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Organ of the Central Committee
CPI (ML)

New Democracy

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Tuticorin Killings by Police

Impunity is Systemic : Rouse the People against Unbridled Power of the Police

Killing of father-son P. Jayaraj and J. Bennix by Sathankulam police in Tuticorin district of Tamilnadu has led to widespread protests in Tamilnadu. On June 18, Police had found Bennix keeping his mobile phone & accessories shop open 15 minutes after the notified time for closure. Next day i.e. on June 19, police arrested father of Bennix, Jayaraj, and took him to the police station. Learning of this Bennix too reached the police station of Sathankulam with a friend and finding the police beating his father, tried to intervene. What followed was inhuman, though quite routine for police in India, beating and torture in the presence of witnesses including Bennix's friend. Police, these govt. appointed Corona warriors, did not bother to even hide its brutalities. Indescribable torture followed including inserting iron rods in the rectum leading to profuse bleeding. Continuous physical torture led them to the edge of death. When they were taken to the Judicial Magistrate, practicing physical and judicial distancing he reportedly waived from the first floor to remand them to judicial custody. He neither enquired about their physical well being nor ordered their medical examination. From the injuries suffered in police torture, both of them, Jayaraj (60 years) and Bennix (32 years) died on June 22.

This patent police cruelty led to widespread anger among the people. People demonstrated in large numbers and a campaign for punishment for the police personnel guilty of this crime gathered wide support among the people. Madurai Bench of the High Court took cognizance of the matter and ordered a Magistrate to enquire into the incident. The Magistrate was not permitted to enter the police station. Then the entire staff was transferred from the police station and five policemen were arrested for murder of father and son. Wide public outrage aroused the conscience of Judiciary too. Facts of the case are being daily and extensively reported in the newspapers.

Focus has been on the culture of impunity among the police and security forces in dealing with the people. But more focus must be brought on the systemic nature of this impunity; how it is promoted and protected by the state machinery; how it is built into the legal framework governing criminal law; how the whole ruling system fosters and aids police crimes against the people, occasional interventions due to public outrage notwithstanding. In fact, they bring to light the fact that impunity is ordained in the system and remedial action only addresses the incident and never the systemic nature of this impunity, always avoiding actions which may have lasting impact. Justice is reduced to meting out punishment in the case, though even that is rare, and never to reducing the rights of the police which make such crimes take place in the first instance. In fact what is called as impunity is general police behaviour. Who does not know the common saying which advises against both friendship and enmity with police?

There are a number of cases of police brutality almost every day. People have their everyday experience of the same. There are

reportedly five custodial deaths every day in the country. Despite some judicial pronouncements, the situation remains the same, rather it has worsened. Even during the Corona pandemic, who has not witnessed the police brutalities on people, particularly migrant workers? Govt. tried to portray as if these lathis were being wielded against the Corona virus! And flower petals were showered and lamps were lit for this behaviour, including police among 'Corona warriors'. This was a not too subtle attempt to legitimize police state in the country.

This 'impunity' by police and security forces is maintained by the ruling classes to save and reinforce their anti-people rule. However, this also brings into focus the rights of the people to the extent enshrined in the Constitution and the socio-economic reality of the existing system which militates against them. Hence a periodic outcry but no systemic redressal!

The role of the Magistrate who waived his hands to indicate judicial custody without even enquiring about injuries which he was legally bound to, has also come into focus. There is little acknowledgement let alone understanding behind the Constitutional mandate of an arrested person being presented before a Magistrate within 24 hours of arrest. (Article 22 (2) of the Constitution) That police should not be allowed to send a person to jail was one of the foremost demands of the democratic movement in the feudal period. People stormed the Bastille to free those who were arbitrarily and capriciously kept in jail. But in India, there was no storming of Bastille, but a 'peaceful' transfer of power from colonial rulers to the political representatives of the big landlords and big capitalists. This requirement of a judicial officer scrutinizing the police action has been reduced to almost a formality devoid of all

content. Magistrates routinely imprison people on police demand for keeping books and literature which is legally available. Magistrates do not even go through the police record of the accusation. Magistrates relegate to final adjudication what is necessary for *prima facie* case. This fact was again recently brought into focus by Justice Muralidhar, then in Delhi High Court, that the Magistrate granting transit remand for Gautam Navlakha could not have gone through police records as those were in Marathi and the Magistrate did not know the language. Such an approach allows prosecution of a large number of innocent persons against whom there is not even a valid charge. It renders the act of prosecution an act of persecution; it renders the legal process itself as a punishment. Though implied in the very provision of custody beyond 24 hours being only with the approval of a judicial officer, the provision has been rendered only formal with the practice of magistrates not applying their mind to see whether a *prima facie* case is made out. Provisions of Article 22 (1) and (2) have remained without value in the face of the reality of how these are put into practice, giving a semblance of rule of law but really being lawless rule.

Here the role of higher judiciary is also very relevant. In the instant case also there is action against police personnel but no mention of action against Magistrate who has played an important role in the sequence resulting in death. If these innocents could have been sent to a hospital, their lives could have been saved. Why this reticence in taking action against judicial officers when they are patently guilty of dereliction of duty contributing to death of innocents? No action is taken against judicial officers even when their actions cause irreparable damage which cannot be remedied through appeal like in the instant case. Judiciary has a duty towards

those in judicial custody. But higher judiciary in India has been quite insensitive towards this duty. They have turned down pleas for release on bail even for those who are charged for dissent despite many of them being aged and very vulnerable during these Covid times when Corona infections are being daily reported from jails. Does it not amount to exposing them to life threatening situations and hence meting out punishment without trial? The apex Court itself has turned down pleas for keeping them in custody at their homes for saving them from being exposed to Corona.

The role of higher judiciary has also come into sharp focus in dealing with Bhima Koregaon (Elgaar Parishad) case and in the recent case of conspiracy in North East Delhi violence. They have refused to scrutinize even the basic aspects of police case and have just dittoed the police version. The apex Court itself has not upheld the right of protest when police is routinely foisting sedition cases against the participants in protests against CAA-NRC-NPR. It has not found it appropriate to pronounce how participation in protests against a Govt. decision or even a law is seditious or can invite provisions of any criminal law, leave alone charges under UAPA. Such a simple observation, basic as it is, can avoid a lot of harassment to those being framed by the police and a lot of time in prosecution. Higher judiciary has also been a mute spectator to the large scale abuse of the provisions of the Epidemic Diseases Act. It appears that Supreme Court is following what was enunciated by Chief Justice that this not the time to uphold fundamental rights.

However, the higher judiciary in this regard is following the lead of the political representatives of the ruling classes. The whole criminal jurisprudence is essentially kept in the form it was enforced by colonial rulers. IPC (1861) is one of the least amended

legislation. It has large imprint of colonial rule i.e. provisions meant to suppress the people. There is a whole gamut of sections whose sole purpose is to suppress the people. Law on sedition is one of them but there are provisions prone to abuse like those dealing with collective punishment or offence against govt. officers and many such others. The leaders of Congress to whom the power was transferred in 1947 had been vocal against many of them especially against law on sedition. But after coming to power they kept these provisions intact. It only shows the character of transfer of power. Those who came to rule after 1947 needed these arbitrary and unbridled power to suppress the people as they were to betray the promises they had made and aspirations they had roused among the people. This was also in the context of rising struggles of the people and growing strength of communist movement in India. In order to consolidate their rule over the people, ruling classes inherited and embraced the whole colonial machinery and its repressive laws. The laws that were used to suppress them also earlier were retained by them to suppress the people and the struggling forces. Under this framework, people are taken as subjects who are to be suppressed as enemies if they complain against their exploitation or oppression. It is not just the culture but whole system of impunity.

The Constitution was adopted but the laws of colonial period were given continuity. As was the case with Article 22 dealing with arrest, the spirit behind this was not incorporated in the Criminal Laws. This only reflected the needs of the ruling classes who had supported people's aspirations in the course of freedom movement for securing their support to buttress their claims in the negotiations with colonial rulers. They were aware that they would need the tools chiseled by the colonial masters to suppress the

people. In fact over the decades, they have made the criminal laws even more repressive. The enactment of TADA, POTA and later almost wholesale adoption of its provisions in UAPA showed the need of the ruling classes of the black laws. These are besides NSA, ESMA and a host of other repressive laws and measures. Not only adopting more draconian laws, the ruling classes initiated fake encounter killings which even their colonial masters had not done. These cold blooded killings in the name of encounters, initiated to suppress the communist revolutionary movement, were later extended to struggles of nationalities and other people's movements.

