under the supervision of the Union Home Ministry and

executed through the Delhi police is on. The Corona virus has provided the unfortunate cover and the lockdown has been used by the Central Govt. to wreck vengeance against many anti CAA protest front line Muslim women and students, while also targeting several of those who supported the anti CAA protest sites in the North East district. The police has also used the opportunity to severely harass ordinary Muslim youth, especially those injured in the violence. This is especially so in the name of investigating the open ended FIR no 60/20 lodged by a constable at Dayalpur police station in the case of policeman Ratan Lal's murder. The entire so-called scientific investigation is shrouded in secrecy. About 45 FIRs are definitely known, lodged at Welcome, Jaffrabad, Dayalpur, Bhajanpura, Usmanpur and Khejuri Khas Police Stations and around 100 have been arrested under these, 25 of them at least in the course of the lockdown period from among the dozens called to North East thanas daily for 'investigation' in the same period. The police have stated that the SIT has done 'scientific analysis' and has arrested 800 people under various FIRs, but these are not in public domain and who the other 700 are is also not known. Differing figures were given in answer to a question in the Rajya Sabha and in response to a RTI query. (Huffington Post 22nd April)

The FIRs that are known about are also interesting. The story of one set was covered in News Click (19th March report of Tarique Anwar and Amit Singh). The narrative in 5 FIRs filed at Dayalpur Thana, each against a separate person with a separate complainant and a separate site, is the same. A different policeman is the complainant in each case; in each a different person was seen by two policemen trying to hide and on being caught proved to have a local katta. The concerned FIRs are 66/20, 67/20, 68/20, 69/20 and 70/20. Similarly it was found by lawyers that FIRs 84/20, 106/20,

113/20, 112/20 and 107/20 under Jaffrabad Thana are all under Sections 147, 148, 149, 436, 34 IPC and 3 and 4 PDP (Prevention of Destruction of Property) Act and in all the accused are Atir, Osama and Gulfam till the time the case was studied. Similarly FIR numbers 78/20, 160/20, 162/20 and 93/20 of Bhajanpura Thana are identical except that the first accused named is different in each. Mohd Shahid who has a gunshot injury, has a FIR against him under the Arms Act in Jaffrabad Thana and again the complainant is a constable. There is widespread whispering that the people of the area have not been allowed to file FIRs by the police and only an independent enquiry can actually bring out these aspects which may be a fact but will not be clinched unless all the FIRs are in public domain.

On the other hand is a known FIR no 59/20 which began with having charges under sections 147, 148, 149 and 120B of IPC but has probably added several sections since, including 302. This was the political FIR lodged on 6th March by a policeman posted in the Crime branch on evidence from an 'informer'. It is open ended, naming only two people, Umar Khalid a student leader of JNU and an activist called Danish and giving a narrative in line with the Central Govt. and RSS propoganda that anti CAA protestors are guilty of instigating, planning and collecting arsenal for violence. Apparently the initial arrest under this FIR was undone by a MM who got angry with the IO for not giving bail inailable offences to two youth alleged to be PFI members.

In early March itself, via the Police, the RSS had begun spreading the story of the North East Delhi violence having been provoked by anti CAA protestors themselves, especially holding guilty the peaceful anti CAA women protest sites for the violence in North east district. There were widespread rumours that members

of United Against Hate and of Pinjra Tod- a group of women students of Delhi University - would be arrested. However so much is the fear deliberately spread by the Police, so much is the lack of transparency that the sequence of being called for investigation, actual arrests and under which FIR can only be patchily put together and there is no comprehensive picture. What is clear is that Advocate Ishrat Jahan, ex Municipal Councillor from Congress who was reportedly regularly participating in the women's protest site at Khejuri Khas in NE district since it began on 13th January, was arrested as was an activist Khalid Saifi among others, on 28th February, the day the protest site was disrupted by the police around mid-morning. Lawyers sent out messages from Khejuri Khas Thana at 2.30 pm alleging that around 50 anti CAA protestors had been brought there and lawyers were not being allowed to meet them. Ishrat was shown arrested from the site though it was reported that she had gone to the police station on being summoned there and was arrested at the thana itself around the time the protest was disrupted. She and Khalid Saifi, a local activist, were denied bail the same evening and she was taken to the Mandoli Thana. It is widely believed that Saifi emerged from custodial interrogation with evidence of custodial torture but was sent to jail. As per FIR No 44/20 lodged at Jagatpur Thana and in which it is known that six people are named, Ishrat and the others are charged under Sections 147, 148, 149, 186, 353, 332, 307, 109/34 IPC and Sec 25/27 Arms Act. Ishrat now stands charged under UAPA.

The women protest site at Seelampur was also disbanded by the police on the eve of lockdown; a prominent associated face, 25 years old MBA student Gulfisa is also under arrest on some charges reportedly since 9th April and anyway has now been charged under UAPA. It is learnt that she has been denied access to her lawyer. On

1st April, about a week into the lockdown, Meeran Haider, RJD youth wing leader of Delhi, member of the Jamia Coordination Committee and a PhD student of Jamia Milia was called to the Crime Branch office at Lodhi Road and arrested under FIR 59/20. Later probably charges under UAPA were added.

On 10th April 27 years old, feisty and clear speaking Safoora Zargar, reported to be earlier associated with the NSUI team of Jamia University, member of the Media Coordination Committee of the JCC, research scholar at the Sociology Dept of Jamia University, was initially arrested reportedly under FIR 59/20 and charged under so many sections including Arms Act. Safoora was 3 months pregnant at the time of her arrest. Even though she was given bail, the Crime Branch asked the Magistrate for fifteen minutes time and arrested her under fresh charges. So much for the 'scientific evidence' collection by Delhi police, which could make a new FIR in fifteen minutes flat. Courts failed Justice and this pregnant student remains behind bars in corona times. Because of her presence in Tihar in solitary confinement, the Police has had to make public the information that three other pregnant women continue to be lodged in Tihar, all talk of giving parole to prisoners and releasing undertrials in pandemic times notwithstanding. Safoora has since been charged under UAPA.

Safoora's case is outstanding, both for what the country is doing to its precious asset of capable and articulate women students who have actively come forward to ensure the idea of a plural India and to uphold the aspirations of the Preamble and also for the macabre filth being poured out against her and her unborn child and which does not become offence or issue for *suo moto* notice by any Court in Manuvadi times. Social media is flooded with allegations of illegality against the unborn child, Safoora's marriage is questioned

as though married women are obliged to publicly certify to every RSS sympathizer the fact or legality of their marriage. Her character is being attacked and besmirched and how; her participation in the anti CAA movement being openly and revoltingly equated with times for sexual freedom, thereby totally blackening, mocking and belittling the powerful movement for defense of the Idea of India spearheaded by Muslim women and backed by a maximum number of leading women organizations and activists. Women student leaders like Safoora end up challenging feudal notions of how married pregnant women are supposed to behave. The energy and self-confidence of such women of our country are perceived as threats by the feudal patriarchal order. Anyhow as an outspoken member of the Media team of the JCC and one who detailed convincingly police violence against students in the anti CAA stir she has definitely earned the ire of the Police. It is good that the Delhi Commission of Women has demanded that the Delhi Police report the action taken to lodge FIRs against the filth mongers. It is reminded to the reader that the Delhi police can ignore this move which is actually largely a political salvaging of AAP's much touted pro women pretensions. The silence of NCW and NHRC, of the Delhi CM who projected himself as a defender of the rights of Delhi's women, is still sticking out and resounding in its silence. That Lady Justice, blindfolded against prejudice, does not drop her scales in disgust where she stands outside the Supreme Court is to be wondered at; the Delhi High Court has displayed it takes no *suo moto* notice of undiluted personal gender based slander against the women under its spatial jurisdiction, even when it is such that no woman should face no matter whether one agrees with her beliefs or not. It also does not move *suo moto* to protect the unborn child from debasement. The mirage of Gender Justice lies cracked indeed from 'side to side'.

On 27th April Delhi University leader of AISA Kawalpreet Kaur went public that police had confiscated her cell phone under a slew of charges alleging it was needed for investigation into the North East Dist. violence. The appeal to a court to give her a copy of the information in the phone since the police had forced her to share the password, was turned down. It turned out and the Police also acknowledged, that almost 50 student and youth leaders and activists running democratic organizations who had supported the anti CAA protests in North East District had also been issued notices under Sections 107 and 512 of CrPC in the lockdown period. One of the youth leaders associated with Bigul had also been earlier summarily picked up and asked to join the investigation. On 26th April, the Police or Crime Branch arrested Shifa Ur Rehman, President of Jamia University Alumni Association and member JCC and also slapped UAPA charges against him.

There was of course a pending thorn from the Delhi Govt. machinery which has in entirety not spoken openly against the role of the BJP leaders and the Delhi Police in the events since Delhi elections. Chairperson of the Delhi Minority Commission, an appointee of the Delhi Govt., had spoken out of turn on some issues post the North East Violence. On a mere tweet of congratulating Gulf countries for speaking out against Islamophobia, a tweet he later withdrew as mistimed, he has been charged with Sedition!

It is not as though the Central Govt. has been preoccupied with ensuring that repression goes on in Delhi. Dr Anand Teltumbde and Gautam Navlakha have been sent to jail in a highly contested FIR of Bhima Koregaon violence. Supreme Court did not find them fit applicants for bail despite the lockdown, the pandemic real threat and their age. Arrests are on of journalists in Kashmir too.

The arrests in Delhi and the 'scientific' police investigations into the North East Delhi violence is raising many troubling questions. The Delhi police cannot conduct this Enquiry as it stands accused of a partisan role. Thus its objectivity will always remain under doubt. But there are even more serious questions of logic.

Two third dead in north east Delhi violence are from one community, so much property was destroyed or looted, 19 Masjids were gutted, these are all matters which can be verified by checking records. It seems to be the Crime Branch's case, as made out in the FIR no 59 that protests were actively called for in that district by anti CAA protestors in the course of Trump's visit. But to use this argument for making a case that the anti CAA protestors orchestrated the violence in Delhi is totally questioning common sense. No such communal violence can go on for four days without support of state forces, in this case the Delhi police. There are allegations galore that the police abetted the BJP and RSS aligned violence wreckers, sometimes they just looked on, that they are themselves guilty of anti-minority violence. Who are guilty of the killings of the Muslims among the 53 officially acknowledged dead due to injuries sustained in the violence? Where is the enquiry into all those FIRs? What are their numbers- nothing was being uploaded on the websites of concerned police stations after 24th February upto their being checked pre lockdown. Who are the other 700 arrested; police has been maintaining that 800 people have been arrested for the North East Delhi violence. Justice must prevail and for that all facts must come into public domain.

Hundreds of intellectuals including prominent film personalities have condemned the witch-hunt in Delhi. Over 1100 women activists, intellectuals and organizations have condemned the targeting of the anti CAA women protestors and targeting of

student leaders; demanding immediate release of Gulfisha, Safoora and Ishrat and the student leaders and stop to hounding of activists. They have demanded withdrawal of UAPA.

Women's organizations of Delhi, including PMS have submitted a letter to the Home Minister with signatures of over 200 organizations and activists demanding public judicial enquiry along with other demands. Representatives of mass organizations like Nishant, IFTU, PDSU etc have also signed on this quest for justice.

The witch hunt on in Delhi is in the 'best' fascist repressive traditions. There has been no arrest in the violence against JNU students by outside hoodlums inside JNU campus and under the benevolent eyes of the police; the only people publicly known to have been asked to come for questioning were the students themselves. The Jamia administration's attempt to file a FIR against the Delhi Police has died may be an intended death. The BJP RSS sympathizers and activists guilty of shooting incidents at Jamia University against students and at Shaheen Bagh against women including *dadis*, have been given bail by the courts after being respectfully arrested by the Delhi police. The vengeful witch hunt must be made to stop, it must be unequivocally condemned and opposed by the united strength of all forces in Delhi. A public, time bound Enquiry by sitting judges, releasing of all arrested, withdrawal of UAPA charges, stop to harassment of activists and to hunting down of Muslim youth are issues needing sustained joint struggle. The functioning of the SIT of the Police must be stopped and the report of an impartial enquiry team awaited. All those who complain that they could not lodge FIRs due to police attitude and repression must be enabled by such a Committee. Interrogation and arrests by the SIT must stop immediately. Those who have

maligned Safoora Zargar on social media should be identified and FIRs should be registered against them. And an honourable release immediately of the three women anti CAA protestors- Safoora Zargar, Ishrat and Gulfisha.

Move ahead to fill the Void left by Com. Rama Rao



Last year on May 5 Party lost a veteran leader, the revolutionary movement lost a prominent voice and revolutionary cultural movement lost an iconic pillar. His mesmerizing voice still resonates and sings for the oppressed and exploited, for marginalized and neglected, for all who have no voice but much for articulation. We lost Com. Rama Rao, whose association with Arunodaya got affixed to his very name. Com. Rama Rao got his melodies from the toil of the oppressed and his inspiration from the struggle to liberate humankind from oppression. His restless fingers symbolized restlessness of his soul at the oppression of the toilers but also the rhythm of their struggles. His heart beat at every rhythm of their struggle, reaching out to everyone in need and making every expression of life in struggles his own need. He was friend to every toiler and toiled for every friend.

The loss suffered by the Party and by revolutionary culture is felt very acutely at the present juncture when the ruling RSS-BJP fascist offensive is being couched in cultural nationalism. The field of culture, always one of the principal arenas of sharp contest between

contending classes, has emerged as a pivotal field in the present struggle against Hindutva fascism. It is the wholesale distortion of Indian culture, in the process glorifying some reactionary aspects of culture and excising the whole culture of struggle of the Indian people against oppression and backwardness, exploitation and suppression. This in fact is a wholesale manufacture and imposition of the value system in the service of the foreign and domestic reactionaries. No wonder the importance of the struggle in the field of culture cannot be overemphasized.

At this juncture Com. Rama Rao's absence is being acutely felt. In the last meeting of the leaders of the cultural organizations held a few months before this death (He was All India Co-convenor of this Co-ordination Committee) he took upon himself the task of helping develop cultural movement in different states and building a powerful cultural movement against RSS's 'cultural nationalism', to strengthen organizations in cultural field and train a large number of fighters on this front, honing their skills and developing their understanding and resolve to do everything for this urgent and necessary task. In last several meetings this used to be sole agenda of discussion with Com. Rama Rao on how to fulfill this urgent necessity in the concrete conditions of the movement and its problems and state of organization.