All this shows that police brutalities are no exceptions but part of the framework of the present system. Some window dressing is done when people's anger boils over in some cases but care is taken to ensure that it does not spill into any change in the framework of policing or criminal laws. The whole discussion is confined to so-called political interference, thus an attempt to restore the pristine glory of colonial era i.e. a *police raj*. People's rights are absent from any discourse on transparency of their actions. This need of unbridled police powers is amply supported by big offensive by the ruling classes which showcase law as supportive of crime and only lawless police as an answer to the growing crime in society. Ruling classes support the criminals, bring them to positions of power and then use their example to strengthen police powers. These apparently contradictory aspects are basically supplementary. Over the decades, movies after movies, serials after serials have amplified the need to remove check of law over the police. 'Law and order' stars have adorned the tinsel towns though many of those who have made careers and crores out of this have come out in support in the present case; this too to save their fan base which is

generally a victim of police highhandedness and is made to admire those glorifying the same police highhandedness. It is not that people support police brutalities, rather they are the victims, but a campaign is orchestrated to buttress this claim, social divisions are also pressed into service in support of such a campaign.

Impunity of the police and security forces, promoted and protected by the ruling classes has continued to grow. Govt. has promoted use of torture to suppress the opposition, particularly of the oppressed, as well as to economize on policing by avoiding following the clues and collection of evidence scientifically rather than by forcing through torture friends and family members besides the accused. Not only are the police personnel practicing torture and encounters praised for control of crime, they are also rewarded and awarded. Even if a case is made under public pressure, it is soon brushed under the carpet. The govt. of India has been endorsing torture as a method which is amply corroborated by Govt. having not yet ratified International Convention Against Torture. Even the NHRC report of 2018 admitted a “lack of accountability for misconduct persisted at all levels of government, contributing to widespread impunity.”

Tamilnadu has been among the states known for custodial deaths and killings in encounters. There is a long list of deaths caused by police in such manner and it is not devoid of their caste overtones. No wonder it is mainly Dalits, Muslims and Tribals who are subject to such brutalities and this is the pattern all over India. Particular mention must be made of firing by police on protesters in the same district who were demanding closure of the Sterlite Factory in Thoothukudi, killing 13 people and injuring over a hundred. Though widespread protests were held, but no action

has been taken against those who ordered that firing without fulfilling the legal requirement. On the other hand, activists who campaigned for closure of the factory or punishment for the officers have been hounded. Obviously such an attitude has only contributed to the increase in police brutalities.

There has been a campaign that the people support police brutalities though they themselves are victims. Even social divisions are pressed into service to buttress this claim. But the fact is that this propaganda owes less to support among the people and much more to powerlessness, or lack of willingness, of the institutions that are supposed to protect them from police atrocities.

While this police system is being kept in place by ruling classes and their successive govts. but it is being elevated to a higher level by the ruling fascist RSS-BJP. They are seeking to portray police as the saviors of society. They have pressed even nCorona into service for this objective. This is meant to fortify a police state so necessary to consolidate their fascist rule. Despite such enormous power to the police and such protection given to them by the ruling classes to suppress the people, there was a wide propaganda by these forces that India was a soft state. Such a propaganda was supported and amplified by the corporate controlled media and other means of mass propaganda to manufacture a public perception of this having general approval. RSS-BJP Govt. in UP has made police as dispenser of instant justice thus eliminating the need of judiciary itself! Hysteria created around deliberate killing by the police of those it accused of a rape-murder in Hyderabad was also an example of an attempt to give sanctity to extra-judicial killings by police and security forces.

The current spate of police brutalities has its roots in the anti-people rule of the ruling classes in general, and that of fascist RSS-BJP ruling group in particular. A wide campaign and people's movement is necessary to oppose this systemic impunity. Democratic rights movement also needs to be strengthened and made broad-based for meeting the demands of the emerging situation. It is vitally important to develop people's struggles against the oppression and the movements for democratic rights need to be strengthened.



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Jingoist Frenzy Hits Chinese Wall

Oppose Warmongering ; Support Resolution of Border Dispute through Dialogue, Maintaining Peace at the Border

P rime Minister Modi's Statement in the All Party Meeting on June 19 relating to the incident of clash between Indian and Chinese soldiers on June 15, burst the bubble of the jingoist propaganda unleashed by the RSS machinery and aided by other ruling class outfits and corporate media. The whole propaganda was built around a clash in which 20 Indian soldiers including an officer of the rank of Colonel had died, 10 army men including a Lt. Colonel and three majors were captured by the Chinese and 85 Army personnel have been reportedly hospitalized. According to media reports supported by the spokesperson of Ministry of External Affairs, Chinese entered Indian side of the Line of Actual Control (LAC) and attacked the Indian military personnel resulting in the above casualties. The incident report was later modified to stating that Indian Army patrol had gone to check implementation of an agreement to disengage reached between Army commanders of the two sides, when they were attacked. The main point of the propaganda was that Chinese had intruded into Indian side of the LAC and attacked Indian army men resulting in this high level of casualties.

PM Modi told the leaders of the opposition parties that nobody

had intruded into Indian Territory and no Indian post had been taken over. This was stated clearly to the leaders of the parliamentary parties and widely reportedly in the media. This begot the question that if Chinese had not intruded into Indian territory where had this clash taken place? According to the statement of Modi it implicitly occurred on the territory on Chinese side of LAC. Incidentally this was reported thus in Chinese media. Modi's statement lent credence to the Chinese version. Obviously it invited condemnation by the opposition parties who targeted Modi Govt. for 'surrendering' to China. Prime Minister Office (PMO) issued a clarification a day later but that rather than clarifying it further obfuscated the issue. Without retracting the clear language of Modi's statement or even mentioning it, it was asserted that the PM was describing the situation after the clash. This meant that Indian Army had repulsed the Chinese which was totally at variance with whatever Indian Army and Ministry of External Affairs (MEA) had stated till then.

Faux Pas of Modi Govt. notwithstanding, the border clash raises a number of questions with regard to the drive of RSS-BJP Govt. as well as conduct of Indian ruling classes with neighbouring countries since their coming to power in 1947. Indian ruling classes have negated all attempts to settle border issues with neighbouring countries and have tried to enforce the British colonial rulers' unilateral acts of border demarcation. What colonial moving finger writ, ruling classes sought to enforce. Recent heightened tension with Nepal in relation to Kalapani area is also a pointer that Indian ruling classes are trying to ride roughshod over neighbouring countries.

Indian ruling classes have repeatedly rebuffed attempts at demarcating the border with China ever since the two Asian giants

emerged after the Second World War, China through a revolution and India through transfer of power and communal partition. A number of commentators have brought out the fact that Nehru led Indian Govt. had spurned the Chinese efforts to settle the border dispute between India and China. China had then showed eagerness to settle the dispute in a friendly manner and also to frustrate imperialist designs to rope India into anti-China alliance. Those imperialist conspiracies had become sinister when revisionist rulers of the then Soviet Union sought to use Indian rulers in their dispute with the leaders of the then socialist China. Indian Govt. assumed that with the backing of US and Soviet Union, India need not reckon with Chinese position and could dictate to China. It was with this assumption that Nehru Govt. ordered Indian Army to evict China from the areas claimed by India, known as 'Forward Policy'. Indian ruling classes have brushed under the carpet the real events of 1962 War and sought to use that conflict for its anti-Communist tirade. Till now, the report submitted by Lt. General Henderson Brooks and Brigadier Bhagat has not been published. Indian ruling classes have not come to terms with history and have only postponed the reckoning to a day when India becomes strong.

CPI(ML)-New Democracy demands that all facts regarding Galwan clash in particular and border dispute with China generally including Handersen Brooks-Bhagat Report be made public.

Subservience of Indian rulers to imperialism was brought into sharp focus in this incident as well. In fact Indian ruling classes have allowed their attitude to neighbouring countries, particularly China, to be dictated by imperialist powers. There has been a growing clamour among the Indian elite of taking advantage of growing contradiction between imperialist powers- USA and China. It

ranges from trying to lure companies of US and its allies from China to being more assertive on the border issue. This context of growing rivalry between USA and China as well as Indian ruling classes' attempt to tie India to US led camp is quite relevant to understanding the background of this flare-up. In fact, appointment of Jayshanker as Foreign Minister and his pronouncements even prior to Galwan clash make clear Indian rulers' drive of closer alliance with US camp. There is also a repeated claim in the ruling class media that India of 2020 is not India of 1962. This is obviously true but China of 2020 is also not China of 1962. China has increased its GDP as well as its military expenditure at a much faster pace than India. Indian ruling classes' hope that US will come to direct aid of India in its military conflict with China is also misplaced, besides being against the interest of the people of this country. US wants to contain Chinese influence from the perspective of checking the rise of a rival power, and would like to harness India to its strategy of containing China. But their attitude is of fighting China to the last drop of Indian blood. In the present stand off too Trump immediately jumped to offer his services for mediation.

Of particular significance has been the role of Russia who made it clear that it wants India and China to settle their dispute peacefully and through dialogue. While apparently sounding neutral, Russia took initiative to diffuse the situation. Russia scheduled RIC (Russia, India & China) Foreign Ministers' Meeting. Indian Govt.'s acceptance to participate in that meeting was the first indication that stand-off will be diffused. In fact Indian ruling classes are aware that both Russia and China are imperialist powers in the region and would not like to antagonize both. Modi's statement and Foreign Minister's statement after talking to his Chinese counterpart have only demonstrated imperialist influence

over the foreign policy of the country in line with the influence wielded by imperialist capital in the economy.

Indian Govt., disregarding the interests of the people of the country and the need for peace in the region, has aligned itself with US imperialism in its strategy against China. India became part of Quad i.e. US, Japan, Australia and India during UPA-II period. This alliance is directed against China and has been upgraded to Ministerial level during Modi Govt. Galwan clash is being used to prepare public opinion in favour of such an alliance. As a commentator pointed out, all the agreements with China on border tranquility and Confidence Building Measures (CBMs) were based on principles of neutrality i.e. not becoming part of hostile alliance. This had important influence on heating up of border tensions, both build up and reaction on both sides. With the increasing contradictions between US imperialism and Chinese social-imperialism Indian Govt. is increasingly aligning itself with US camp and hopes to emerge as a dominant regional power under western imperialist power.

CPI(ML)-New Democracy calls upon the people to raise their voice against the imperialist influence over the country including on its relations with neighbouring countries.

The present stand-off had been building over the past two months. Since April 2020, there has been a talk of building of infrastructure in this area. First clash in this build up was reported in the first week of May 2020. After statements blaming each other, Commander level discussions were held on June 6 in which agreement on disengagement was reached. The present clash came amid expectations of disengagement. Modi's statement falsifies the claims in Indian media that the clash occurred on the Indian side of LAC. It must however be borne in mind that India has only a Line of

Actual Control with China whose alignment is not agreed by the two sides. This LAC exists in the territory where borders between the two countries are not demarcated. In fact the agreements between India and China to maintain tranquility on the border do not have any attached map of LAC. In fact, such agreements, beginning with the one in 1993, provide for setting up joint commissions for demarcation of LAC but the same has not been done. Indian Govt. including Prime Ministers, has been talking of differing perceptions of the LAC in describing such conflicts on LAC as was done by Manmohan Singh in 2013 and Modi in 2018. The fact is that LAC itself is undefined at several points which is admitted by the Govt. Further, the border issue itself is unresolved between the two countries despite 73 years of transfer of power in India and 71 years of revolution in China. In the situation of increasing tensions, the building of military infrastructure at LAC may well increase tensions as both sides have accused each other of this. Amit Shah's statement in Parliament at the time of bifurcation of the state of J&K into two Union territories that Aksai Chin is part of Lakadh might have further increased Chinese suspicions.

CPI(ML)-New Democracy demands that Govts. of two countries should expedite the demarcation of LAC and settling of border issue on the basis of historical facts and interests of two countries with the spirit of mutual accommodation. People of the two countries demand that the Govts. should settle the border dispute without further delay. We condemn the resort to use of force in settling borders between countries and we favour peace among countries irrespective of their socio-economic and political systems.

Opposition parties of ruling classes have jumped onto the band wagon of war hysteria even if with the intent of cornering Modi

Govt. This shows deep seated chauvinism in the ruling class politics in the country. One would recall how such clamouring on Kargil had handed over advantage to NDA-I Govt. which returned to power with majority. It is not that they do not know, it is that they share this vision. As far as corporate media goes, they would fashion propaganda to serve the interests of the ruling classes, would fashion it to fight the pro-people forces, would stifle dissent even further. The day Modi made this statement the corporate media shifted its focus back to Pakistan bashing. It should be understood that while Pakistan is the definitional target of Indian ruling classes, particularly its reactionary Hindu Rashtra proponents who define India in opposition to Pakistan, China is their aspirational target i.e. enemy in becoming the dominant power in the region i.e. perceived as main obstacle to their delusional campaign of *Vishwa Vijay*. While Modi Govt. should be exposed for its handling of the situation and deterioration of relations with neighbouring countries, competitive jingoism will only play into the hands of reactionaries.

As soon as the news of clash at the border leading to unfortunate deaths of Army personnel was made public, RSS-BJP machinery launched a campaign for boycott of the Chinese goods. Ruling class commentators went on a high pitch on channels and in newspapers advocating hitting China economically. It should be clear that it has little to do with fighting the foreign influence on Indian economic life including retail trade and agriculture. There is no talk of fighting Amazon, Walmart & Flipcart and Modi Govt. waiving the requirement of procuring at least 30% of their sales from the domestic producers. There is no opposition to those Indian big capitalists who are collaborating with these foreign companies. These are important enemies of Indian retail trade and of the employment generated by this sector. A number of trader bodies

traditionally aligned to RSS-BJP have taken up this campaign but are silent on western companies. In fact Modi's *Atmnirbhar* Bharat is built on increasing reliance on western countries while targeting China thus making India part of the escalating conflict among the two leading imperialist economies in the world. This was obvious in the five tranches announced by the Finance Minister in mid-May. Before that Indian Govt. had announced that investments from China will need prior approval of the Govt. The RSS-BJP have no intention of fighting the imperialist control, rather they are their compradors, but are only using it to whip up pseudo-nationalist frenzy targeting China and in service of western powers.

Recognizing the influence of imperialist capital on different sectors and its harmful effects on economy and employment, CPI(ML)-New Democracy demands that such influence be eradicated from all sectors and should apply to capital and goods from all imperialist countries. By explaining to the people and organizing campaign for domestic producers in industry and agriculture, against favours to foreign companies including changes in labour laws and in agriculture like contract farming and finishing off of MSP, we should build pressure on the Govt.

That this flare up has occurred at a time when both the countries are facing a formidable challenge of fighting Corona pandemic is not accidental. Performance of Indian Govt. on this front has been pathetic. In fact the RSS-BJP Govt. has not paid attention to the issue. They claim non-existent successes. *The whole conduct of RSS-BJP Govt. is of criminal neglect in fighting Corona pandemic. They should be made to answer for this.* On the other hand they have been trying to distract the attention of the people from this issue. It may not be accidental that relations with neighbouring countries have deteriorated in this period while the

attention of the Govt. should have been mainly focused on fighting the pandemic. In fact it has used Corona pandemic to crush dissent, and in particular target the activists of anti-CAA movement in Delhi. Corona pandemic scare and inhuman lockdown imposed for two months ostensibly to control it, has been used to implicate and imprison the students, youth and activists to punish them for the movement and attempt to pre-empt its re-emergence. This lockdown on protests has been used to make anti-worker changes in labour laws and anti-peasant measures in agriculture besides increasing selling off of the natural resources.

RSS-BJP fascist drive will have to negotiate this bend in the road. Since Modi Govt. has returned to power, the Govt. vigorously pursued its fascist project in service of imperialism and domestic reactionaries. It has waged an all round offensive against democratic rights including those enshrined in the Constitution, in fact it has launched a war against the very Constitution. It has waged a war against all sections of oppressed, with Muslims being the main target. RSS-BJP has changed the status of J&K of which Ladakh had been a part, against express provisions of the Constitution. It has adopted aggressive postures against neighbouring countries. It could not pull off this heightened conflict with a bigger power i.e. China. However, aggression against other countries is not an integral part of fascism in backward countries i.e. in semi-colonial semi-feudal India. Ruling classes need fascist offensive and hence will use other issues to launch attacks against the people, the main target of their fascist drive. *All struggling forces must be mobilized against this offensive.*

Fight for Peace among Countries !

Fight Against the Fascist Attacks !

Growing Protests in US after Killing of George Floyd by Police

Do Black Lives Matter, Even Now?

Bourgeois democracy bared its fangs. On May 30, Police force in US particularly in Minneapolis, the city in the state of Minnesota where an African-American was killed by police, tried to brutally suppress the protests demanding justice. The same police whose officers had killed the African American brutally and deliberately, came down heavily on the protestors. An array of teargas shells, flash bombs and baton rounds were unleashed on the protestors. Minnesota Governor Tim Walz, who had shed enough crocodile tears earlier, laid the ground for this brutal repression saying that the protests had been hijacked by “elements” of domestic terrorism, ideological extremism and international destabilization, all in one. It again showed that bourgeois democracy allows expression of anger only in so far as it is the ineffectual wailing of the helpless, allowing good Samaritans with hearts in proper place to come riding on the proverbial white horses, unfurling the flag of peace to silence the cry for justice.