Com. Rama Rao's vision of combining struggle against class exploitation and social oppression, especially caste oppression, made him the eminent vehicle of challenging the present cultural discourse of rulers. Com. Rama Rao's grasp of the elements of people's culture and his vision of fashioning these elements into a powerful challenge to reactionary culture of fascistic rulers made him well suited to fulfill this responsibility.

Today, in Corona times, when the anti-people character of the

system stands naked, when millions of workers and poor peasants face starvation and destitution, columns of thousands upon thousands of migrant workers without work, wages, food and shelter, march homewards taking with themselves the lost hope of surviving through work far away from homes, when the divide between the rich and poor stands in sharp contrast with rich locked in and poor locked out, the voice of the singer from Rayalseema is sorely missed to sing about these miseries and also the future trajectory of the struggles of the poor, exploited and oppressed, the wretched of India.

Com. Rama Rao is not with us, but his body of work and his untiring spirit continues to inspire us. Developing revolutionary cultural movement is the best homage to him. Developing cultural organizations both qualitatively and quantitatively will be the best tribute to him. He will live in and through them.

Long Live Com. Rama Rao !

Central Committee,

CPI(ML)-New Democracy

Read and Subscribe

CPI(ML) Organs

New Democracy	English
Pratirodh Ka Swar	Hindi
Voice of New Democracy	Telugu
Biplabi Ganaline	Bengali
Inquilabi Sada Rah	Punjabi
Sangrami Ekta	Odia

On May Day 2020

What needs to be done?

Effects of Corona pandemic called for a considerate and considered response. They call for all care for the vulnerable and all help to the needy. They call for all efforts – medical, economic and social- to minimize the affliction and save the afflicted. They call for solidarity with the affected and all measures for those who are likely to be. They call for imbibing the lessons learnt from the pandemic and force a course correction. Heightened activity, standing with those in need and pressing for that which is needed, will be helpful in advancing the struggle for radical transformation of society.

A crisis lays bare more clearly the character of a society and its contradictions; it makes apparent the clothes (or lack of them) of the Emperor! Where-else has one come across millions walking across thousands of kilometers on foot! Where-else (except some cases in our neighbouring countries in South Asia) has one seen brutal assault on the people for controlling this pandemic! Poor people are being treated as human vectors and being subjected to economic and social culling.

This crisis has demonstrated, if it was required and probably it was required for the middle classes, once again that there is no substitute for a public health system. With four fifth of health care in the private sector and four fifth of doctors too in that sector, there is no role being played by the private sector in meeting the requirements arising out of growing pandemic. Except probably of those who come in as experts on TV channels. The vast private infrastructure built with support from Govts., money from public sector banks and thriving on the entitlements from the Govts. is

lying waste as there is little profit to be made. Govt. has not moved to marshal these resources, built largely with public largesse, in the task of meeting even the emergency health needs of society.

The situation calls for raising the demand and building a movement for strengthening public health system and providing universal free health care to every Indian including all its aspects e.g. medicines, hospital stay. After all, the Corona pandemic has highlighted the need to attend to health needs of society and that this can be done through a public health system only, which at present is in precarious condition. The meagre allocation to Health in the Budget does not permit this. Govt. should allocate 5% of GDP to Health. Central Govt. has promised to raise the allocation to 2.5% over the next five years. Why not *raise the allocation immediately to this level i.e. 2.5%*, in view of the need of public health system highlighted by this pandemic? All steps including providing PPEs, accommodation and risk allowance should be given to health care workers. All health care workers should be regularized. Moreover, preventive aspect of health care should receive proper care.

The plight of the workers, particularly migrant workers, has come into limelight since the beginning of lock-down. There are crores of migrant workers (139 million according to 2011 data). They are starving and destitute, without food and wages. But the Govts. have displayed the most cynical and insensitive attitude toward these workers who have built the metropolises, sky scrapers, smooth highways, and who provide services most inexpensively and generally help to bring down wage rates and raise profit rates. Govts. have asked owners to provide them with wages and food and house owners to not charge rents and evict them. Govts. have outsourced this responsibility knowing full well it will not be fulfilled. We should demand that *free food (or dry ration*

with all things attendant) should be supplied to all at least for six months and Public Distribution System should be revamped for this. There should be no requirement of any cards. Hunger does not care for them. Moreover, it should cover the rural areas where vast multitudes of landless poor peasants and agricultural labourers are without work and food.

ILO estimates widespread job losses, especially in the unorganized sector, in the immediate aftermath of the pandemic, putting this as roughly three fourth of the total employed. With over 90% of the workforce in India in unorganized sector one can easily see the magnitude of misery and destitution staring at workers in India. While *corporate should be asked to give salaries (without any cuts), govt. should pay the salaries for the workers of all the micro, small and medium enterprises.* Leaving it to owners will lead to litigation during the pandemic and job losses after it. This coverage needs to cover not only the period of lock down but the period till economic activities are resumed and the enterprises start employing. The economic package announced by the Govt. is peanuts (it also includes already existing schemes) and will do little to revive the sectors employing large number of employees. Construction, MSMEs, retail trade, tourism and hospitality industry, transport, besides aviation and real estate are facing prospects of a large-scale drop in business and job losses. All these need to be addressed with specific measures. There is a need to waive off interest on the loans to MSMEs as well as postpone EMI payments for the middle classes.

In fact, the world will face big economic depression in the coming period. IMF estimates a decline of nearly 9 trillion US dollars in global GDP i.e. global GDP contracting by roughly one tenth. China has seen nearly 6.8% decline in production while US

has seen over 4.8% decrease over the last quarter. And all these estimates are subject to the projections of control being made. IMF has been repeatedly revising its estimates. For India it has been bringing down projections of growth rates, now projecting contraction. Worldwide contraction will have repercussions on the global economy. Corona has comfortably slipped into the ongoing trade conflicts and rise of protectionism, intensifying both. Post-Corona world economy will not be same. Foreign capital has already started leaving third world countries including India. But it has not stopped the ruling class politicians from clamouring for capital from imperialist countries. The situation demands that *Make in India be coupled with Make for India* and for a campaign against stranglehold of imperialist capital in different sectors of economy.

Agrarian economy has been crying for drastic measures. Landlords and rural elite have made most of the relief that has been sent to rural areas, meagre as it is. Their control over panchayat institutions has come in handy for this. But the vast masses of peasants and agricultural labourers are in the crying need for relief. *MNREGS should be extended to cover everybody and for as many days as necessary* and not only given to job card holders, there should be *immediate and full purchase of agricultural produce from the fields at MSP along with Corona bonus* to compensate for loss of earnings from other sources which is an important component of income of all sections barring landlords, rich peasants, money lenders, generally the rural rich.

All sections of people need help arising out of economic depression and need to avoid Covid19. It was expected that the Govt. would do everything to help the people overcome this crisis. However, the Govt. has done little except heaping pain and suffering on the people. The way they have imposed and extended

lockdown without caring for the common people is ample proof of how much this Govt. 'cares' for the people. Govt. is holding people responsible for Corona spread while Govt. bears the main responsibility. On the other hand, in the name of tackling Corona pandemic, the govt. has launched frenzied attacks on the people. While they are asking people to be "where they are" they themselves are using this situation to affect changes which they have since a long time been trying for but were meeting resistance. In the name of controlling Corona pandemic, all the sites of protest against CAA-NRC-NPR have been forcibly dismantled. And a witch-hunt has been launched against activists who were active in protests and in relief work post violence in Northeast Delhi in last week of February. Even the Epidemic Diseases Act is being used on a mass scale to suppress political dissent. With higher judiciary in self-imposed selective quarantine, the democratic rights of the people, including those sanctioned by law, are being trampled on, with Supreme Court abdicating its responsibility, a few bytes to the contrary notwithstanding. In this period too, Supreme Court has not refrained from delivering judgment against reservation in tribal areas, making a number of observations against reservation for SCs and STs and also on minority educational institutions. On a number of petitions on the plight of workers and peasants, Supreme Court has generally been reposing faith in the Govt. Corona has covered up this abdication. *All witch-hunts be stopped, all political prisoners should be released and sending to jail as well as custodial interrogation must be immediately stopped.* Corona should not be unleashed against political opponents.

Govt. has been making a lot of hue and cry about lack of funds. This cry is generally reserved for when the govt. has to spend on the people. This lack has not prevented the Govt. from writing off debts

of defaulters to the tune of nearly 69 thousand crores. In fact, Modi Govt. has reportedly waived off the bank loans of the rich to the tune of Rs. 6.65 lakh crores. This is in addition to tens of lakhs of crores doled out to super-rich in the form the taxes waived every year. And this section, patriotic as it is in RSS vocabulary, is not to be burdened except in the messages delivered on channels.

The method to raise money has been a clear exposure of the Govt. Central Govt. employees are being forced to contribute to PM Cares Fund. Govt. has also announced freeze on DA for next 18 months. State Govts. of different parties are also cutting salaries of govt. employees. But when it comes to raising Income tax, Central Govt. came down heavily on IRS officers who suggested raising income tax to 40% for those earning over one crore annually and that too temporarily. Central Govt. has announced initiation of disciplinary action against these officers, saying that this proposal is against the govt. policy. Even making such a suggestion pertaining to rich 'patriots' is not to be tolerated! Through this the Govt. has clearly stated that its policy is to tax the poor while giving largesse to rich. It is they who control the mainstream media and any offence to them will seriously undermine the artificially manufactured consensus on the steps to tackle Corona. They have already spread Corona, one should not expect them to spread their wealth as well!

But similar consideration was not shown to the poor. Indirect taxes which affect poor the most, continue to be high. Despite collapse of crude oil prices in the international market, this has not been translated into reduction in prices of diesel and petrol. On the other hand, several state govts. have increased prices of diesel and petrol. Such shortsighted policies are not only against the people but detrimental to efforts of revival of economy. In fact, all indirect taxes should be abolished, especially those on petrol and diesel.

Lowering the prices of petrol and diesel will be helpful for agricultural operations as well as industry besides lowering the prices of essential commodities.

To raise the funds, direct taxes should be increased. *Income tax on the rich and super-rich should be increased* in graded manner. It should be remembered that income tax on the rich and super-rich has been reduced since the advent of new economic policies. These slabs should be increased to 40% for those with income of above one crore annually, 50% for those with income of above 5 crores and 70% for those earning above 10 crores annually. Similar slabs have existed in the past.

Wealth tax, which was waived off nearly two decades back, should be re-imposed. It was 2.5% then and it can be same to start with, to be further raised as per the need.

Govt. must stop filling the coffers of the rich. No NPAs should be waived. No debts should be written off. Rather corporate veil, a construct of the company law, should be lifted. It means that *default amount or tax dues should be recovered from other assets of the defaulting party.* This veil can legally be lifted in certain cases and default/NPA should be covered among them. It will help for feeding the people and spending on public health. And after all rich are being made to pay only what they must pay, only they will not be allowed legal subterfuge.

It is also time that Modi Govt. should bring back black money stashed in foreign banks. Modi had promised it earlier.

Rather than taking these measures the Govt. is using the Corona pandemic to legislate anti-worker changes. It has tried to increase the working day to 12 hours while the need of the hour is to reduce the working day to enable more workers to be employed.

Corona times have made the May Day Struggle issue contemporary and relevant. If Govt. is serious about its promise of *payment of full wages to workers (No lay off or retrenchment)*, a promise they must be made to honour, shorter working hours will increase efficiency. Moreover, Modi Govt. is also speaking of using Ordinance route for enacting Labour Codes which is an out and out anti-worker step.

A big movement is necessary to bring pressure on the Govt. to adopt pro people measures. Need is to rally the workers and other laboring sections on these issues. A broad-based unity of the working class must be built on these issues. But for the struggle to advance, revolutionary forces in the working class movement must play their due role. They must build broad united action without compromising on their initiative. This combination alone can take the movement beyond the confines imposed by the ruling classes. Revolutionary forces have the responsibility to articulate uncompromisingly the interests of the working class and toiling people.

May Day 2020 comes during challenging time. But challenge also involves opportunity for those who have a vision to see and who dare to advance. Corona pandemic has sharply aggravated the already deepening crisis of the imperialist system. Post-Corona world is pregnant with many changes and possibilities. It is for revolutionary forces to turn these possibilities into movements forcing changes and advancing towards changing the system.

Central Committee

CPI(ML)-New Democracy

Blowing in the wind ?

A Pandemic and the questions of Future amidst disease, death and devastation

- SK

Epidemic diseases are not random events that afflict societies capriciously and without warning. On the contrary, every society produces its own specific vulnerabilities. To study them is to understand that society's structure, its standard of living, and its political priorities.

- ***Frank M Snowden, Epidemics and Society, From the Black Death to the Present***

Adam Smith wrote in the 18th century about the 'invisible hand', as a metaphor for the force that drives the economy. The world is now battling an 'invisible microbe' in the form of a pandemic threatening the lives and shaking the economies on a scale that was never imagined previously. The images and aerial footage of mass graves being dug at Hart Island, New York City capture the grim situation unfolding¹. On the economic front, an early view from IMF indicates a recession and '*for 2020 it will be worse than the global financial crisis*'². Epidemiologists are said to be helping IMF make macroeconomic projections for the first time in its history and they say it is a big unknown³. In what now appear to be statements of euphoria made in an age of hubris, there were assertions towards the disappearance of infectious diseases (at least in the affluent West) and heralding of a 'contagion-free Eden'. That was in the later

part of the twentieth century. ‘But Eden is burning’ now to remember a song of Bob Dylan around the same period.

Yet, it is not that what we are witnessing today suddenly came out of the blue and wasn’t expected altogether. References to fiction (Dean Coontz, *The Eyes of Darkness*, 1981) and films (*Contagion*, 2011) bring a sense of ennui amidst their repetition ad nauseum. But it sounds eerily weird when one is reminded of a particular Dark Winter, a simulated smallpox attack in 2001 and the ‘Crimson Contagion’, a simulation exercise that was conducted in August 2019⁴. The recent simulation exercise involving an imaginary influenza closely resembled and foreshadowed the current pandemic and yet none appeared to be prepared for the real one. And that happens to be a country which was ranked first in terms of Global Health Security Index (2019)!⁵ References to what the CIA noted at the dawn of the millennium make it sound weirder in view of the utter unpreparedness. It was in year 2000 that the CIA’s National Intelligence Estimate considered the infectious diseases as a non-traditional threat. The report, named ‘The Global Infectious Disease Threat and Its Implications for the United States’ noted *‘new and reemerging infectious diseases will pose a rising global health threat and will complicate US and global security over the next 20 years’*⁶. That ‘global health threat’ emerged indeed exactly 20 years later and yet the world is caught between inexplicable unpreparedness and uninterrupted bad judgements!