The incident that triggered the current round of protests was the killing of a 46year old African American, George Floyd, who died when a police officer placed and maintained a chokehold over his neck. The incident was captured on a video. The incident was allegedly due to use of a counterfeit \$20 note by Floyd to pay for his purchase. Four policemen dragged him out of the car. One of them, Derek Chauvin, placed his knee on the neck of George Floyd while two others held his legs. There was no resistance by Floyd to the police arrest. That this chokehold was applied not to restrain Floyd but to kill him is amply clear from the recorded video. Chokehold was applied for a total of 8 minutes and 46 seconds, till 3 minutes after he stopped making any movement. Worse, chokehold was continued till 2 minutes after another policeman (one who was not holding Floyd) checked his pulse and had found no pulse. People who had gathered at the spot asked the policemen to release Floyd from chokehold but that cut no ice with police. People were powerless to prevent the legal monopolizers of violence from continuing their violent act. Before all movements stopped, Floyd is heard saying, “I can’t breathe” amidst pleadings to release the chokehold. These words under the chokehold are being screamed throughout America. From the recorded video of this killing of George Floyd, it is clear as clear it has ever been, that the policemen intended to kill him. Nothing less.

“I can’t breathe” resonated through the length and breadth of the USA. Protests erupted in a number of cities. After these protests Derek Chauvin was charged with third degree murder, i.e. unintended murder. The video record that the police party made sure that Floyd had died before chokehold was released, was simply ignored. The policemen who held him to facilitate chokehold of Chauvin have been left scot-free, will perhaps be rewarded when

the dust settles. The guilty of the most heinous crime have once again been largely exonerated! There is a difference in the effect that the police killing and then protests produced on Mr. Tim Walz; the first produced paralysis and the second, rage, all too evident in police brutalities on May 30.

Floyd's killing has struck a chord in a society where racism is rooted deep; where democracy does not mean equal treatment and has been quite consistent with slavery; where all pervading media weaves a make believe world of freedom but hides the systemic brutality towards a large part of the population. Floyd was no isolated incident. On the same day i.e. May 25, a young African American Dion Johnson was killed by a paratrooper in Arizona in USA. Protesters raised both the killings in their protests. Also being raised is the recent killing of a young African American girl Beronna Taylor by the police on March 13 in Kentucky. Protests have erupted across the USA- from Los Angeles to New York. Largest protests have been held in Minneapolis and St. Paul, the twin city where the killing took place. People are joining protests in large numbers defying curfew and lockdown. Two persons have already been killed in these protests. One young man was killed in Detroit when some unidentified persons fired point blank into the protesters. There are some reports that white racist armed thugs are indulging in violent acts against protesters. The purpose of the thugs- those with or without uniforms, is one and is clear- to prepare the ground for repression and to scare the people away from participating in these protests and also deprive the protests of mass support and sympathy.

The White supremacist ensconced in the White House, lost no time in displaying his colours. Offering some commonplace concern, his tirade was focused on placing a chokehold on the protests. He

promised the Governor that the Army is ready to do the job if the police is insufficient. Warning the protesters he said, “When the looting starts, shooting starts”. He was using a phrase of a segregation era Police Chief of Miami, Walter Hadley, who, explaining the method of controlling African Americans, had used this phrase in 1967. The intent is obvious that any protest against police atrocities is to be suppressed by open use of brutal methods. Through the likes of Hadley, the ruling dispensation makes it clear where liberty ends and brutality begins.

Trump on his part has blamed “Antifa (Anti-fascists) and the Radical Left” for these protests. Trump’s allegation has been seconded by Attorney General, Barr. British right wing leader Farage too has blamed Anti-fascists for the protests. That the resistance is red in colour is again been brought home by the protests. Some so-called liberals are also seeing Russian hand behind these protests. All sorts of hands but not the real hands – those of racist police force which was responsible for this killing and so many, many killings of African Americans, are being identified.

There has been a continuous stream of police brutalities and killings of African Americans. There are a big number of such cases spanning different states and localities. This incident, particularly killing by placing chokehold, reminded of the killing of Eric Garner in New York. Even the words spoken by the persons killed by such strangulation “I can’t breathe” reminded one of the killing of Garner.

Killing of African American Michael Brown in Ferguson (Missouri) in 2014 was followed by protests which were also violently suppressed by police. Violent police action is aimed at showing these protests as violent protests and thereby, with the

help of the mainstream media, portraying protests as main concern of the people and not the original systemic police brutality. This explains the continuous condemnation of the protests by all ruling class establishments including their political parties. The common refrain is that the protesters are defaming the killed- in this case George Floyd. It was after the killings in 2014 that a US wide movement “Black Lives Matter” came into being.

It will be pertinent to remember the Rodney King incident in 1991. He was brutally beaten by the police and the beating was captured on camera. Policemen were tried but the Jury acquitted them in 1992 and they were discharged. This patently racist acquittal resulted in one of the sharpest protests in USA. In the protests covering many cities and townships, 63 protesters were killed and 2,383 protesters were injured. Those widespread protests shook USA and informed the world of the rampant racism in the country claiming itself to be the champion of human rights.

This rampant and violent racism may be somewhat surprising to those who thought that US had turned a corner in race relations with election of an African American as President in Barak Obama. But that type of tokenism is never meant to be an indicator of any deep seated change in the society. Election of a woman to the top of the Executive in backward countries has never signified any change in the position of women in these societies. Holding of positions by members of socially oppressed groups has never meant any change in the position of these groups in those societies. This is a systemic ploy by the oppressive rulers to showcase their rule by co-opting some members of the socially oppressed groups into the ruling dispensation. But such co-opted persons are chosen for positions for their espousal of the dominant sections including the very oppressors who perpetuate oppression of the very sections such

persons represent. We in India know well that holding positions by oppressed castes has not meant eradication of caste oppression, holding of positions by some minority politicians does not mean any dilution of majoritarianism and some women leaders occupying positions of power including even the top position has not meant any significant change in the position of women in society.

One would recall that prior to his election as US President, Barak Obama had delivered a speech on race relations in America. In that speech he had tried to please all. So much so that many commentators had accused him of throwing his grandmother (a white) under the bus. Politicians from these sections have to pass through such tests before they are deemed to be worthy to be trusted with power. Such incidents, that is coming to power of politicians from these backgrounds, are rooted both in the rising importance of that section for maintenance of the power of the ruling classes as well as the state of struggle against such oppression which has not yet broken the bounds imposed by the system. In a way this denotes strength of the objective factors and weakness of the subjective factors. This itself is rooted in the strength of the class struggle and revolutionary movement which alone can bind together all such elements into a common thread of struggle to mount a serious challenge and overthrow the rule which protects and perpetuates such social, racial, religious and gender oppression.

The systemic nature of the violence against minorities particularly African Americans and even Hispanics, the two major minority groups, but not sparing even Asians, is apparent in the very composition of police force in USA. It is worth noting that the presence of African Americans is high given their proportion in the population but this is not so in police force. African Americans are nearly one third in the US Armed Forces but less than their

proportions in the police force (less than 13%). Since 1987 when the proportion of minorities was only 13% in the police force it has gone up to just less than 23% in 2013 (According to data published in the Newsweek). It is obvious that while African Americans are welcome to die for defending imperialist interests of the ruling classes, they are not permitted to disturb the race relations in the homeland.

Besides the absolute numbers of the composition of the police force in USA, an even more disturbing aspect relates to their deployment. That is the composition of police force in the mixed inhabitations. According to a New York Times report, in the most recent comprehensive data available for the composition of police force in different localities, there are 35% more whites than their proportion in the population they serve. In fact the number of white police personnel is higher than their proportion in the population by 20% to 55% in different localities. Just to give a few examples: In Ferguson a predominantly African American township, strength of white police personnel is 55% more than their proportion in population and in St. Louis it is more than 20% higher than their proportion in the population.

This is not to suggest that some incremental increase in this proportion will result in any qualitative change in the treatment of socially and racially oppressed people. There are many mechanisms whereby such recruits are made to conform to the prejudices inherent in the system. Allocation of postings and responsibilities make sure that they conform to the dominant trend besides the power exercised by the dominant sections in a myriad of other ways. It is a common knowledge that persons belonging to weaker sections- oppressed social groups and gender- are under pressure to prove that they are better than their peers from dominant sections in unleashing suppression and repression of weaker

sections. Besides, the rampant corruption in the system makes them kowtow to the dominant social groups for these groups alone are in a position to grease their palms. While all these factors play their role, the stranglehold of the dominant sections is maintained by their control over the higher echelons of power. Higher your climb more is their domination. However, inclusion does play some role particularly when the numbers are qualitatively significant.

There is a strange yet logical paradox. When the oppressed sections rise in protests they are attacked for being unruly; when they do not, their silence is interpreted to be their acquiescence, in fact satisfaction with the present state of affairs. We have often seen this with reference to caste and religious oppression- when they do not agitate, they are thought to be satisfied and attempts are made against whatever they have; and when they do, they are suppressed with the might of the state. Whichever way you look at it, the way forward cannot lie within the ruling class framework but in smashing it. Leave the task of eradicating an oppression to the oppressors and we sure nothing will come out of it!

In US, racial hatred and attacks, particularly those directed against African Americans have a long history. In fact the country was born out of the near total annihilation of original inhabitants called Red Indians. Race relations too have come a long way, with several milestones depending upon the need of the dominant sections of society. That in itself is a long history with many advances as well as periods of stagnation. However, today the most powerful and economically developed imperialist country is faced with a situation of decline. Its ruling classes are increasingly resorting to white supremacist, xenophobic and parochial offensive. The target of this offensive is the laboring masses and attempt is to divide them thereby disrupt their unity. In the present situation of

staring decline and deepening crisis, it is no time for ruling classes to indulge in reforms though it is the time with most pressing need for the same. The balance will as always be decided by the class struggle i.e. struggle of the working people.

On this struggle of the working people will hinge the course of the struggle against racial hatred, discrimination and attacks. On this will depend on whether the line taken by Martin Luther King Jr. for a solution within American dream or the line of Malcom X of seeking to overthrow the system to address the root cause of this situation gains strength. Struggle is on; both conditioning the larger struggle in society and for social transformation as well be conditioned by it.

May 31, 2020



**Galloping Numbers of Sick and Dying; Govt. In
Overdrive To Dump Blame on Migrants !**

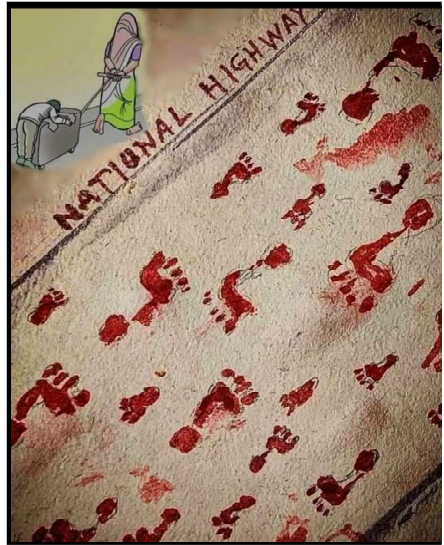
**Lockdown Was Right, Walking
Migrant Workers Keep Curve Up !
Curve not Flattened, Migrants
the Culprit.**

- Aparna

So have been suggesting the Central Govt., its various bureaucrat spokespersons, the Party leaders and allied functionaries. From the doctor Health Minister to the various medical advisors speaking for the Govt., all have been eulogizing the lockdown for containing the spread of the Pandemic and denying community transmission has even begun. They first sold the tale of the Tablighis alone being responsible for spreading the disease though they advanced no data about which sections the cases were coming from; when the numbers sustained their upward trend despite an announced policy of test less and less (only the symptomatic) that story petered out. And now that the curve of ill and deaths mounts steadily despite four ‘fully justified’ lockdowns and acknowledgement of the long-on community transmission stage can no longer be postponed, the Central Govt. is stepping up on selling a new Goebbelsian spin –Yes, Community Transmission Is Going to Be There and You Know Why- It’s the Migrant Workers who are Doing It.

Govt. functionaries and bureaucrats are at it, but now it doesn't end there, hapless Indians. Migrant working class has forced itself into visibility, as it has defied the full might of all arms of the State which were out to ignore it. It has walked itself even to death fueled by the Surety of its Inconsequence to Governments, to the Scales of Lady Justice- whose- eyes- are- Bound. Finally even the Highest Court decided to notice it though only because a maximum of common India is crying for it, binding its wounds, questioning the morality of the rulers and bewailing the Courts. The

horrible situation of the unending walkers, the relentlessly rising cases and the bad experiences with the health system taken together, have begun to hurt the image of the Govt. and undermine the credibility of the routine spokespersons who are increasingly seen as both pitiless and incompetent to help people. So are being fielded more acceptable Defenders of this Brazen Class Assertion by



the State Machinery and of the attempt to shift all blame onto the victims. As migrants are transported across blazing India with scarce attention to food and water, as trains have no schedules, workers die in transit both walking and in trains due to exhaustion and neglect, as Mother India lies dead on a platform with her toddler waking her, even head of respected medical institution, AIIMS New Delhi, has spoken to help the rulers turn the worst victim into THE culprit. The Hippocratic finger is raised in service of

Rulers by a Doctor in High Place- If the curve of the Pandemic is not flat, if the policies of lockdown and starving have resulted in only deep all around misery and not the much hyped predicted successes, and 'if' community spread occurs despite all the hard work of the Govt., Ah! the Migrant Workers Are To Be Blamed!

An assertion so ridiculous and false, so contrary to the obvious facts, so servile to the Central Govt. attitude which turns afflicted into criminals and keeps the police as the public face in fighting a pandemic, demands public refutation by recounting established facts. Such Opinion Givers have to be charged: you are taking the people you are appointed to serve (as you are employees of Public Funded Health Services) for a medical proverbial 'ride'.

It was held (in an interview to Karan Thapar on the Wire) that the lockdown was both correct and early enough but the 'curve did not flatten' due to the MIGRANTS and one community initially. Eventually too, it is Migrant workers again who are responsible for the steeply rising numbers. It was also held that it didn't flatten because we are a democracy unlike China (but what about Italy, which question was side stepped and also what about home delivery of rations by China), and because of one community accumulating in one place (that's Tablighis for sure; it is clear the reference was not to Ahmedabad or Madhya Pradesh or other religious gatherings).

All of which is quite in keeping with the Ideology in power, which has also managed to link illness with criminality. The point is, a pandemic with a virus entering from overseas was clear by end January, yes? Need for compulsory quarantine for those entering from abroad was also clear, yes? Remember those quarantine ones caught travelling on the sneak in domestic flights and AC coaches with stamps on their forearms in mid March? Remember that on

25th March when lockdown was imposed, domestic fliers still had two days to get home ? The interviewee, in the third week of May, still denied community transmission. Then tell- WHY were migrants not allowed time for assured travel home and were not so facilitated in the last week of March ? Were they foreign returned, were they contacts of returned ? Then WHY ? How could migrant working class, forced to walk home, spread a virus it had no contact with ?

The Indian Association of Public Health and Indian Association of Preventive and Social Medicine jointly wrote in the first third of April of the need for cluster containments, of lockdowns being experiences of some other countries in other context, of the resultant economic distress. They are the field and theoretical studiers of Epidemics. Are they to be rubbished then ? Since, it was clearly stated that every country is having its own experiences, is the 'separate experience' of India merely the conclusion that our migrant working class is a vector ? Is it not a fact that our separateness is that the lockdown has been implemented in the most anti people method in the world ? Would a doctor not grab even one second of media time to talk of the multifaceted tragedy of a people forced to shut themselves 6 to 10 in a ten foot square room or a *jhuggi*, no wages (Govt. has even officially withdrawn order), no food (did you see the wretched forsaken hands which produce everything now keeping their utensils in never ending lines even in Delhi, when food came for 4500 when 6000 were waiting) and no right to go home ? Are n't all these health issues of mammoth proportions and inevitable results of the policy implemented ?

When one supports the Central Govt. and denies Community transmission is on even today and yet says migrant workers are going to transport infections to the whole country from hot spots,

does it sound credible, forget the medical denial involved ? The workers have been going home steadily since March end, 80% of the cases are still concentrated in the urban metropolis hot spots and the cases and deaths are steadily rising right here though testing is so restricted. Migrant workers have been walking AWAY from hot spots which have been getting hotter with the passing days and still they are responsible for these rising cases, not even for some future spike in far flung areas ? Are not rising deaths reflective of the ability and availability of tertiary care apparatus rather than migrating workers, but that's not found worthy of mention ? Has not the policy of forced confining of large numbers of population in packed unhealthy slums by police violence actually helped to spread the virus and compromised the health of the whole population ? Should not Doctors in Positions have forcefully advised the Govt. to move them fast, effectively and with food and water, especially it was almost immediately clear that the Govt. is neither feeding nor looking after those it has economically crippled with one blow. Why ever and how could highly respected and competent medical professionals holding positions not speak of these health issues when they go to air their expert opinions on public platforms ? The doubt is inevitable; is that their real opinion as doctors or are they out to lend credibility to anti people rulers ?