Even as the countries stare at the death and devastation and disruption triggered by the ‘invisible microbe’, there are raging debates on whether the pandemic is a ‘natural’ one or an ‘engineered’ bio-weapon. Conspiracy theories still float around even after it is conclusively established that the virus is not a manmade one, and they range from a botched experiment in a research lab to

a deliberate attack to bring down a 'rising economy'. The originating research lab in question is variously attributed as Wuhan or Fort Detrick, depending on the originating sources of propaganda. It is difficult to put them to rest as these are propagated not just by spookily psychic individuals but by the states themselves. These competing narratives reflect the deep-rooted mistrust among the states which diplomatic bonhomie tries hard to camouflage at one level and point to the competing geopolitical interests at another level.

The responses to the pandemic have been appalling, to put it mildly. The world is witness to the insane recklessness, denial, cover up, dithering, apathy, incompetence, criminal negligence at various levels. While there have been certain bright spots and quick interventions in a few states and countries, most appear to be struggling in dealing with the crisis. The nationalistic pride could barely withstand the pressure from the Washington and the ban on the export of hydroxychloroquine had to be lifted. The pumped-up chest was just deflated in just twenty-four hours. As is the case with pandemics across centuries, one finds reactions based on xenophobia, religious bigotry and slur on the culinary preferences. Fanatic obstinacy is in display in all religious hues with explanations of 'divine retribution'. Not much has changed from that 19th century painting of the Plague in Rome by Jules Elie Delaunay in the spiritual realm except that its variations are now displayed across religions. On the ground, heart wrenching images of thousands of migrant labourers struggling to reach their villages from cities across the cities bear testimony to the cruel face of the development and criminal negligence on the part of the administration. It is the harsh reality that the walls constructed to welcome "guests" cannot conceal. For many it is a choice between hunger and disease while

death constantly hovers around as a certainty amidst the devastation. There is much to be debated on the responses: overreaction vs under-reaction which is further muddled by utter lack of preparation to deal with the pandemic.

The pandemic is not a mere result of a 'biological' contagion, its transmission is caused and determined further by the socio-economic and political vectors. The current episode of the pandemic raises a few pertinent questions related to those vectors while we make our choices and continuously debate our intentions and interventions.

Whither Globalization?

It is an irony of History that China, where the current pandemic is said to be originated, was once blamed as an 'unchanging Oriental country' in 1894 when the Plague struck. It was further reasoned that the Plagues sprang '*from the refusal of "pig-tails" to accept the wisdom of opening up that country to Western civilization and enlightenment*'. Even if we ignore the colonial and racial arrogance for a moment, it is apparent that the current pandemic is precisely the result of the 'opening up of the country' China!

While history is witness to pandemics in the past, the first thing to note is that the scale of devastation inflicted by current pandemic is a direct result of the globalization of production, trade and travel. Epidemics and pandemics of cholera, plague and small-pox in the past were results of human migrations associated with trade, military campaigns and religious pilgrimage. Modern means of rapid transport and increased mobility due to globalization have further amplified the faster spread of pathogens. The average speed of best horse drawn coaches and sailing ships in the medieval ages was 10 mph and the modern jets travel at 500-600 mph.

Thus, the infections can spread at a faster rate in a short span of time, often when the carriers are asymptomatic. Emergence of new infectious diseases and re-emergence of older infectious diseases which were once thought to be conquered, point to the fallacy of assumptions in sequestering microbes and thus diseases in specified geographical boundaries. The global spread calls for a 'global' level epidemiology rather than a local/ national epidemiology.

The current pandemic and the responses hitherto highlight a paradoxical situation. Being a pandemic, it is global (with reported cases in nearly 200 countries across the globe) and calls for a coordinated intervention at global level involving the states and international agencies. On the other hand, the response also involves shutdown of borders and curbs imposed both within and without to contain the spread. There is a global scramble for drugs, testing kits and masks all around evidenced in the reports of 'hijacking'⁸, 'modern piracy'⁹ and 'war for masks'¹⁰. While the current context is complex and significantly different, the terminology in these reports is a stark reminder of history.

While global trade existed for centuries, the collapse of USSR and its satellite states and advances in the technology have provided an unprecedented impetus to globalization in all aspects of production and distribution. The increasing interconnectedness of global economy is also associated with unevenness in concentration. *'The geographies of production, trade and FDI (foreign direct investment) remain highly uneven and strongly concentrated. Around three-quarters of global manufacturing and services production, and around 90 per cent of world agricultural production, are concentrated in just 15 countries. Around one-fifth of world trade in goods, services and agriculture is generated by the two leading countries in each sector. The picture is similar*

in the case of FDI: more than 80 per cent of outward FDI stock originates from 15 countries¹¹.

The current pandemic has led to a massive disruption in the supply-chain and the impact is being felt. While the most vulnerable companies appear to be those relying heavily on China at the moment, the risk perceptions and vulnerabilities will not be limited to China alone as the epicenter of the pandemic has shifted westwards. Disasters and trade wars in the past have affected the global supply chains earlier, but the current one is unprecedented in terms of the scale and its repercussions.

It is not that globalization is an inexorable and unstoppable force. The world is now witness to the political shift towards rightwing nationalism across the countries. This shift can be contextualized in the backlash against the globalization and its effects. If one were to look into history, during the period between 1919 and 1939, *'the unprecedented openness of the world economy that had come into being in the period between 1870 and 1913 was largely reversed through the actions of states responding to recession through increased protectionism¹²'*.

How will the current pandemic affect globalization? Or are we already in a *'completely different new era now and globalization as we've known it in the past is over¹³'*? Japan has announced a stimulus package to its manufacturers to relocate production from China. Will this be emulated by others too? It may be too early to predict the future as one has to take the deeper interconnections within the processes of production and distribution across the globe and the difficulties entailing the disentanglement into account. However, it can be safely assumed that the current pandemic will force the countries and business to revisit and reorganize their supply-chain and it is going to significantly alter the face and pace of

globalization. What are the choices we are going to make in the impending changes?

Public health or private profits?

An important trend associated with the wave of globalization in the late twentieth century was the ‘structural adjustment policies’ agenda set by the IMF and World Bank. The prescribed policies and their assiduous implementation resulted in decline of public expenditure on healthcare, dismantling of public healthcare infrastructure accompanied by privatization of healthcare services. The neo-liberal stranglehold and systemic onslaught of these ‘reforms’ had devastating effects on the health sector. The results of a simulation exercise conducted in 2009 were very revealing. The study compared trends in life expectancy at birth (LEB) over the period 1980–2000 with those that would be predicted based on a counterfactual in which trends in all the relevant variables remained at the 1980 value or continued the trend they followed over the pre-1980 period. The results indicated that, *‘on a worldwide basis, over the period 1980–2000 globalization canceled out most of the progress toward better health (as measured by LEB) that occurred as a consequence of diffusion of medical progress, and the effects of shocks (wars, natural disasters, and AIDS) combined with globalization to result in a slight worldwide decline in LEB as compared with the counterfactual. The most conspicuous declines in life expectancy occurred in the transition economies, where globalization accounted for essentially the entire decline, and sub-Saharan Africa, where globalization contributed almost as much as the AIDS epidemic to a decline of nearly nine years in LEB relative to the counterfactual.’* The study concluded that, *‘the negative association found between liberalization-globalization policies,*

poor economic performance and unsatisfactory health trends . . . seems to be robust¹⁴.

The policies have further accentuated the health and health service inequities between and within the countries across the globe. The demographic and epidemiological transition coupled with globalization gave rise to the dual burden of both communicable and non-communicable disease in the developing and underdeveloped countries. The dismantling of the healthcare infrastructure and reduction in the public spends have contributed to the reemergence of infectious/ communicable diseases and the emergence of the new infectious diseases further complicated the situation. On the other hand, the increased burden of non-communicable lifestyle diseases turned into a huge business opportunity with the privatization and commercialization of healthcare services. Accessible, free health care was replaced by commercial health insurance. While the primary health care in the rural and inaccessible areas shrunk due to starvation of funds and shortage of personnel, tertiary care in the private sector, concentrated in the cities, flourished. It had detrimental impact on the availability, accessibility and affordability of health care. The burden of paying for health care and rising out-of-pocket expenditure have further impoverished the lower middle and working classes.

India followed a similar trajectory in its course of health care transition. We have travelled a long way from the Bhore Committee (1946) recommendations. They reflected the principles of social justice, equitable access, community participation integration of preventive, promotive and curative services and the primacy of the needs of the rural people in health care¹⁵. However, the practice was different. The outlay for Health was significantly lower when compared to what was recommended. The priorities changed over a

period. While the expenditure on the communicable diseases decreased substantially from 28.4% of the layout for health in the Second Plan to 4.2% in the Eighth Plan, in the same period the expenditure on family planning increased from 1.3% to 26%. The health sector reforms initiated under the aegis of the Structural Adjustment Program have drastically altered the face of healthcare sector in India. By 2005, we have reached to a point where 80% of the health care is in the private sector. By 2015, the nominal reference to the strengthening of the public sector healthcare was objected to by the new planning body, NITI Aayog. The letter by NITI Aayog to the Ministry of Health and Family Welfare on the Draft National Health Policy, which was leaked to the press, indicates how far we have traversed. It is brazen in its advocacy of engaging with the private sector and in its hostility towards the concept of free healthcare which it termed as a ‘Chimera’.

Who profits from the illnesses then as people are impoverished by the increasing out-of-pocket expenses and spiraling costs of healthcare? According to rating agency ICRA’s analysis, revenues of five big hospital chains alone *‘touched Rs 12,990 crore in the year ended March 2017. This is an increase of about 80% over the course of a five-year period starting March 2012. Meanwhile, their profits grew by Rs 770 crore during the same period to touch Rs 1,890 crore. This is an increase of 68.75%¹⁶’*. The story will be incomplete if we don’t consider the growth of foreign direct investment healthcare. It recorded a leap of 169% increase in the five-year period between 2012 to 2017¹⁷.

Thus, the decline in public health during past three decades is closely linked to the ascendance of ‘private healthcare’ and the corporate profits therein. The current crisis has exposed how the healthcare system is ill equipped to cope up with the pandemic. The

lack of infrastructure to deal with the epidemic diseases is not a mere result of the unexpected appearance of an invisible microbe. It is a direct consequence of decades of neglect of public health, dismantling of public sector in the healthcare, neglect of the emerging and reemerging infectious diseases and the rise and growth of the profit centric private sector in the healthcare. The private sector is techno-centric and is heavily reliant on the state-of-the-art equipment to deal with the diseases, with particular focus on the non-communicable/ lifestyle diseases and sophisticated critical care demanding a higher price (and profits) and closely linked to the insurance business. The Covid-19 pandemic is an acute reminder of a chronic neglect in the public health, a grim pointer to the inadequacy of the profit centric private healthcare. What are the choices we are going to make as the current crisis calls for a rethink and a drastic change in our approach and intervention?

Choices in a Deep State—Life vs Unfreedom? Abandoned to Death?

Yes, 'n' how many times must a man look up

Before he can see the sky?

Yes, 'n' how many ears must one man have

Before he can hear people cry?

Yes, 'n' how many deaths will it take 'til he knows

That too many people have died?

- *Bob Dylan*

As the world battles the pandemic, choices are being made with respect to life, freedom and certain 'sacrifices' that are to be made by people at large. These choices are being made without any

questions regarding their implications and consequences. Choices are made surreptitiously, under the veil of ‘war situation’. Stringent measures are being advocated to contain the spread of the pandemic disease. Epidemic Diseases Act, 1897 is being invoked to fight the Coronavirus. The irony is not lost when a colonial act of the 19th century is being invoked to fight a 21st century pandemic. History also points to the disconcerting fact that the act was also used to imprison freedom fighter Bal Gangadhar Tilak for 18 months for his criticism of imperial authorities in dealing the Plague epidemic in 1897¹⁸. It is not just a bad memory of history, the methods and policies being adopted to deal with the unprecedented crisis also portend to a dystopian future, if they are not debated thoroughly.

The atmosphere in many countries is vitiated by hate campaigns centered around racial, religious lines, often states themselves abetting such propaganda to derive a political mileage. In the name of using the technology in tracking and curtailing the spread of the pandemic, many states, including China and India, are building surveillance apps. It is easy to imagine the consequences when the data collected from every citizen is repurposed to advance the political agenda of the state. China has done it. India is doing it as reports indicate that the government is building a 360-degree database to track every Indian¹⁹. Much was debated earlier on a particular ideology being antithetical to individual liberty. We now seem to have come to a full circle where the opponents have turned into proponents of panoptic surveillance architecture. And defend their policies by counter-posing the ‘survival of life’/ existence of human life to ‘small inconvenience’ in foregoing a personal freedom!

Amidst the clamour and clappings, the whole world is a silent witness to the unabated misery and hardships that the migrant

labourers are forced to face in the name of the battle against the pandemic. Implicit in the policy is the assumption that there is a price that needs to be paid to save life. The inconvenient question is, who are made to pay the price? Choices were made in Italy where older people were left to die when faced with limitations of healthcare availability. There are calls from politicians in the USA expressing willingness to let older people die. In other places, such choices may not be spelt out so explicitly. But choices are being made nevertheless, where the poor, aged and disadvantaged are made to lose their lives. Are we going to accept such choices in these challenging times?

Humankind went through severe crises and paid the price in battling the epidemics and the pandemics in the past. There have been valuable lessons from the experiences of 18th, 19th and 20th centuries. Should we repeat the follies and pay the same price or look for better alternatives in the 21st century. That is the real question before us.

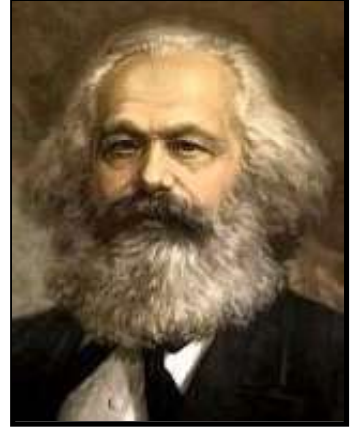
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On Birth Anniversary of Karl Marx

Practice Marxism ; Advance Revolution

May 5 is the Birthday of Karl Heinrich Marx who along with his illustrious friend, Fredrick Engels founded scientific socialism. Communists and the working class world over observe the day to renew their resolve to advance on the path of elimination of exploitation of man by man i.e. class oppression. Marx and Engels' doctrine laid the basis of advancing towards communism, class less and stateless society. Totality of their views, i.e. Marxism, provides the basis of theory and programme of the communist parties all over the world. They formulated the basic principles of dialectical materialism and its application to historical analysis i.e. historical materialism. Marx contributed to the study of political economy showing the basic inherent characteristics of capitalism and the historical place that it has in transition to classless society. He advanced Political economy beyond Ricardo and made it a powerful tool in the armory of working class in its struggle against capitalism and reaction. Marx and Engels developed the doctrine of socialism, laid bare the fallacies of utopian socialism of Nineteenth Century and identified working class as the grave diggers of capitalism. They laid the theoretical basis for the working class movement to march towards its goal of ending exploitation and oppression, gave a definite programme and shape to the spectre that was haunting



Europe, the spectre of communism. Marxism i.e. totality of the views of Marx and Engels, is well known to the revolutionary ranks.

This May 5 has come nearly 172 years after the publication of Communist Manifesto and 153 years after the publication of the First Volume of the principal work of Karl Marx, Capital. Analysis of the basic tendencies of capitalism and its contradictions has stood the test of time. Every time the capitalist crisis deepens, people look upto Marx and his Capital to understand it. This abiding interest testifies to the correctness of the analysis of Marx.

But Marx was not merely an analyst, he was basically a revolutionary. His whole work was dedicated to overthrowing capitalism and building socialism and communism. This entailed overthrow of Capitalism by working class and establishing dictatorship of proletariat as a transition between capitalism and communism. This revolution involved a basic rupture of property relations, no wonder his work invited and continues to invite hostility of the propertied classes of society. They resorted to all sorts of tricks – from killing through silence to open hostility to Marx’s work.

The last nearly century and a half of the experience of Marx’s teachings guiding the revolutionary movement of working class, is full of attacks against Marxism both from without and as well as from within. Bourgeoisie and its representatives attacked Marx. They repeatedly claimed to have negated Marx and annihilated his system. And yet Marxism continued its spread among the working class of Europe becoming a dominant force in the working class movement by the turn of Nineteenth century. Since then the attempt to refute Marxism through open attacks were supplemented by attacks from within the working class movement.

Knowing the hold Marxism had come to acquire on the working class, representatives of the bourgeoisie started their attack from the general ground of Marxism, undermining its revolutionary essence, adapting it to capitalism, making it acceptable to the bourgeoisie. This trend was called revisionism as it sought to revise the revolutionary essence of Marx's views. Lenin had opened his famous book *The State and Revolution* with these remarks, "What is now happening to Marx's theory has, in the course of history, happened repeatedly to the theories of revolutionary thinkers and leaders of oppressed classes fighting for emancipation. Today, the bourgeoisie and the opportunists within the labour movement concur in the doctoring of Marxism. They omit, obscure, or distort the revolutionary side of this theory, its revolutionary soul. They bring to the foreground and extol what is or seems acceptable to the bourgeoisie. All the social chauvinists are now "Marxists" (don't laugh!)." Their attempts to be seen as Marxists may be laughable but the damage done by them to Marxism and the working class movement has been immense and continues to be so. Revisionism has undermined the socialist states of erstwhile Soviet Union and later China which is being daily used to attack Marxism, socialism and working class movement and has been the fodder of the anti-communism of the imperialists and reactionaries the world over. Red forts were taken over from within. It was the capture by the revisionists of the leadership of the Communist Parties in these countries which changed the colour of these countries from socialism to capitalism. They withstood encirclements, subversions and even military attacks but fell to the Trojan horses from within; these Trojan horses aided by Reactionaries world over, are bred and nurtured in the class struggle which continues in socialist society.

However, their work is not over and cannot be over in a class society. Revisionists continue to attack and undermine the revolutionary side of Marx's theory and make it adapted to the reactionary state. This is doubly harmful to the revolutionary movement. On the one hand, revisionists continue to mislead and divert the struggle of the working people away from the revolutionary overthrow of the reactionary system, trying to channelize the anger of the people particularly of the working class, into parliamentary channels, and attempting to isolate revolutionaries among the toiling people. This is besides the open and ruthless suppression of communist revolutionaries by them when they are in power. On the other hand, their betrayal of working class and progressive movement is used to attack the working class movement as a whole. Marxism is attacked with revolutionary Marxism as the real target, using the deeds of these formal Marxists. These trends are well established in our country. Thus ruling classes employ their revisionist servitors both as their agents in the working class movement as well as the ostensible targets to attack Marxism. This to Revisionists is, after all, a small price for the privileges they are proffered while trying to enjoy prestige of the Left.

Revisionist caricature of Marxism has been a most serious attack on revolutionary Marxism after it had gripped the working classes i.e. become a material force. It continues to be so as the contradictions of the system gets aggravated to an unprecedented degree and decadence of the system is on open display. Deteriorating conditions of working masses and lengthening lines of unemployed, increasing hunger, illnesses and destitution and ever deepening crisis is leading to ever rising attacks against the working people. Attacks on the rights won through brave struggles call, with

increasing urgency, for revolutionary reordering of society. Sensing this danger and in face of rising disaffection of the people, ruling classes are attacking the existing rights including the democratic rights of the people. The hitherto existing democratic framework is under attack and fascist forces are on the rise. The present situation with all its challenges continues to underscore the need to fight against revisionist distortion of Marxism.

Marx and Engels always called their teachings as guide to action. They were revolutionaries and directed all their energies towards that end. Marxism is not a *mantra* to be chanted as many times a day as one's faith would summon. It is a science to be applied to correctly understand the present society and to understand how to change it. Further Marxism enjoins not to stop there but move ahead to change it; after all the "whole point is to change it." It is this practice of changing the society that tests our analysis of it, the practice providing the test of theory and furthering enriching it in the process. Class struggle is the arena of test for the science of Marxism. As Engels would often say *Truth of the pudding is in eating*. It was in the course of the practice of revolution, trying to understand the contemporary reality and changing it through revolution that Marxism developed to the stage of Marxism-Leninism. Basing himself on teachings of Marx and applying them to analyze Imperialism, the moribund stage of capitalism, then taking hold, Lenin developed Marxism to a higher stage which was called Marxism of the era of Imperialism and Proletarian Revolution. It was further developed in the course of revolution in China and particularly in struggle against attempts at capitalist restoration by Revisionists, to the stage of Marxism-Leninism-Mao Zedong Thought. These developments defended and developed Marxism, defended its revolutionary essence and

developed it in an all-around way. Teachings of Marx are no dogma, nor Marx solved nor claimed to solve all the problems facing society for all time. He along with Engels laid the basic framework of a revolutionary doctrine which can guide revolutionaries to action. Marxism is no finished product having solved all the problems facing humanity for all times, it is the science of proletarian revolution and through this of building socialism and communism.

Marxism is a science and Science fears no debate. This was asserted by the Communist Party of China during the Great Debate. We should take this as our guide. Through victories and defeats, ups and downs of the revolutionary movement, various tasks emerge, some becoming more pressing at different times but the nature of Science does not change. In the present situation of all-around attacks against Marxism by Reactionaries and Revisionists, it is all the more necessary to uphold and defend revolutionary Marxism. One can defend Marxism only while practicing it. There can be no idle defense.

Marx 202th Birth Anniversary is coming at a time when the whole world is facing the Corona pandemic, when this pandemic is being used by big bourgeoisie and reactionaries to further their reactionary agenda and to launch further attacks on the working class and other sections of toiling masses. However, this present situation is also witnessing further sharpening of contradictions of the present imperialist system. While working people are facing sharp attacks, this situation has also demonstrated firstly, the inability of the present system to even meet the minimum health needs of the people and secondly it has shown the utter bankruptcy of the neo-liberal prescriptions of the present drive of capital. This will also affect and condition the contours of imperialist globalization. These cannot but have profound effect on the

situation and struggles of the people. People are openly criticizing capitalist production for profit. People are also seeing the abysmal state of health care in the developed capitalist countries and how these have further suffered under neo-liberalism. The present crisis has also refuted the claims that 'scientific and technological revolution' has helped imperialism ward off its crisis and has reaffirmed Marx analysis of the crisis-ridden nature of capitalism.

The world is today facing a crisis which is apparently rooted in a health issue. While capitalist imperialism was dangerous to the health of the world people, it has openly and shamelessly demonstrated its ugly nature. And none too soon! Teachings of Marx have illuminated the path of those struggling against capitalism, imperialism and other reactionary classes and continue to do so. Those who claimed to know everything and claimed to have sorted out everything, are begging before Science to save society, obviously they want Science in the hope that it will save their system. But Marxism is a science of changing society, of overthrowing the reactionary rule, through class struggle. This obviously affects interests of classes. Hence, we see and continue to see attempts to refute it.

On Marx's Birth Anniversary we reiterate our resolve to be steadfast in advancing the revolutionary movement; to uphold the ideological purity and revolutionary essence of teachings of Marx; to unswervingly practice Marxism and repel all attacks against Marxism. History is on our side. The notion that capitalism can be reformed and made pro-people has been once again dispelled. Decadence of the system and its utter bankruptcy is on open display. Grave diggers of the system have to sharpen their resolve and the tools.

Central Committee, CPI(ML)-New Democracy

IFTU (AP) State Committee Statement

On Vishakhapatnam Industrial Gas Leak

- LG POLYMERS FACTORY, RESPONSIBLE FOR DISASTROUS GAS LEAK, SHOULD BE WOUND-UP IMMEDIATELY.
- COMPENSATION IN FINANCIAL TERMS IS NOT A SOLUTION TO LOSS OF HUMAN LIFE, BECAUSE IT IS A SOCIAL ISSUE.
- DEMAND CONSTITUTION OF A JUDICIAL ENQUIRY COMMITTEE TO FIND OUT REASONS FOR PRESENT DISASTROUS LEAK.
- THE EXPERTS COMMITTEE SHOULD BE CONSTITUTED IMMEDIATELY TO STUDY & FIND OUT SUCH INDUSTRIES WITH A VIEW TO WIND THEM UP OR ENSURE THEY VACATE RESIDENTIAL AREAS.
- IT IS NOT ONLY NEGLIGENCE OF FACTORY MANAGEMENT, IT' IS A SIGN OF INDUSTRIAL TERRORISM.
- ALL INDUSTRIES AND FACTORIES SHOULD BE SCRUTINISED BY CONCERNED AUTHORITIES PRIOR TO REOPENING AFTER LONG LOCK DOWN, WITH A VIEW TO AVOID SUCH ACCIDENTS/ INCIDENTS.

A very big industrial accident took place today i.e. 7-5-2020 in Vishakhapatnam i.e. VIZAG, AP, which resulted in loss of 11 human lives till now. The name of the said factory is LG Polymers India Ltd., which produces raw material for synthetic products. It is

wholly owned by a South Korean Company. The gas leak incident took place in the early hours, between 2 am to 3 am today. The poisonous gas called is called Styrene. It got leaked and spread fast to surrounding areas, which are highly populated. The people were affected seriously. Thousands of people had started to run from their homes at the time of sun rise and even before. Hundreds of people became unconscious and later were admitted in hospitals. It was initially announced that the gas affected up to a radius of 3 km. But later, this radius was extended to 5km and more.

Actually, this factory was closed during the lock down period. After, Central Govt's exemptions, it was reopened. The usual practice of maintenance, which is to be undertaken prior to reopening, was going on. As we know, except a handful of concerned workers, the general workmen have not joined duties yet. So, a major loss of lives of workers was avoided.

Since more than two decades, North Andhra, particularly the Sea shore area of Bay of Bengal covering the districts of SRIKAKULAM, VIZIANAGARAM & VIZAG, is becoming a dumping yard of chemicals with highly polluting industries coming up. The pharma and other chemical industries have been established in a big way at cost of lives of peasants, agrarian coolies, fishermen, tribals & slum dwellers. Due to this, industrial accidents have become a common trend. In recent years, in AUROBINDO PHARMA, DAVIES PHARMA, NAGARJUNA FERTILISER COMPANY, to give a few examples, such major industrial disastrous accidents have occurred.

Almost all Trade Unions have raised their voices against such happenings. But their response has not been consistent nor united. IFTU played a very active role, mainly in Aurobindo Pharma Co.

limited and Nagarjuna Fertiliser Co. There is a strong opinion in the minds of people of concerned affected areas, that a united movement should be built against such big industries; to force vacation of those hazardous units from there.

The Chief Minister of AP visited Vizag today (*May 7*). On the occasion of his visit, he announced that Rs. one crore will be given to the family of every deceased person. It is being propagated that it is very big amount. But AP State Committee of IFTU strongly feels that the amount of compensation is not the answer to the issue. It is a social issue. It is a sign of industrial terrorism. Such problem shouldn't be avoided or averted through payment of money. The quantity of compensation is not the main issue. The quality of the industrial disaster is a real problem. So AP State Committee of IFTU is urging that the entire issue is dealt comprehensively so that such incidents or accidents shouldn't be repeated.

Since years together, there are vacancies in Labour department and Factory Inspection departments. No recruitment is taking place in said vacancies. The state of Pollution Boards is also the same. All the govts since decades are continuing this policy in a conscious way. They are serving corporate companies in a naked way. Soon after such type of industrial disasters takes place, every govt. puts up a big show and does much drama. Yes, this story of compensation has come on stage to play the same game once again. It is a part of the game or drama.

AP IFTU state committee condemns this. We are raising following demands:

1-The First task of state and central govts is to wind up the said LG polymers company, which is located in a highly populated area.

2-A Judicial Enquiry should be constituted immediately with sitting judges to find out reasons for this incident. This enquiry should be completed within 3 months.

3-One Experts' committee should be constituted immediately to study and find such industries in all industrial areas all over the state, mainly in Vizag, the industrial capital of new AP. The aim is to remove such industries from residential areas.

4-All industries should be scrutinized by concerned authorities to avoid such incidents or accidents, prior to reopening after long closure due to lock down.

5-The vacancies should be filled immediately basing on requirements in Labour department and Factories department and also pollution control board.