In fact, the purpose of the exchange seems crystal clear. The Respected Director denies community transmission is on, in keeping with the position of the Govt. He then says that in the hot spots may be there is community transmission but not in the whole country! Community transmission simply means that cases are occurring where no contact exposure can be established, and will start in where contact tracing and containment has not been thorough, inevitably these leads to big areas becoming hotspots.

The entire exercise of a credible medical expert jumbling the idea, is one of steps to establish that the Central Govt.'s lockdown had prevented community transmission, and to link the phrase with the very visible movement of migrant workers. Thus, hey presto, the victims become the culprits and community transmission begins to mean that cases will turn up in those parts of the country where migrant workers untested in hotspots (where community transmission is very much on but policy is no testing till serious) turn out to be Corona positive or symptomatic when they reach natal areas. They just have to be isolated and treated, of course, and their contacts quarantined. But the coming in of cases from new geographical areas is going to be used to acknowledge community transmission in public, and the Culprit has already been pointed out by one who holds a highly respected medical position. No doubt such opinions will soon be spoken even more loudly by other propagandists of this highly diabolical scheme of the Govt. Of India. Public health personnel have been saying that cluster control is the key, and not denying community transmission at all.

It is correct that the initial period should have been used to ramp up public health services- they were, were they? On a budget of peanuts? Do Doctors In High Places seriously not see that more funds were needed? Is it right for them to agree to shut the doors of huge premier public hospitals to general patients cramped for months in hospital shelters for the next date of chemotherapy? How well did you ramp up 'equipment'- Resident doctors even in Delhi and even in AIIMS were forced to petition the Minister to ensure PPEs for medical staff. Letters written by IFTU's Contract workers unions in AIIMS and Central Govt.'s Safdarjung Hospital for adequate protective gear for contract workers are in the files of both administrations. Demonstrations by doctors, nurses, workers

in various parts of the country even while they continue manning their posts speak for themselves, no matter the status of the alibi giver. Asserting we are only going to 'test the symptomatic' - the permanent sanitation worker of AIIMS who died in his own hospital of Covid was refused a Corona test due to debate on the selfsame symptoms though he was a front line worker on duty in the Institute whose Director, a pulmonologist of considerable repute states about a respiratory virus that presentations can be remarkably different and we are still learning. Then can symptom-based testing be upheld? But there we go, it is. When one can clearly say, and correctly so, that mathematical models are captive to inputs and have limited use in predicting peaks of the disease; then why not apologize to the public for earlier using just such another model and from public platform, predicting time lines for peaks! To do whatever rulers want even against one's own knowledge, is neither ennobling nor justifiable especially when acting as a crutch to Govt.'s demonizing of migrant workers and washing hands off its deliberate policy towards migrants since ever increasing sections are revulsed at it. It is sad indeed that a technocrat could be told he is being 'diplomatic'- it means being evasive, though representing the Science of Healing in all dimensions.

Director AIIMS states no 'general' testing is needed- there is hardly any in fact, it's so hard to get tested. Then already a model for herd immunity has been adopted. Should people not be told? Should real death rates not be told, should people not be given wages, if govt. lies that you won't lose your job and lakhs do? Does it promote mental health; if you are sick and a policeman comes to quarantine you instead of a doctor, what should a Head of a premier medical institute point out- that Govt. couldn't care less or that 'people' are not cooperating?

In modern hospitals, compartmentalization is strict as is hierarchy. Pulmonologists tell about lungs, Pediatricians about kids, and Preventive and Social Medicine bores with people's health statistics, graphs and figures. The era of specialization! In Pandemic Times, this is probably justly violated, the structures of Public Health, Institutes of Communicable Diseases, etc. etc. are shown up as dispensable white elephants maintained needlessly. The 'Doctors Who Get Heard' Are 'Heads of Public Institutions' and which in turn are political appointments. Of course, they are respected as specialists in their fields, though they may speak of fields distinctly other even though this is not GP era of medicine. But if they use their stature to give alibis to rulers and to aid targeting of people, their misuse of knowledge must be aggressively exposed.

And thus, we assert to the People of the Country, we the working class of India are the wronged, the betrayed, the dispossessed by the rulers, NOT the culprits. The Culprits in this pandemic are those who lied to people that we would get food, shelter, wages, care, the last worker and peasant of us; but we got only *jumlas* and tokenism. Our agricultural worker was the 12 year old chillipicker who walked towards home to death from exhaustion, away from hunger. Our migrant industrial and service sector workers are those fighting for transport in Surat and so many cities, sleeping to die on railway tracks, cycling, walking, being helped by common people, defying police let loose on us and walking home to natal earth, with knowledge of rejection and death of dreams.

A Pandemic is, above all and before all else, a medical moment, not an administrative one. The crying need in India was for all Public Health Institutions led by their reputed Heads to come forward and lead the health system to serve the people and force Govts to enlist the Private to fall in line.

The migrant working class as well as the rest of the working class has done its bit. It built the huge hospitals, mans the industries which supply it, cleans the dirt, runs the wheels. We do all that. When it comes to counting with the Govt., the migrant working class walks home as it knows it does not count; not that it counts for natal govts but it seeks its own and the natal mud and wind. The Pandemic is a Medical Moment. If the medical soothsaying is not working, if containment is faulty, if people who are sick are being served law enforcers not medicines and support, if policies have clearly failed to give medical succor or conviction, do not think you can get away with heaping blame on migrant workers! Migrant workers are only living out the class callousness of the State. They are NOT vectors, nor culprits. We call on Doctors In High Places, speak for the Health of the people! The only Oath you take is the Oath common to all doctors and no other. It is to serve the people.

All trade unions, all democrats, all people's organizations and all friends of facts must come together to call out this diabolical move of the Central Govt. to link community transmission of the Pandemic to the migrant workers, and in this way to cover up its total callousness to caring for the people and taking necessary steps to equip and help the people and contain the pandemic. The Govt. has used the pandemic to push through anti worker and anti peasant policies and crack down on the anti CAA movement and on democratic and labour rights. It has used it to push through policies to increase loot and exploitation of the country by Imperialists. Where is the fight against Corona in all this ?



The Lockdown & Reverse Long March- Agrarian Perspective

Amit Chakraborty

The aftermath of lockdown due to corona led to the reverse migration of India's workforce. From Mumbai, Bangalore, Chennai, Hyderabad, Delhi & NCR they marched along the highways & railway tracks penniless, without food & drinking water. They were marching northward & eastward to their native place. It was a reverse long march back from the city of their livelihood. The inhuman attitude of the Indian state & the undaunted spirit of migrant labourers of India will be remembered for ever. This article will try to understand this reverse migration in the backdrop of agricultural transition of India.

Arthur Lewis in 1954 modeled the movement of 'surplus labour' from traditional (also agricultural & informal) sectors to industrial & formal sectors. This characteristic is observed in India with the share of agricultural workforce showing a decline since 2000s.

India is one of the large economies of the world. The pattern of economic & employment growth is intricately related with the structural transformation of labour force of India. According to NSSO, in 1983 & 2011-12, GDP in agriculture was 35.1% & 14% respectively. The workforce in agriculture declined to 47.5% (2011-

12) from 68.2% (1983). Considering this data the crucial question is –Are these signs of a long term definitive movement of rural India's workforce away from agriculture to industrial sectors as described by Arthur Lewis in the context of Industrial development in England?

Between 2004-05 & 2011-12 the agricultural & allied activity work force declined by 33.3 million. On the other hand employment in rural construction jobs increased by 20.5 million. This phenomenon was more in agriculturally less developed states of India such as Bihar, Odisha, Madhya Pradesh, Uttar Pradesh, Rajasthan (NSS). Interestingly the Census data has shown considerable increase in marginal agricultural labourers in those same provinces of India. This difference in data is due to the different criteria of defining workers by NSSO & Census. Census has defined Main workers as those who work for six months or more, it has a greater clarity than the NSSO definition of principal status workers. The definition of marginal workers by NSSO is more specific than the definition of Census (subsidiary status workers-workers who worked for at least 30 days). This ambiguity in definition may lead to serious mistakes in calculating true size of workforce.

Taking into account the population above 15 years the labour force participation rate (LPR) in India was 52%. This is 71% & 65.5% for China & Brazil respectively. LPR means the sum of employed & unemployed (seeking Jobs) population. The proportion of population employed are denoted by Workforce participation Rate (WPR). In 2001 it was 53.2% for males & 25.5% for females (Census of India).