6-Brainstorming should be undertaken in society to make this issue a main agenda, through all party meetings, special Assembly meeting. All Trade unions should be taken into consultation to discuss it.

We hope that AP govt as well as Central govt. will take all measures to fulfill the above-listed justified demands. We resolve to act on war footing to build a movement in this direction.

(This Statement was issued by P. Prasad, President and K. Polari, General Secretary of AP State Committee of INDIAN FEDERATION OF TRADE UNIONS (IFTU) on 7.5. 2020 from VIJAYAWADA, AP)

[In the early hours before sunrise on the 7th of May, gas burst out of LG Polymers, a plastic manufacturing unit on the outskirts of Vishakhapatnam. This is a wholly unit of a South Korean MNC. The incident immediately evoked memories of the Bhopal Gas tragedy.

The company is situated on ceiling surplus land and has been involved in litigation against the Govt. It functioned without environmental clearance till 2019. The same year it was given permission for expansion though it is situated in a densely populated area. Closed following lockdown, the company was given permission to work at a time when only essential work was being restarted; the manufacture of plastic is not essential production. It undertook cleaning in the middle of the night, reportedly no technical person was present and only ordinary workers. An alarm which is supposedly installed to indicate leak did not ring. There is no antidote to the gas but still adequate precaution was not taken in storing it. 5 villages were evacuated, hundreds reached hospitals and as many fell unconscious, while the 11 dead by noon included 3 children. It is clear that connivance of Govts and pollution boards are inherent for the flourishing of such careless practices in potentially dangerous manufacture in highly populated areas. Interestingly, the same day came the announcement of state Govts of several BJP ruled states that they were suspending labour laws including the Factory Act for 1000 days.

Protests are being held for the closure of the plant. Hundreds of local residents entered the plant and demonstrated to demand its closure. On May 11, Progressive Organization of Women (POW) and MNSS held protest demonstrations at five city junctions in Vishakhapatnam and a dharna at MRO office demanding arrest of the promoters and permanent closure of LG polymers.]

Making Bharat Ayushman – A Response

Dr. Vikas Bajpai

I was just wondering if we still remember the story of little Avinash, the 7year old boy who died of dengue on 8th September 2015 after he was refused treatment by five private hospitals of Delhi – Max hospital Saket, Moolchand Khairatiram hospital at Lajpat Nagar, Aakash hospital, Saket City hospital and Irene hospital at Kalkaji. Unable to bear the loss of their son, Avinash’s parents, who were natives of Odisha, ended their lives the following day by jumping from a four-story building in Lado Sarai in South Delhi.

2015 was an exceptional year, for the surge in dengue and chikungunya cases in Delhi, and Avinash’s was just one story of its kind. Five years old Aman was to die barely a week later on 15 September, after being turned away by four top hospitals of Delhi, of which three were private – Max Saket, Moolchand Khairatiram and Batra. The fourth was the Central government run Safdarjang Hospital, which had turned the child away in the first instance, ignoring the dengue positive report issued by a private hospital, simply because the symptoms at that point in time were mild.

In a routine by the leaders, that has now started appearing so well rehearsed whenever such unsavory news appears in the media, the Delhi Chief Minister, Arvind Kejriwal conducted a surprise visit of the hospitals and stated:

“It is heart breaking. We have become blind in the race to make more and more profit. We shouldn’t forget our humanity. Nothing would have been lost if the hospital had treated the child. Would it have affected their profit margin so much”?

Alas! Just how one wishes that those who place such high hopes upon profit sharks to sub-serve public interests, especially when it involves saving precious human lives, would stop propagating the myth of ‘corporate social responsibility’, for the truth is tempered in harsher realities of the real world. It is in this context that we need place the article ‘Making Bharat Ayushman’ by Dr Indu Bhushan, the CEO of AB PM-JAY (Ayushman Bharat - Pradhanmantri – Jan Aarogya Yojna), published in the editorial columns of Indian Express on 16 April 2020.

In the article it has been argued - “Both the public and the private sector need to work in tandem in responding to the large-scale epidemics. In the COVID-19 response in India, the private sector – which includes for profit and the not for profit segments – has to play an even more important role, as it is the dominant provider of health care in the country. The NSSO 71st round data on social consumption of health show that private hospitals, clinics and nursing homes provide over 70 percent of health care.”

It is further stated – “During the current crisis, activities of the private health sector should be the core of national health efforts. Private hospitals with adequate infrastructure will need to convert to COVID-19 only hospitals. This process will, of course, have to be steered by the government through a clear policy framework of designated hospitals, reporting and referral systems and an appropriate payment system.” It is stated that the experience of implementation of AB PM-JAY can serve as a

template for implementing all of this. But the million-dollar question is, do the facts on ground back up such exuberance?

Let us begin by taking on board the harsher realities from the 71st NSSO round regarding health care scenario in India, which failed to garner Dr. Bhushan's attention. In 2014 as high as 86 percent and 82 percent of the rural and urban population respectively, was not covered under any scheme of health expenditure support. It is not that there was any dearth of publicly funded health insurance schemes for the poor in 2014. AB PM-JAY is but an amalgamation of all such schemes, except for the states of Delhi, Odisha and Telangana, which opted out of PM-JAY. Much of the drum beating about coverage under health insurance schemes notwithstanding, until 2017-18 (75th NSSO round) the coverage in urban India had increased by a measly 1.1 percent, while that in rural areas remained stagnant. What is even more revealing about the efficacy of 'insurance based model of health care', which also goes by the euphemism of 'Managed Care', is that in 2014 barely 2.9 percent of all hospitalization cases in India received part or full reimbursement for the expenditure incurred on treatment. But then the truth would hardly be fully stated unless we were appraised that in 2014 the average expenditure on hospitalization in a private hospital was around four times that incurred in a public facility, for both rural and urban India.

One may still consider it to be a respite if things stopped at just this. But a realistic assessment of the situation demands seeing truth in its face. As per a 2010 study conducted by Mehta et.al, of the total hospital beds in India 833,000 and 540,000 were in the private and the public health sectors respectively. Of these beds, 30 percent and 50 percent were non-functional in the private and public sectors respectively. Of the total beds in either sector 70

percent and 60 percent beds in the private and public sectors respectively were located in just the top 20 cities of the country. Additionally, as per 'Rural Health Statistics 2018-19' there were a total of 29,799 allopathic doctors (inclusive of 3072 dental surgeons) serving a rural population of 941 million in 2019, amounting to a ratio of 1 allopathic doctor (including dental surgeons, whose suitability to deal with chest infections could be anybody's guess) per 31,577 rural population. By comparison, as per American Medical Association data there were 51,447 Indian Medical Graduates serving in the US in 2010.

These facts amply bear out that seeking of medical care from private sector, for majority of Indians, is not a matter of choice, as seems to be made out by Dr. Bhushan, but a matter of compulsion imposed by withering away of the public health sector in the country as a matter of policy. Private sector's commitment to public cause, including at the time of public health emergencies (dengue and chickengunia epidemic in Delhi cited above) is only too well known to bear repetition here. Worse still, this phenomenon is policy driven. The National Health Policy (NHP), 2017 asserts - "The Government has invested heavily in the last 25 years in building a positive economic climate for the healthcare industry." The earlier Draft NHP of 2015 went to the extent of stating - "Given that the private sector operates within the logic of the market and that they contribute to the economy through their contribution to the growth rate and by the national earnings from medical tourism, there need not be any major effort to persuade them to care for the poor"

The fact that recent order of Supreme Court asking the private labs to do free testing of the people for corona virus was reversed in matter of days, in line with the demands of private labs,

further illustrates the point that sense of ‘service to the people’ cannot be invoked through a host of juridical/bureaucratic switches. It is a commitment that is cultivated through social and institutional mechanisms structured and guided by a pro-people politics over the years.

There can hardly be a censure on anyone’s wishful thinking. Barring United States, let one example be cited where the charge against COVID has been led by private health sector. U.S has no option because its corporate model of ‘Managed Care’ gobbled up their public and not for profit health sector long back, and the result is there for everyone to see. The self-anointed ‘Vishwa-Gurus’ of India, it seems, wouldn’t settle for anything less either. Meanwhile, for the rest of us, there’d be a lot to learn from the following quote on the ethics of Catholic Hospitals by a Wall Street investment advisor involved in the buyouts of hospitals and health care companies - ‘The Catholic mission (*of charity and service*) I don’t think is doable right now. Health care is becoming a business They’re not really willing to make tough choices today’s well-managed hospitals have to make. If Catholic hospitals were answerable to shareholders or investors, they would be forced to make the hard choices and would be run more efficiently” (from the book – ‘The Ethics of Managed Care: A Pragmatic Approach’, page 25).

The Globetrotters may well have brought COVID to India by importation, but let there be no doubt that it is the poor who are facing, and shall continue to face the worst of it. Whether saving their lives is part of ‘Managed Care Efficiency’ is anybody’s guess.



India's Covid Mess

Heightened Fear, Curtailed Freedom, Improper Precautions, Failed Welfare, Disowned Migrants, Ruined Small Economy, In Service of MNCs and Corporate, Landlords and Mafia

Embolden the People to 'Fight the War', Open Economy to Allow them to Survive

Ashish Mital

People in the country want safety from Corona and they want to get on with life. But the govt. has other plans. It is selectively visiting the 'reopening options' and re-imposing restrictions to suit its purpose. For a long time, it had failed to appraise the threat of the virus and its leader had 'carefully' chosen a single day's solution to the problem. Later he panicked and entangled society in a web of fear to enforce and repeatedly extend a complete and prolonged lock down. Now the Govt. is craftily using the fear of increasing spread to regulate the reopening, to suit its aim and severely curtail peoples' freedom, in fact impose several new, unprecedented restrictions. Its design is to serve the Corporate and MNCs and allow sway of big landlords and mafia over the hinterland and limit the options for the people. From the beginning its plan to tackle Corona Epidemic has neither been based on proper scientific evaluation, nor on a pro-people approach.

How good has the Lock Down been ?

The Govt. claims it was timely and a success and it prevented many more ('one lakh') cases and deaths from happening. It has said that the doubling time of cases has increased from 3 days to 12 days, daily growth rate dipped to 6%. Lock downs do reduce the contagiousness, i.e. the RO rates come down. One report said that in India it fell from 2.8 to 1.3. But is that really saying much? It only reasserts that with opening up there will be a flare up. How is this to be tackled? Does the Govt. have a plan?

Niti Ayog member, Dr VK Paul claimed on April 24th that India would hit its peak by May 3, with a little above 1500 new cases, and the decline after that would see zero cases on May 16. His claim has proved to be absolutely off the mark, but there is no effort to accept that. Experts had earlier spoken of a second wave and another peak in September and Paul himself had stated that June-July will test our resolve. These claims have been based on hope and not scientific reasoning. Hence, only short-term targets have been set.

What was the Hope and what was the plan ?

The hope was that by completely locking down peoples' lives, the virus also will get locked up and possibly die out in the summer. Fall in human interaction slowed the spread, but still the virus found escape routes and continues to spread faster. Experts who had initially said that you cannot lock down the virus were frowned upon. The plan was to spread panic to justify the lock down and to magnify the praise when the virus dies down. The first part succeeded. People are petrified. The second has failed miserably. There are sections within the govt. and the people, particularly those not under pressure to earn daily, amongst the haves, who are putting pressure to reinforcing the closure. That has been happening with small shops, with common markets, with small

industries, with local transport, with courts of law. Repeatedly, announcements of opening up are made and withdrawn. Now where do we stand?

‘Spotless’ Planning?

In order to prove that the planning has been spotless and the govt. was in complete control, data comparison has been done with EU and US, where infection rates range between 2 to 5 thousand per million population. There is no attempt to even compare the data from our neighbours who share similar geographical and socio-economic factors and epidemiology. When India registered 56,351 cases, Pakistan had 25,831 and Bangladesh 12,425, Srilanka 824 and Nepal 101. Of these Pakistan, Bangladesh and Srilanka imposed only partial lockdown with fewer restrictions on movement and transport. Compared to ours their economic activities, industry, transport, continued to operate. The infection rates of all these countries is quite low and much more comparable to India’s as compared to EU and USA. It is 102 per million population in Pakistan, 70 in Bangladesh, 35 in Srilanka and 36 in India. These differences are relatively minor and involve several factors like varying efficiency in identification, different levels of testing in the population, varying levels of lock downs, etc. But yes, these are all about 50 to 100 times below EU and US figures, which is statistically very significant, though not for Modi Sarkar.

Factors in Corona spread not paid heed to:

The broad pattern apparent is that it has spread more in developed countries, mainly linked to higher international travel, initially from China and later on Italy and others, in those countries having colder climates, from centres involving closed door long duration mass gatherings and activity and not in the open and rural

areas, etc. Respiratory viruses, particularly Corona which spreads mainly by droplet infections, spread through prolonged contact in closed rooms. Greater air flow, open windows, even a gentle breeze, fewer people in the rooms, standing away from each other, decrease the viral concentration and chances of infection. This is all text-book teaching, has been repeatedly asserted by many, just short of being able to penetrate deaf ears.

Only recently a news report in the IE, May 7, 2020, disclosed that 14 studies conducted in 9 countries revealed that closed spaces like work halls and restaurants are super conducting environments while schools are not. Congested living spaces increase the rate of spread. Open air and ventilation are important aspects for prevention. One study reported in the reputed medical journal Lancet has said that “close contact over a prolonged period and in closed congregation” increases the spread and population density plays an important role.

In poorer countries, living in congested slums, poor hygiene and poor nutrition are known factors facilitating spread and disease. Ironically, this aspect of open air has been asserted also, even by Govt. experts, the AIIMS Director, the WHO Deputy Director General and others. Also, in almost all hospital OPDs and wards, Corona care is being done in rooms (wards) with open windows and fans running, rather than ACs. Several hospitals have shifted their screening OPDs outside the main buildings into open tents for this reason. But then why has the Govt. not taken this factor into account to plan opening up of the economy with necessary precautions? Are we to wait indefinitely? Why are the Govt. declarations and actions continuously fuelling the fear that opening up will bring disaster, rather than inspire confidence, disclose an effective plan and involve and embolden the people unitedly in this

war? If people are not given confidence and they remain in fear, how will the economy ever open? Is this a war to be fought by a population of frightened warriors?

There are other related questions. Why has the Govt. not declared the class, caste, socio economic data of the persons so far inflicted, in order to give us a better understanding of the epidemiological factors of the spread of this virus? May be the RO of Corona varies across different sub-sections of people, of those living in open airy rural areas, those living in congested slums, those living in air-conditioned closed luxury apartments, those belonging to different faiths and castes. May be that could have helped to make a better plan of action for selected sections of populations and selecting sectors to be opened.

Words of Wisdom:

Recently Prof JP Muliylil and George Thomas reiterated in an article that “The best evidence that SARS-Cov-2 is able to induce protective anti body production in humans comes from the observation that most people get rid of the virus without the help of any medicines”. They felt that “If the lockdown is continued in the way it is now being done, it will decimate the poor”.

An important factor is that the severity of disease in individuals is directly linked to the inoculum dose, that is viral load received initially. Higher the dose, more serious is the infection. Lower the dose less serious the infection and more persons develop subclinical infections. This means more people get infected without getting the disease and immunity is wider.

Neither is this virus a ghost because of which people need to be frightened and go into hiding as the officials are making it out to be, nor can it be frightened away by exorcising, as religious bigots claim.

Neither *thalis* will work, nor showering of petals. The principle involved is to institute measures which will reduce the transmission from one infected person to others. This can be done to a great extent by the precautionary measures. It is these measures that should have principally determined policy preparation. It is not true that lock down was the only way to reduce the RO.

These measures include what has been reiterated by several persons, keep the aged and diseased indoors; rally the young and healthy to implement the precautions and to run the economy; involve people, stop blaming and targeting them; promote use of masks, physical distancing, regular hand washing and sanitizers; permit and promote all open air, non-AC gatherings and activities while banning use of ACs in mass gatherings; decongest slums and congested housing; decongest jails; promote green cover for better environment; conduct surveys, trace patients and contacts, test all suspects and isolate only Corona positives for 14 days and suspects only till results of tests get known; regularize and improve existing govt. health care. In India over all death rates would be seriously reduced if health care, hygiene and nutrition are improved and this Covid 19 crisis could well have been utilized for this noble achievement.

Of Corona deaths in developed countries with better health care, more than 76.8% deaths in USA over are of people above 65 years of age or those with co-morbidities. In Italy 90% deaths are of those above 60 years and 80% of those above 70 years. In UK 92% deaths are above 60 years. India is one of the few countries where half of the deaths due to Corona are of younger people, possibly due to poor nutrition and health care. Apart from Corona, there are large numbers of others avoidable deaths due to the lock down and in all age groups.

Timing is Vital:

Corona is not a short term, but a 'progressive epidemic'. It will continue. The best time to allow spread and immunity to develop was to permit infections in this hot weather, not so congenial for Corona, when viral loads are likely to be small, transmission is likely to be relatively slow and people remain largely outdoors. This lower viral load transmission could have allowed significant herd immunity, which be better than any other measure we have at hand. We could then also prevent a massive upsurge during winter which is the best time for Corona to breed and spread amongst people locked indoors. Just like Dengue and Japanese Encephalitis have propensity to spread during rains and after, it appears Corona has better affinity to winter. The present approach will leave us to possibly face a horrendous winter, unless, what is unlikely, Corona itself decides to change course.

Discrimination, highhandedness and changing to opening up mode:

By repeatedly enforcing stringent checks on activities instead of allowing them with precautions, the govt. is allowing itself to be in a permanent mode of lock down. For the economy to run all necessary, vital sectors like transport, production, markets have to be given freedom. That is not being done as the 'people' do not listen. One must address this concern. Why do people not listen?

One factor is that in implementing the lock down, surveys, testing, home isolation or quarantine and implementing preventive measures, the role of the state machinery and police is both discriminatory and highhanded. Cases are not treated sympathetically as victims of infection. They, their relatives, neighbours are threatened with lodging of cases, fines, seizure of

vehicles, arrests, because the thrust is “anyone violating the directives shall be booked as per law”. Whatever the appeal, people refrain from even reporting symptoms, cases remain mostly hidden and people try to escape police attention, they do not listen.

Secondly, precautionary measures have been treated lightly. Initially masks were not insisted on. Then its importance was presented lightly, promoting *gamchas*. Political activities of interest to BJP like MP govt. oath and *Ram Lala pooja* were allowed while locking down other gatherings. Even now RSS cadres freely move around distributing food packets, making contact while such distributions by others and other gatherings are prevented.

Thirdly different standards have been adopted in allowing people to return to their homes, isolating and quarantining them, as in case of students and workers. Students were sent home immediately on return after medical examination, workers were kept in ill provided shelters, despite having no symptoms. They were penalized for disobeying. Similarly, in UP Muslims have been targeted and propagated against. Also, in villages, examples are of upper caste migrants being allowed to go home while asking others to be in isolation for 14 days.

Embedded in the mind of state machinery and supporters of Govt. plan is that there is no alternative to this plan. Every new flash point activates the lock down mode with its caste, class, communal outlook.

What wrong is being done:

People are facing several serious problems which should have been solved. Hordes are stuck in metropolises and industrial centres without food, wages, earning, livelihood and shelter; their right to return is being denied; migrants are walking and dying;

peasants have suffered poor harvest and poorer prices of harvest with the govt procurement found wanting; the poor living in *bastis* and villages are hungry, children are starving, dying; the sick are not being cared for; there is no transport, no proper mechanism for complaining; promised ration, MGNREGA jobs and payments in the relief package have not been given; It is in human nature to make effort to give food and water even to animals, but not so in that of our rulers.

The industry, particularly MSMEs, were to be opened partially, but without regular transport, orders, labour, cash reserves, they did not open and cannot open up, despite the so called Govt. sanctioned money. It had left the industries to pay the workmen for the lockdown period, knowing very well that none will pay. The Govt. has noted that largesse given in 2008 was mainly cornered by few large industrial groups. Yet it has decided to promote sectors like real estate, construction projects, aviation, airlines, hospitality, automobiles, highways, consumer durables, textiles and banking. It is repeatedly harping on attracting migration of MNC investments in China to India. Small shops, small businesses could have been allowed to open from the very beginning. But they are still at standstill.

Recently govt. has announced plans to promote eNAMs and biotechnology to 'help' farmers, while these will help MNCs and big traders. Promotion of foreign investments will mean more control over resources, more monopoly over markets, more govt. expenditure on their infrastructure and several other measures which will increase their profits. All this will be at the cost of the people. The Govt. has decided to adopt a more 'proactive approach' to 'handhold' the investors, not the people of India or its small producers.

What needs to be done right:

India is facing a rather grim situation. 68.6 % of India lives in rural areas, as per the 2011 census. About 14 crore Indians work as migrant labour in cities. About 2.8 crore Indians live abroad to earn. Several from these sections are bound to return to their native places. As the economy sinks and the crisis increases the pressure on villages is bound to increase. All indications are that all sectors of industry and services are set to have negative growth. The govt. still expects agriculture to grow at 3%. If India is to survive, it must give up its idea of 'Make in India' and sell abroad. There are no markets abroad and Corona will further jolt Globalization, with major economies looking to adopt protectionism.

What India needs is to address the problem of developing its internal markets, i.e. it needs to increase the purchasing power of its people and invest public funds in sectors which serve this interest. The Govt. must therefore, apart from providing full and proper welfare of work and food to help people to tide over the crisis period, itself invest heavily in housing sector for villages and city poor, civic facilities in these areas, development of schooling, colleges, computer, technical and higher education in rural areas, health care facility at door step in villages, provision of free electricity with roof top solar panels, development of manufacturing, food processing and dairies in villages with financial and technical help from the govt., completely ban operation of MNCs in Retail trade, e-trading and food processing, develop pro peasant facilities of irrigation like deep excavated ponds and canals, rural roads and other agricultural infrastructure, massive increase in green cover to improve the open air environment, drastically reduce prices of diesel, develop rural based home delivery structure and services from rural shops, etc. That will create several crore jobs and solve the problems of food

and work. Most people are advocating MGNREGA work to all. This emphasis is sketchy. The village development targets under MGNREGA are too scanty. Policy change in planning is needed. The policy of corporate and MNC development will have to be sacrificed, or else the people of India will be left facing a terrible crisis of existence and survival.

As the failure to provide for peoples' survival intensifies and as their misery rises, the pressure to reopen is increasing. As the world markets begin functioning, the Indian Corporate too are getting restless. The big landlords and village toughs are having a field day, as rural life remains in its slow mode, scope for pilferage of govt. welfare is around and poor and landless peasant dependence on them for food and loans is increasing. With fascist repression rising, it is an extremely challenging situation for the working and patriotic people of the country. This situation is going to see vast multitudes of people deprived of their right to food, right to survive and rights over natural environment, land, rivers, minerals, forests. It remains a challenge for the revolutionaries on how to best utilize these conditions.



On AP Tribal Reservation Case

On April 22, 2020 Supreme Court delivered a judgement which has dealt a serious blow to the reservation for STs and SCs as well as to the concept of self-rule even to the extent incorporated in the Constitution of India. This judgement in *Chebrolu Leela Prasad & Ors vs. State of A.P. & Ors.* Is related to appointment of teachers in the schools in Schedule V tribal areas i.e. areas covered under Schedule V of the Constitution. While delivering the judgement a five judges' bench presided over by Justice Arun Mishra interpreted the provisions of the Constitution dealing with scope of Schedule V and Article 16 of the Constitution dealing with reservation in jobs. And in both the respects the judgement goes not only against the interests of tribals, one of the most exploited, oppressed and neglected sections of Indian society, but also marks regression of the judicial interpretation of the provisions relating to scope of rights under Schedule V and Article 16 of the Constitution on reservation for socially backward classes. Without dealing with the issues at heart of the matter, the judgement goes into areas which are neither relevant nor germane to the issue up for decision. This judicial meandering however, has serious implications for the oppressed and exploited sections who had won these rights through struggle and these rights have been under continuous attack at the behest of ruling class institutions including the apex Court.

In fact, the institutions, inherited from colonial era, which were handed over the responsibility of interpreting and enforcing the Constitution did not embrace the principles underlying these provisions particularly those relating to the rights of the people

crystallized in the course of struggle of the people against British colonial rule. Hence, the implementation has been tardy and higher judiciary has been mostly an obstacle on the issues which pertained to the rights of oppressed and exploited ranging from land reforms to reservation and special provisions. Obviously higher judiciary has not been alone but has only articulated the vision of the elite sections of society, standing up when there has been conflict among those sections and caving in when these were united. Interpretation of the Constitution too has been subject to such social conflicts, reflecting them and being influenced by them; mostly standing for the social reactionaries and economic affluents whom this system serves and from whom the managers of the system including judiciary are drawn. This obvious fact was noted by Justice Krishna Iyer, “... the fluctuating fortunes of fundamental rights, when the proletariat and the proprietorist have asserted them in Court, partially provoke sociological research and hesitantly project the Cardozo thesis of sub-conscious forces in judicial noesis ...” One only needs to add that sub-conscious forces too are a product of interplay of social contradictions mediated through their political expression thus making the border between sub-conscious and conscious itself a subject of study.

It is also pertinent to note that this judgement has been delivered breaching the judicial quarantine self-imposed by higher judiciary, making the quarantine selective. When the Court is not finding any time to deal with most urgent matters relating to fundamental rights nor are the unmitigated sufferings and inhuman treatment of migrant workers able to enter the judicial conscience, the apex Court bench has found it opportune to deliver this judgement. Chief Justice Bobde is reported to have said, “This is not a situation where declaration of rights has much priority or as much

priority or as much importance as in other times.” (Statesman, May 1, 2020) Though it may not be a situation to give a blow for the rights of oppressed and deprived, it is quite another matter when it comes to the question of delivering a blow at the rights of these sections. While whole sale negation and suppression of constitutional rights has not merited attention of the apex Court, Court has found time to correct the ‘wrong orders’ favouring oppressed. By way of aside, the days of judicial activism or over-reach are over, they being a relic of the period of political instability epitomized by the period of coalition govts. when the higher judiciary came forward to become a stabilizing factor in the ruling class dispensation. With the order restored, it is time for singing paeans and reposing faith in the Executive. It is time for building ‘bridges’ and praising the powers that be; of committed judges and saluting the rising ones; reminiscent of another time though with its own flavour.

The case related to reservation of teacher posts for the persons qualified from among local tribals in Schedule V tribal areas of Andhra Pradesh. The order to fully reserve these seats for local tribals was made under para 5(1) of Schedule V (Impugned G.O. 3 of 2000). This order was, as written in the Order itself, made due to high degree of chronic absenteeism among teachers who did not belong to the local areas. In this regard, two facts were stated and even the apex Court has nowhere disputed them. Firstly, was the fact of high degree of absenteeism of teachers. Obviously, this could not have but seriously impacted the education of tribal children who have any way little opportunities of education. Secondly, that after appointments were made, this problem was largely eliminated i.e. problem of absenteeism of teachers was solved. These two facts were not disputed nor did the Court adversely comment on these.

Court has neither commented that these were not facts or that any further corroboration of these facts was needed. It is clear that Court has not disputed this conclusion or the method of arriving at this conclusion by the appropriate authority. This silence of Court probably signifies how little importance the education of children of tribals has for the apex Court. This silence has been punctuated only by a stray remark that the problem of absenteeism should have been solved by giving “facilities and other incentives”. (p.125) Here also Court has not indicated what facilities or incentives should have been offered. And what course should have been taken had these not been successful. Court has obviously not paid attention to the fact that schools’ main purpose is to provide education to children and not to provide jobs to teachers who are necessary for imparting education. The latter is to fulfill the former i.e. objective of imparting education. If the problem of absenteeism is mitigated or solved by recruiting teachers from among local tribals, why is that to be objected to? Further, fixing a criteria for the local tribals i.e. creating a classification is germane to achieving the objective i.e. imparting the education to tribal children.

The order on reservation was assailed on two grounds, on it being outside the power of the Governor to have issued such an Order under para 5(1) of Schedule V and that reservation was excessive i.e. beyond the limit of 50% avowedly imposed by the Supreme Court on reservations; avowedly because it was not meant to be absolute even if the very fixing of limit was arbitrary and un-necessary. This order of reservation was also challenged on the ground of Article 371D having provided zonal reservations in the erstwhile state of Andhra Pradesh. In adjudicating on these challenges, provisions of Schedule V and Article 16 besides Article 371D were dealt with by the apex Court.