Now many of this workforce have migrated to industrial townships in search of their livelihood. But for many of these,

migrant journey is not driven by the anticipation of higher wages. Lockdown in India has shown that economic coercion & lack of livelihoods in their home villages forces migrants to other parts of the country where work is available. It is agrarian distress in these regions that forces labour to migrate. The epicenter of this migration stretches from the poor districts of north Bihar and eastern Uttar Pradesh, which border Nepal, down to the Jharkhand, West Bengal & state of Odisha. Dalits and Adivasis – disproportionately make up the distress migrant labour force. It reflects not only the caste-based form of inequality but also the regional inequality.

The wages in the urban informal economy more generally, are not enough to support the migration of the entire family to urban areas. These workers are mostly hired on a casual, short-term basis. This is reflected in the contradiction between Census data & NSS data mentioned earlier. The irregular labour arrangements of the informal economy leave workers unprotected without any social protection. For informal migrant workers, in the absence of any social protection either on the part of their employers or the state, it is the marginal plots of land & hut in their villages that provide them with the basic safety net of secure shelter and subsistence food.

If they fall ill, if they have an accident, if they lose their job, their marginal village land & their family members' labour is their only form of collateral left for them to borrow from rural moneylenders. The social cost of urban informal work is outsourced onto the very villages. Arthur Lewis law fails to operate here consistently.

Now let us analyze the position of the political and economic analysts who are emphasizing increasing work opportunities in

other sectors compared to agriculture in this period of agrarian crisis. If we analyze the situation of different livelihood opportunities in India in 2009-10, then we will find that 52% of the total workforce was associated with agriculture, 9% with construction works, 12% with retail business and restaurants, and 9% with unregistered manufacturing industries. The amount of per capita value-contribution of the agricultural workforce was only 29% of the average per capita value-contribution of the total workforce. On the other hand, the very small workforce associated with finance insurance and real estate contributed 25 times of the average contribution per capita. Near about 85% of the total workforce was associated with unorganized sector of manufacturing industries and they earned only 22% of the total income in manufacturing. On contrary, the small 15% workforce of organized manufacturing industry earned the remaining 78%. It is also evident from the available data that the labourers from unorganized sector added 1/3rd of the total price per head. In reality, the works in the unorganized sector are the last resort of the workers who have been uprooted from the agricultural fields.

Meanwhile, if we look into the economic surveys of the central government in 2012-13 and 2015-16, we will find the attempts of destroying small industries & unorganized sectors. Government support in small industries, labour laws, legal restrictions were claimed to be barriers against such attempts. The survey suggested transferring agriculture into the hands of the corporate by first acquiring the lands and then leasing out the lands to the corporate. It was touted that such attempts will result into a healthier agriculture, where the work opportunity will be increased. But how much opportunity is there for the workforce that has been evicted from agriculture? In 1980, with respect to per unit capital, 4.5 times

of the number of workers got work in comparison with the year 2000. But in the present time recruitment of the workers is reduced drastically, both in capital intensive industries and labour intensive industries. As a result of this, the workers, who are evicted from agricultural lands, are getting work in less productive and less income generating unorganized sectors. The rural families are trying to survive by drawing earnings from various low-income non-agricultural sources and by putting family labour in agriculture. In the first two decades of liberalization (1991-2011) total 16 crore 70 lakhs employments were created, among which 9 crore 10 lakhs employments were marginal (workers got to work for only six months in a whole year) in nature. **According to statistics of 2010-2011, in the village areas in unorganized non-agricultural sectors a total of 5 crores 30 lakh people worked and yearly they generated a value of Rs. 37,000 per head, which was lower than the agricultural sector (In case of agricultural sector it was Rs. 54-57,000 in 2010-11). Therefore, from this piece of information it is evident that the unemployed force generated by the agrarian crisis will return back to their agricultural roots if enough opportunities are provided there.**

In a predominantly agrarian subcontinent, information technology (IT) sector and business outsourcing services have helped to create a section of affluent middle class, along with a small group of spectacularly rich entrepreneurs [Grimes, 2007]. In the three years from 2004– 2007 the services sector grew at more than 10 percent per year, and by 2006– 2007 it generated 61.8 percent of real GDP. But this suppresses facts of growing inequality and poverty, increasing malnutrition, hunger, and agrarian crisis.

The neoliberal project had the effect of paralyzing pro-poor public policies. Inequality and distress grows as the state withdraws public expenditure in social services. The richer sections of the population gain a disproportionate share of increasing output and income from economic growth.

Since the growth rate of agriculture is lower than the growth rates of both the workforce in agriculture and the rural population, and with only limited employment outside of agriculture rural unemployed people are functioning as a reserve army of labour for both rural and urban capital, the massive rural workforce of landless and near landless thus represents outcome of a path of imperialist-feudal plunder and an agrarian crisis.

The neoliberal policy has focused the transfer of property and land use rights on a world scale achieved through expropriation and dispossession of millions of rural people. This resulted in the swelling of the ranks globally of a 'reserve army' of cheap labour – another key component of the neoliberal accumulation strategy. Samir Amin termed this as genocidal because the massive numbers of displaced and dispossessed cannot possibly be absorbed via urban industrialization. He on this perspective pointed out the emergence of a 'new agrarian question'.

The process of liberalization has ensured that according to international demand the rich and upward agri producers resort to export oriented agriculture. This leads to a situation wherein there is threat to food security. Dependence on cash crops is a risky proposition for the peasant and the fluctuating world prices have a disastrous impact on the individual peasants who invest huge amounts for the farm inputs, mostly taking credit from the traders or money lenders at high rates of interest.

The National Policy on Agriculture laid emphasis on private sector participation to improve small farms through contract farming and called for land leasing arrangements. Some states like Punjab, Andhra Pradesh, Gujarat, Karnataka and Tamil Nadu had already gone ahead with such activities. Despite, having a direct experience of forced commercialization the production process itself involves the use of a package of exorbitant inputs provided by the MNCs at usurious rates of interest, and the peasant is placed in the status of 'a mere operative' in a interlocked chain. The switching over of the Corporation from its strategy of direct control over land that they enjoyed during the first phase to control over the production process ensured a dependency relationship wherein the peasants bear all the risk and losses while the MNC earns huge profits from sale of exorbitantly priced farm inputs and wholesale distribution. This also brings disastrous ecological consequences.

Agrarian structure in most parts of the country remaining relatively unaltered with the monopoly over land vested in a few & landlord-trader-moneylender nexus representing ruling class in countryside, the advent of the MNCs into the rural countryside and the demand for removal of ceilings and gradual tightening of their absolute control over land makes the land question seminal. Recently a separate ordinance (Farmers Price Assurance & farm services ordinance) has been passed to facilitate undermining of sharecroppers, landless & farm workers to get land on rent & share. This is essentially land grabbing in the name of contract farming. The enhanced access to land for the Big companies & MNCs will lead to greater exploitation of small and middle peasants. In a situation of falling prices & grabbing of land by locally forming of Farmer producer companies - the land question will become even more important as a site for intensified struggle. Millions of evicted

landless poor peasants & marginal workers in rural India will be thrown into a helpless condition.

The question to be answered is where this reserve army of labour will go? The non-manufacturing sector (mostly construction) which was creating about 4 million jobs p.a. during 2004-05 and 2011-12, created only about 0.6 million p.a. during 2011-12 and 2017-18. Slow growth of construction jobs has negative implications for low skilled employment, real wages and the incidence of poverty. Since real wages remained flat during 2011-12 and 2017-18, particularly in rural areas, it could be argued that the decline of poverty as claimed by Bhalla (2019) is untrue. The only sector which sustained growth of jobs (3 million p.a.) is services, although the quality of jobs in this sector are mostly poor. Although service sector employment grew in most states, non-manufacturing sector jobs did not grow much. It failed to compensate the employment fall in both agriculture and manufacturing. As a result, total employment fell in most of the states.

The states which ranked top by employment loss numbers during 2011-12 and 2017-18 include: Uttar Pradesh (3.2 million decline), Odisha (2.1 million), Gujarat (1.5 million), Andhra Pradesh (1.5 million), Rajasthan (1.5 million), Kerala (1.4 million), Jharkhand (1 million), Maharashtra (0.8 million) and Punjab (0.8 million). While falling total and youth employment in agriculture is good news from the structural transformation point of view, falling manufacturing employment and decelerating construction employment growth are bad news for the economy.