In dealing with Schedule V and Article 16 Court has adopted regressive attitude, while it has incorrectly pitted Article 371D against this Order under para 5(1) of Schedule V. Article 371D was enacted after separate Telengana agitation of 1969 and provided zones for appointments to certain govt. posts. The whole erstwhile state of A.P. was divided into certain zones and requirements were laid for the persons to apply for jobs in a given zone. The criteria thus laid had to be fulfilled for applying for jobs and a person could apply for those posts in that zone for whom he fulfills the criteria. The order under para 5(1) dealt with jobs only in scheduled areas. It deals with altogether a different subject and had no relevance to regional disparity sought to be addressed by Article 371D. Article 371D dealt with monopolization of jobs in the state services by candidates belonging to certain regions. It dealt with regional disparities and not social disparities i.e. backwardness or lack of adequate representation of some communities but not on regional basis. Schedule V covers some regions but these regions are home to tribals, one of the most oppressed and neglected social groups and not for the region per se. The operative part of the provisions deals with tribals and region is covered as being home to tribals. Hence, counter-posing of regional disparity with measures aimed at benefiting tribals is not only incorrect but goes against the very spirit underlying Schedule V & VI (the latter's operation limited to only states of North-East). This pitting of one problem against the other; one section of people against the other; militates against the constitutional declaration of providing justice to all.

Even otherwise, while dealing with the issue, this apparent contradiction between Schedule V and Article 371D has been artificially conjured. Court has lamented that there are no opportunities left for those who belong to Schedule V areas as they

cannot apply for the jobs outside their districts due to operation of order under Article 371D. Here a fact is conveniently ignored that while district is a unit for certain jobs under Article 371D, Schedule V does not cover any district in full, in the whole of erstwhile state of Andhra Pradesh. It is obvious that candidates from the schedule V areas who are not local tribals are eligible for jobs in the district outside the Schedule V areas. And why should they be rendered ineligible when operation of Schedule V does not make them ineligible as they continue to belong to the district which is the unit for Article 371D? It is obvious that 371D is a general provision while Schedule V deals specifically with certain areas and hence must take precedence. It is a well settled principle of interpretation. Moreover, Supreme Court has annulled the whole provision rather than clarifying any aspect where it felt omission has led to some injustice which needed to be remedied. Like it could have clarified that sections living in Schedule V areas shall be eligible for the vacancies in the districts to which they belong. Further order under Schedule V shall not be counted against the entitlements under Article 371D i.e. seats allotted under this order shall not be counted against entitlement of reservation under Article 371D. Such an interpretation would have given harmonious construction to the two separate provisions of the Constitution while giving effect to both.

The judgement renders a serious blow to the provisions of Schedule V. Article 244 (1) of the Constitution provides that “The provisions of the Fifth Schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State other than the States of Assam, Meghalaya, Tripura, and Mizoram.” Para 5 of Schedule V dealing with laws applicable to Scheduled Areas opens with a non-obstante clause

“Notwithstanding anything in this Constitution,”. It should be noted that it stipulates not any particular part of the Constitution but ‘this Constitution’. Further Schedule V also provides that “Subject to the provisions of this Schedule, the executive power of a State extends to the Scheduled Areas therein.” It means that extension of the executive power of the state in which the Scheduled Areas are, has been made subject to provisions of Schedule V. It also means that operation of and limitation on executive powers of the State shall be subject to Schedule V. Para 5 (1) provides that “the Governor may by public notification direct that any particular Act of Parliament or of the Legislature of the State shall not apply to a Scheduled Area or any part thereof in the State or shall apply to a Scheduled Area or any part thereof in the State subject to such exceptions and modifications as he may specify in the notification and any direction given under this sub-paragraph may be given so as to have retrospective effect.” Para 5(3) also shows the plenary nature of these powers, “In making any such regulation as is referred to in subparagraph (2) of this paragraph, the Governor may repeal or amend any Act of Parliament or of the Legislature of the State or any existing law which is for the time being applicable to the area in question.” The only requirement is that Governor must consult “Tribes Advisory Council” (Para 5(3)”. In the instant case lack of consultation with Tribes Advisory Council was not even raised nor commented upon by the apex Court. Obviously, the intent is to insulate the tribes from vagaries of majoritarianism. Like in other parts, the ruling classes following the footsteps of the colonial rulers have been miserly in according or recognizing the rights of the people. Here the intent is clear that tribes are to be ruled through Tribes Advisory Council and such Council has been given powers not to apply Central or State acts, or apply them with exceptions or

modifications, or repeal or amend any Central or State Act applicable to the area.

The judgement makes strained effort at arguing that Governor's power is limited to making exception or modification and not amendments. This is not to see the real intent but to indulge in semantics. The Bench also ignored the plenary nature of provision with non-obstante clause and power to repeal or amend any Central or State act. It is a settled law that power to modify or amend operation of a law is a legislative power and not a mere executive arrangement. In fact, the term has been variously implemented in its narrow or wide sense depending upon dominant political discourse of the day. Interpretation is itself a source of law albeit a derivative source. While Judiciary has been formally upholding the separation of Executive and Judiciary, the two have been encroaching on each other to defend the ruling class interests. In Puranlal Lakhanpal case (1961), SC held, "power to modify should be considered in its widest possible amplitude" and that "it cannot be interpreted in a narrow or pedantic sense." In Hota Venkata Surya Sivarama Sastry case (1962), the Supreme Court opined that the power to repeal or amend is legislative. Though that judgement dealt with para 5(2) yet the observation is significant. This is also a settled principle that this interpretation should be to achieve the purpose of the power conferred.

It is pertinent that Schedule V has not been any gift of Indian ruling classes after 1947. Provisions of Schedule V were existing under earlier legal arrangements in colonial India. In fact these date back to the time of when colonial power brought these areas under their rule. After some battles, colonial power reached agreement on so-called self-rule, which was an arrangement in which some powers were granted to traditional leaders of tribal society in

exchange of the right to exploit timber, coal and mineral wealth of the region. The Act of 1839 had provided separate administration for tribal/agency areas of then Madras Presidency and the same arrangement was continued later. Govt. of India Act 1919 had made “wholly excluded and partially excluded areas” pertaining to some tribal inhabited areas and the same was continued in 1935 Act. Essentially there was separate administration for these areas. Colonial rulers were primarily interested in exploitation of the resources of the area; they brought outsiders for the purpose of such exploitation and also extension of revenue lands, again for raising revenue. They both fostered and exploited the contradiction between tribals and other sections living in these areas, cleverly manipulating them for their colonial interests. After transfer of power, while exploitation of resources of the area continued or rather intensified, the power locally came into the hands of the local non-tribal exploiters who wielded power through their influence in the ruling class parties. There were further inroads into the local administrative arrangement and the power of the local non-tribal elite- landlords, money lenders and officials- was further consolidated. Though the ruling classes incorporated provisions for the “excluded areas” as Schedule V but the same has been under continuous challenge. The present judgement is yet another attempt to denude Schedule V of its power.

Court has not just examined the impugned GO (3 of 2000) but has gone on to say that provisions of Part III over-ride the provisions of Schedule V thus abandoning the principle of harmonious construction. It has not just annulled the order under challenge but modified the very constitutional scheme. Schedule V is part of the Original text of the Constitution and cannot be tested on the ground of basic structure doctrine. In fact the Supreme Court

in its well-known Keswanand Bharti case (1973) had laid down the basic structure doctrine but had also held that only post-1973 amendments will be tested on that anvil. Not only the original text of the Constitution, even the amendments made prior to 1973 were not open to challenge on the ground of their being not in consonance with the so-called basic structure of the Constitution. The doctrine has in fact been handy for the ruling classes to oppose all changes which are not in consonance with its interests while all those changes which are in the interests of the ruling classes have been upheld. In fact, Supreme Court neither in Keswanand Bharti case nor in any subsequent case, has laid down what it considers the basic structure, only pointing out some broad principles which are neither exhaustive nor immune to re-interpretation. In any case one cannot apply this doctrine to the original provisions of the Constitution because in that case, it would amount to be re-writing of the Constitution. This judgement commits the same error. It goes beyond the import of the present case and deals a serious blow to the Schedule V of the Constitution. Therein lies the grave danger posed by the Judgement.

Another and equally important thrust of the judgement is on the question of the quantum of reservation. Giving short shrift to the “verifiable data” of chronic absenteeism of teachers in the scheduled areas (p. 124) Court has predominantly, rather exclusively, dealt with the question of quantum of reservation in the present case. This has been the Achilles heel of Indian jurisprudence where sociological factors and political balance in the ruling class politics has played the dominant role in the interpretation of the Constitution relating to the question of reservation. Court has itself lamented, “Why not ask ourselves why 35 years after Independence, the position of the Scheduled Castes,

etc. has not greatly improved?” (Justice Chinappa Reddy in Vasant Kumar case) The same is true of Scheduled Tribes and same is true even after yet another more than thirty five years. The reasons are not far to seek. Most importantly, the lack of any radical changes in the agrarian relations i.e. these groups not having control over means of production, has been a major reason. Secondly, even the reservations made have been implemented by an administrative machinery hostile to the very reservation. To paraphrase prominent Russian intellectual, Chernesevesky,- let the implementation of reservation be in the hands of sections hostile to it. It won't make much difference. Scheduled Tribes faced somewhat different situation in the sense that they had had access to forest land and forest produce, but the direction of ruling classes has been to dispossess them of their land and de-recognize their ownership which has not been on govt. records and in particular their community ownership.

Ruling classes are not entertaining any idea of changing the property relations i.e. granting them property rights over the means of production, principally land, which remains the most important in the vast countryside where nearly 70% of the people live. Even the reservation granted to these sections i.e. Scheduled Castes and Scheduled Tribes and Other backward Classes has been under continuous challenge. The ruling classes have pursued a strategy of permitting some elements from among them to improve their economic position through reservation in education and jobs, and utilize this to keep their overwhelming majority tied to the yoke of exploitation and oppression. This too was granted in the course of negotiations with colonial rulers who wished to utilize this schism in Indian society in the interest of securing colonial rule, when the socially oppressed sections were beginning to assert their rights. It

was not a preferred course for the Indian elite who wanted the exploited and oppressed to be content with their position in society of serving the higher ups. They define this approach as promoting social harmony or 'social equilibrium', as opposed to social justice which emerged as one of the key strivings of the Indian people during their struggle under colonial rule. The organs of the administration including judiciary were instruments of the colonial rule, were not participants in this struggle.

Since the transfer of power to Indian hands from colonial rulers in 1947, and particularly since 1950 when Indian constitution came into force, this era of contradiction (as formulated by Dr. B.R. Ambedkar) began. But in this era, socially oppressed were hamstrung with their inferior economic position and hence, struggle for social justice, without changing the economic base, was bound to be much more sanguine, much more protracted with results much more modest with often fluctuating fortunes of this struggle. Now with over seventy years of experience, increasing sections are realizing the inadequacy of this approach particularly in the period of new economic policies with its emphasis on privatization and state diluting its role in social welfare. When contradictions within ruling classes got intensified, it resulted in some advance in this struggle and when these were muted, there was retrogression. Judicial pronouncements traversed the course reflecting the course of contradictions within society including contradictions among ruling classes.

The struggle for social justice was struggle against inequality and discrimination. Reservation was a tool for achieving equality in certain spheres. Yet the apex Court in India took a different view, counter-posing reservation to equality. Constitution became a battleground for the contending interests especially within ruling

class ambit. Article 15 and Article 16 dealt with opportunities in education and employment respectively. In the instant case Article 16 dealing with opportunities was at the heart of dispute. Article 16 (1) provides “There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State”. There has been a conflict of judicial opinion whether equality includes affirmative action. Whether making unequals equal is part of providing equality of opportunities? In view of narrow interpretation of concept of equality by higher judiciary restricting it only to formal equality, Article 16(4) was added, “Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favor of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State.” 16(4) was meant to guard against such an interpretation with its non-obstante opening.

There was dominant opinion of the apex Court that reservation is not a tool to achieve equality but an inroad into the doctrine of equality pitting equality, a traditional bridesmaid of justice, against the bride. Balaji case not only made such an interpretation, it also held that equality i.e. formal equality (in their opinion 16(1) is the rule while affirmative action in the form of reservation is an exception. They ruled reservation to be anti-meritorian and an inroad into their doctrine of equality. Balaji case also brought in an arbitrary ceiling of 50% on the reservations irrespective of the proportion of beneficiaries among the population. Such interpretation of equality as opposed to proportionality, generally taken to be a hallmark of reasonable classification, became a vehicle of interests of dominant sections. Not that the doctrine of proportionality is not unknown to even Indian

Constitution. It is expressly mentioned in Article 243D for providing reservations at lower levels and also implicit in the expression “adequate representation” in Article 16(4).

This interpretation was challenged in N.M. Thomas case in which reservations were treated as part of achieving equality and hence implied in Article 16(1) itself. 16(4) was treated as an extension or articulation of the purpose of this reservation i.e. providing adequate representation to backward class of citizens in the services under the state. This view was followed in some other cases as well. The whole matter came up for detailed treatment in Indira Sawhney case when a Constitution Bench of the apex Court dealt with reservations in jobs for the OBCs implementing recommendations of Mandal Commission. Indira Sawhney case affirmed the logic of Thomas case and over-ruled the ratio of Balaji case i.e. that reservations are exception to the doctrine of equality. However, Indira Sawhney case upheld the “rule of caution” of limiting reservations to 50% though it granted some flexibility providing for exceeding this limit in exceptional cases. Indira Sawhney also brought in the concept of “creamy layer” arguing those who get economically uplifted did not remain part of the “backward class of citizens”. However, Indira Sawhney judgement categorically stated that this concept is limited to OBCs and has “no applicability for the Scheduled Castes and Scheduled Tribes.” We will see that the Supreme Court not being bound by its own precedents which was granted for responding to the changing needs and making corrections to erroneous judgements, became a tool for the ruling interests. Though a tool to overcome arbitrariness, it became a tool for arbitrariness and a source of judicial indiscipline. In Nagaraj case, the apex Court again reverted to the theme of reservation being opposed to equality by holding that “limit without which equality concept would collapse” thus reverting to the logic of

Balaji case. These judicial vicissitudes reflected the vicissitudes in the struggles of classes and social groups. Late 1960s and 1970s saw an upsurge in the people's struggles epitomized by the great peasant uprising of Naxalbari and many other regions in its wake, and hence the need of the ruling classes to win back OBC peasant masses which were increasingly drifting away from the ruling classes. The ebb and flow of the struggle of classes have found their reflection in the judicial pronouncements, though within ruling class framework, substantiating the assertion that best representatives of the ruling classes adorn the robes of higher judiciary.

A few more observations on the question of this ceiling on reservations on which the judgement in the instant case depended, will be germane. The ceiling was not taken as sacrosanct. Leave aside the case of states where greater proportion of seats were reserved which have not been touched not because of any judicial principle but out of sheer expediency that the resultant upheaval may upturn the whole applecart. In Rakesh Kumar case (2010) dealing with reservation of panchayat seats (Article 243D) in tribal areas of Jharkhand 80% reservation of seats was upheld. This alongside with observation in Indira Sawhney judgement, "it is necessary not to put out of consideration certain extraordinary situations inherent in the great diversity of this country and the people" should have weighed with the Bench but in the instant case it chanted mantra of 50% despite "verifiable data" and areas being covered under Schedule V, qualifying to be extra-ordinary situations. It is also noteworthy that not touching the appointments made under the GO 3 of 2000 has been made conditional to Govt. following the 50% limit in future.

Important is the treatment given by the apex Court to the reservation for Economically Weaker Sections belonging to upper

castes ruling out the sections to which reservations are already provided i.e. SCs, STs, OBCs. Supreme Court had been uniformly staying the reservations announced by the state govts. for various social groups. It has been demanding that state govts. conduct surveys, studies to find out backwardness of the concerned sections. But no such requirement was pronounced while refusing to stay the reservations for EWS of upper castes. Even the argument of this being done through constitutional amendment holds no water as the apex Court has been examining constitutional amendments on the anvil of doctrine of basic structure and has been holding that equality is part of this basic structure. And according to apex Court, with breaching the 50% limit, “the doctrine of equality will collapse.” Whatever be the merit, the differential treatment given to EWS reservation by the apex Court merits a sociological study, as suggested by Justice Krishna Iyer, in relation to apex Court itself. Even the argument of the difference between vertical reservations and horizontal reservations does not hold water, horizontal reservation being applied to all social groups, because in this case, those belongings to certain social groups for whom reservations have already been provided have been kept out thus making it a vertical reservation and not a horizontal reservation. The whole emphasis in this case has been on the quantum of reservation which in the case of remote tribal areas is out of place even taking the observations of earlier cases, mainly Indira Sawhney case.

Another important blow delivered by this Judgement against tribals is its suggestion that affluents among Scheduled Tribes and Scheduled Castes be excluded for consideration for the reserved posts. (p. 146 of this judgement) This is bringing “creamy layer” into STs and SCs. It is noteworthy that Indira Sawhney judgement

had limited the applicability of creamy layer to OBCs and had specifically ruled out its applicability to STs and SCs. It is an act of judicial indiscipline that a five judge bench is seeking to overturn the judgement of a nine judge bench. It is common for those who oppose affirmative action especially reservation to do so in the name of neglect of the most oppressed among the oppressed; most backward among the backward. Labour laws are sought to be changed in the name of unorganized workers who are not accorded rights under them! Reservation is sought be limited in the name of those who are not in a position to even apply for them. The design is clear- to keep the posts unfilled and fill them with candidates from general categories. The primary basis for entry of creamy layer concept can only be that after the quotas are filled, there are many more left outside particularly from among definite substrata; then only the question of extending benefits to those hitherto deprived can arise. With so little of the quota filled, raising of the issue of creamy layer is clearly pandering to anti-reservation platform, and in clear violation of the affirmative action sanctioned by Constitution and upheld by Courts. But then, attitude on these issues are socially determined; only strengthening a case for making higher judiciary being drawn from diverse sections reflecting the social mosaic of India and not just the affluent sections of Indians.

Nor is this judgement an aberration. Supreme Court on February 7, 2020 had upturned a judgement of the High Court asking the Govt. of Uttarakhand to study the representation of SCs and STs in certain cadres for the purpose of reservation in promotions. In that case (Mukesh Kumar & Or.) Supreme Court which had been insisting on such studies, left it to the discretion of the State Govt. obviously in the knowledge the way in which this discretion to be exercised by RSS-BJP Govt.

The judgement delivered in this case (Chebrolu case) goes against the tribals, deals a big blow to the safeguards under Schedule V of the Constitution. But in practice these safeguards are effective only on the basis of strength of the people's movement. Otherwise these remain only on paper and even negated. But the people's movement can force reconsideration. One should recall the Supreme Court decision in 2002 under Forest Conservation Act wherein Court directed removal of all tribals (called encroachers) who cannot prove their land holdings prior to 1980, before enactment of the FCA (This was under NDA-I). However, the struggle of tribals against that Order did not allow that to be implemented. This struggle led the way to enactment of Forest Rights Act of 2006. Implementation of that Act has been dependent, to whatever extent it could be, on the strength of the tribals' movement. The fate of that order should give confidence in the present struggle. Moreover, it should be recognized that Court judgements are a response of the ruling classes to the given state of the struggle of classes and social groups. With power in the hands of ruling classes opposed to the interests of overwhelming majority of the people including tribals, it cannot be otherwise. These judgements even when these are forced to recognize some rights of the people, are in the form of reforms which for revolutionary forces are byproducts of their struggle. Higher judiciary often rebukes the other wings of the state and this pride of place is accorded to them for their service to the ruling classes.

The present judgement, a blow to the right of tribals, must be opposed. Its import goes beyond the immediate case. We should educate and mobilize tribals against this judgment.



1857: Relevant for the Struggles of Today

On May 10, 1857 began the first war of Indian independence when soldiers revolted in Meerut, proceeded to Delhi, drove out the British and proclaimed Bahadur Shah Zafar as the ruler. The flames of that war spread widely. Much about it is already known to all patriotic and progressive sections.

The 1857 war still resonates for some aspects which are still very much relevant. First, it was an attempt to overthrow yoke of colonial rule. It was the beginning of forging a common struggle of Indian people against a foreign power which had enslaved the country. It had exploited India for colonial loot and plunder and shipped this loot to England which paved the way for its emergence as the biggest contemporary power on earth and helped its emergence as the most advanced capitalist country in Europe. Second, it was a united struggle of the people of all religious faiths and communities. People of all faiths, including its two largest faiths- Hindus and Muslims- participated in this struggle. This was a secularism of common aspirations and not just mutual tolerance. Another important aspect was eclipse of feudal princes who aspired for independence from foreign rule and emergence of peasantry as a player on All India scene. 1857 was the first struggle in which peasantry participated on its own at most places, unlike earlier wars against colonial rule which were waged by feudal kings. It was also the first pan India war against colonial rule though it was preceded by local revolts and wars against colonial rule at several places.

163 years later, much has changed. The most important political change is the end of direct colonial rule in 1947. Power was

transferred to local ruling classes in erstwhile India along with its division into India and the then Pakistan. The ruling classes which came to power were the very classes which had been acting as the social and economic props of colonial rule i.e. big landlords and comprador capitalists. Their seventy years of rule has been an undiluted catastrophe for Indian people. Though some changes in the economic, social and political structure came, these were brought about to consolidate their rule and not for basic change in Indian society or improvement in the conditions of Indian people. India remains the most backward among the large countries particularly as concerns the bulk of Indian people. Advocates and apologists of the system talk of progress, taking credit for whatever has happened, as if coming of day and night i.e. rotation of earth is also because of them. They tell of what has happened and not what could happen had the independence been genuine and colonial collaborators i.e. reactionaries, been overthrown.

Today India is home to the largest number of poor, hungry, destitute, malnourished and marginalized. We are a superpower in communicable diseases and those ailments which have been eliminated from the major part of the world still take heavy toll of India. Like other aspects we have worst of both worlds – we have problems due to survival and continuance of the past as well as emergence of the new. Even Corona epidemic, with its origins elsewhere, is spreading on this fertile soil irrigated with callousness and criminality. When one sees the pictures of the people from other countries, dutifully and shamelessly painted by Indian media as examples of abysmal poverty and starvation, like those from North Korea, Syria, Iran or even from Africa, one wonders why even those conditions do not exist in India. Yes, India has a large and growing number of billionaires but it has even faster growing

number of destitute and unemployed, poor and hungry. These two Indias have been the product of the transfer of power.

This abysmal poverty and utter helplessness has been on display in the present Corona epidemic when hundreds of millions, greater than the total population of most of the countries, have gone on forced foot march across deserts, forests and plains of India, hungry and ill, uncared for and unwelcome, showing the character of the ruling classes of India. Having failed to provide food and shelter, what to talk of wages and employment, these govts. are locking down the people, forcing them to stay, reminding everyone of slave labour; their treatment worse than under Anti-Poor laws of England where at least food and shelter were provided.

Even when the people are facing such hardships the rulers are dreaming of inviting US companies to India from China. These minions who have been catapulted to power thanks to continuing hold of very narrow stratum of economic and social elite, are simply incapable of even contemplating of any future without imperialist benefactors. More of it, better for them. Even while India is suffering from lack of equipment and testing kits, they are keener to meet the needs of their imperialist masters. They are incapable of taking India ahead. The struggle initiated by 1857 is still unconsummated, India needs to be freed from imperialist domination and stranglehold of imperialist capital along with their compradors.

British colonial rulers forged the weapon of communal polarization especially after 1857 when it became a very important tool of their colonial rule. The enmity sown among these two large religious groups, obviously with the help of elite from these sections whom they lured and cajoled into this, has further degenerated into religious nationalism. In India, coming to power of RSS-BJP has

been culmination of this process. These rulers are continuing their communal conspiracies even during Corona pandemic, intensifying their campaign against Muslims, seeking to further polarize the society and pulverize opposition to their misrule. 1857 calls out for the unity of the people for carving out a common and shared destiny, a future prosperous, responsive, free of divisiveness and social oppression. 1857 remains the prototype of the secularism India needs.

No wonder remains of Bahadur Shah Zafar remain buried in Myanmar, still waiting for two yards of land in his native land. But the ruling classes see danger in this symbol of anti-colonialism and secularism.

People's struggle at present has gone beyond the one in 1857. The rule of big capitalists and big landlords since 1947 have added to the misery of people and changed the contours of and targets of the people's struggles. Situation has become more complex. Yet the relevance of anti-colonialism and secularism symbolized by 1857 remains. Peasants whose distress propelled the first war of independence remain the main force in the struggle for a New Democratic India to lead India to a prosperous and socialist future.

CPI(ML)-New Democracy

May 9, 2020

Trade Unions Demand**STOP the WAR on WORKERS**

The Prime Minister, Narendra Modi has once more shed crocodile tears at the loss of lives of 16 workers in the Aurangabad rail tragedy. What Mr. Modi and his Bharatiya Janata Party (BJP) do not understand is the cause for this incident – what is it that is pushing this country’s working people to walk hundreds of kilometres by day and make the railway tracks their beds by night? The government Mr. Modi leads and the party he belongs to do not recognize that the unplanned and poorly planned lockdown owing to the coronavirus has led to the destitution and despair of the working class in the hundreds of millions. To grind the already destitute and desperate working people to the ground and rob them off their dignity, BJP led state governments have decided to completely jettison labour laws and labour rights.

For the BJP and its governments, workers are a mere factor of production, not human beings with feeling, emotions and needs and certainly not deserving of rights. Hence since the lockdown has caused the greatest economic crisis yet: for the BJP and its governments working people must be placed, with fewer right they already have and at lower wages, working longer hours with no protection of tenure and of course with no trade union rights, at the disposal of capital.

States Compete: Who is more Exploitative?

This is what the BJP state governments in Gujarat, Himachal Pradesh, Madhya Pradesh and Uttar Pradesh are setting out to do. The BJP Government of Gujarat is seeking to give any new investor in Gujarat a holiday that makes an investment that last at least

1200 days of all labour legislation with the exception of the Minimum Wages Act and the Workmen's Compensation Act. The BJP Government of Himachal Pradesh has issued an executive order allowing shifts of 12 hours' work a day or 72 hours of work a week with no provision of overtime. The less than two month old BJP Government of Madhya Pradesh has already gazetted amendments to relieve employers of the responsibility of virtually all provisions of the Factories Act from provisions of water and toilets to basic health and safety while also barring the raising of complaints and disputes under the Industrial Disputes Act save for on the question of closure for establishments with more than 300 employees all for a period of 1200 days.

The BJP Government of Uttar Pradesh of course has promised the most: to completely suspend all labour laws with the exception of the Workmen's Compensation Act, the Building and Other Construction Workers Act, clause 5 of the Payment of Wages Act (time of wage payment) and possibly the Maternity Benefit Act and the Child Labour Act with no time limit.

The request for the approval of all these amendments by the states, since they involve laws passed by the country's parliament, are now before the President of India. The proposition of changing critical laws upholding the fundamental right to live of working people and their families in a hurry at a time when the parliament and the state legislative assemblies are not in session is indicative of the intent of the BJP government. These amendments apart from being violative of fundamental rights provided under the country's Constitution, violate the core labour standards on the right against forced labour, the right to freedom of association and the right to collective bargaining. Now it is also a matter of how non-BJP/NDA parties stand up or not?

These acts of the BJP state governments are neither random nor individual acts of state governments. These are in the spirit of the labour law 'reform' that capital has been demanding and has been placed before parliament in the form of the 4 labour code bills of which the Wage Code has already been passed. It is important to note that the BJP government at the centre has been regularly writing letters to non-BJP state governments admonishing them for not carrying out 'labour reforms on a priority basis' and demanding that the state governments send the union government weekly reports on the steps they are taking including on fixed term employment and a 12 hour working day.

Pandemic: An Opportunity for Capital to Crush Rights

For the BJP and its governments the pandemic and its fallout is just the time to take it all out on the working class, to deny working people the slightest shred of democratic or economic rights. And this is so because, for the BJP, the only driver of growth and expansion in the economy can be capital. Hence every factor of production must be placed without constraints at the disposal of capital. The myopic BJP government even fails to understand that it is not just the sweat and toil of working people that keeps the economy moving – they are also required to expand consumption in the economy, through higher wages and better rights, to ensure the growth of the economy.

As we call upon the President to reject these applications for amendment, the resistance against these amendments will strengthen our fight against the ruling class.

{Signed by Vijay Kumar, President, AIFTU (New); Sudipta Pal, Advisor, ECLTSAU; B. Pradeep, General Secretary, IFTU; Thangaraj, General Secretary, NDLF; Gautam Mody, General Secretary, NTUI; Sanjay Singhvi, General Secretary, TUCI}

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