The labour force (those looking for work) increased only by about 10 million to reach 495 million during 2017-18, because both share of those in working age looking for work (LFPR) and share of

those looking for work actually finding work declined (WPR) from 39.5 percent to about 37 percent, and 38.6 percent to about 34.7 percent respectively between 2011-12 and 2017-18. For youth, LFPR fell from 44.6 percent to 38.3 percent, and WPR fell from 42 percent to 31.4 percent during the same period. This is an indicator of disheartened workers. Youth “Not in Labour Force, Education and Training (NLET)” increased in India by about 2 million per annum during 2004-05 and 2011-12, which further increased by about 3 million pa 2011-12 and 2017-18. About 100.2 million youth declared themselves as NLET during 2017-18. Uttar Pradesh ranked top among the state having about 21 million NLET youth in 2017-18 followed by Bihar, West Bengal, Maharashtra, Madhya Pradesh, Andhra Pradesh, Rajasthan, Gujarat, Karnataka, Tamil Nadu, Odisha, Jharkhand and Assam. Falling total employment is an unprecedented trend seen from 2011-12 to 2017-18. Due to a decline of employment in agriculture and manufacturing and slow growth of construction jobs, the process of structural transformation has stalled since 2012. Increase in educated youth unemployment, and lack of quality non-farm jobs have resulted in an increase of the disheartened labour force. A dominant share of jobs is still generated by micro and small units of the unorganized sectors without any formal or written job contract. In both government and private sectors the number of contract jobs (with less than a year’s contract) is on the rise post 2011-12. But the real wages have not increased in either rural or urban areas.

In such a circumstance, we can have a different look at the industrial development & solution of employment problem of India. According to the NSS survey in 2011-12 a person from rural India could spend Rs. 80 for his/her clothes, beddings etc. Though it was the average amount, in reality, 2/3rd of the village people spend less

than this. According to the economic survey of 2016-17, in an initiative of manufacturing clothes 24 employments per lakh rupees are generated in which 8 women are associated, 7 employments are generated in factories of leather products and shoes, 4 employments are generated in garment industries, and 0.3 employment is generated in car manufacturing factories. This survey tells about export-based employment, where if more than 1 crore is exported in cloth manufacturing industries then 8 employments will be generated, and 7 employments will be generated in leather and shoe manufacturing industries. In spite of the low rate of buying power in 2011-12 the national market of clothes and decorative products touched Rs. 1,36,000 crores. In case of leather and shoe industries the amount was Rs. 29,500 crores.

Barely a week before lockdown real GDP in 2019-20 had fallen down to 4.2% which is the lowest since 2008-09 (NSSO). The fiscal deficit has jumped to 4.6% in 2019-20 higher than projected by Nirmala Sitharaman. Manufacturing and construction sector showed poor growth at 0.03% & 1.3% respectively, from a growth rate of 5.7% & 6.1% respectively. Growth in the financial & real estate sector has slowed to 4.6%, while hotel & transport saw a fall to 3.8% from 6.8% & 7.7% respectively. Before the pandemic, India was already in the middle of economic slowdown. Only agriculture showed a surge with a growth of 4% compared to 2.4% growth in 2018-19.

It is evident from all these statistics that a radical reform in agriculture will definitely increase purchasing capacity of rural population, extend rural industries, rural employment, and rural market. As the agricultural GDP is only 14%, the capital owners are not much interested in such reforms. However, if we think from the

perspective of the working class & people as a whole then definitely investments in agriculture and people centric reforms will lead towards huge employment, because 52% workers are involved in this agricultural sector. State investment in agriculture is following a consistent decline in the last two and half decades. In 1980 it was 42% of the total expenditure on agriculture, and presently it has become 15% of the same. In 2011-12 the government's expenditure in agriculture became 0.4% of the total GDP (on-going expenditure and the wages of the workers will be added with this figure). Even mainstream economists believe that government's investment on agriculture will by default bring investments from private organizations. Such investment from the government side also leads towards various developments such as different types of irrigations, rural electrification, extension in agricultural fields, supply of seeds, services for cattle, rural banks etc. These types of infrastructural developments increase the capital investment and accentuate the production growth in agriculture. Such initiatives are more useful in mitigating the rural poverty in comparison with other policies. However, in reality, government's illusive strategies are constantly pushing the farmers and the whole agricultural sector towards a severe crisis.

Central government's recently declared three ordinances are a 'triple murder plan' of peasants, farm labour & consumers in one go. AIKMS statement has rightly observed that this will "jeopardize small farmer production, small survival savings of peasants, agricultural wages & food prices". This will help to plunder agricultural sector which showed a surge with a growth of 4% compared to 2.4% growth in 2018-19 amidst overall economic crisis. This will also create an unbearable condition in countryside to force the unemployed workforce out of their countryside in search

of livelihood. But how far the industry in crisis can accommodate remains doubtful. Arthur Lewis law has to be revisited from a different perspective of 'New agrarian question'.



AIKMS Opposes draft Environment Impact Assessment (EIA) notification - 2020

(We are here reproducing objections sent on June 30, 2020 by Central Executive Committee of AIKMS to Draft Environment Impact Assessment (EIA) notification 2020. These objections were sent by AIKMS Secretary Com. Bhalachandra Shadangi to the Secretary, Ministry of Environment, Forest and Climate Change.)

We on behalf of the Central Executive Committee of the All India Kisan Mazdoor Sabha (AIKMS) want to lodge our strongest protest against the draft Environment Impact Assessment (EIA) notification - 2020 which has been put in the public domain by the Ministry of Environment, Forest and Climate Change (MOEF&CC) since March 12, 2020.

We think the proposed new set of environment clearance rules seem to be heavily loaded in favour of the industry and commercial interests. The draft Environment Impact Assessment (EIA) notification - 2020 which is intended to replace the EIA notification - 2006, proposes to ease processes for business, does away with the

public hearings for many projects, ease rules for expansion of projects among other things.

It weakens the public consultation process and gives a lot of discretionary powers to the authorities. It proposes a mechanism to legitimize some actions currently listed as violations, like projects starting construction without a valid clearance, dilutes rules by expanding the list of projects exempted from public consultation, and does not prescribe a robust post environment clearance monitoring system.

The EIA notification - 2006 regulates the environment clearance given by the Central Government for projects such as dams, mining, thermal power plants, infrastructure projects like highways, ports, airport and big construction projects. But the predominant thrust of the draft EIA notification - 2020 is completely contrary to the principles of environment protection and that of EIA 2006 notification.

Instead of focusing on ensuring the protection of the environment, the draft EIA - 2020 undermines past several orders of the National Green Tribunal (NGT) which had ruled against post-facto approvals. The purpose of this notification is to legitimize illegalities done by industries. It seems to be emphasizing that an industrial project that has violated environmental rules will have a right to seek approval for it as long as that project is permissible in the area which is a mockery of the law.

In the environment clearance process, public consultation has been an important component under which the concerns of local affected persons and others, who have a stake in the environmental impact of the project, are ascertained with a view to appropriately take into account while designing the project. In the latest draft, the

MoEFCC proposes to expand the list of projects that do not need to seek public consultation before they seek environment clearance.

The draft is saying that public consultation is exempted for projects including modernization of irrigation projects, all building, construction and area development projects, inland waterways, expansion or widening of national highways, all projects concerning national defense and security or involving “other strategic considerations” as determined by the central government. It also held that “all projects concerning national defense and security or involving other strategic considerations, as determined by the central government, shall require prior-environment clearance, from the ministry without any change in the category of the project” but “no information relating to such projects shall be placed in the public domain.”

Another contentious point is that linear projects like pipelines and highways in border areas are exempted from the public hearing. However the term “border area” is defined as an “area falling within 100 kilometers aerial distance from the line of actual control with bordering countries of India” which will end up covering a huge area in regions like northeast or northern India. By this it leaves a lot to the discretion of the government.

These provisions will ensure a huge help for the building and construction lobby which has been facing several court cases regarding clearance rules. With this, it is now ensured that the construction industry will no longer require an appraisal from the expert panels of the environment ministry. Similarly, the term “strategic project” is used in the proposed EIA notification where public consultation is exempted. Defence and security-related projects are understandable but the governments can designate

any other projects as of strategic importance in name of energy security etc. to steer it clear of any public consultation and push the project. It can be an irrigation project or a mining project.

The EIA - 2020 notification is considered to be an important instrument for enabling environmental democracy through meaningful public participation. This participation is sought to be done through public consultation comprising of two components – a public hearing and inviting responses from those having a plausible stake in the environmental aspects of the project. The Supreme Court and several high courts also from time to time observed that if adequate time is not given for the preparation of views, comments and suggestions to those who would be affected by the project, then such public hearings would not be meaningful. The time period under the earlier notification for the conducting of the hearing was 45 days. But in the draft notification it shortens the time for the public to furnish responses on the project from 45 days to 40 days. For project-affected people, who are generally forest dwellers and peasants or otherwise do not have access to information and technology, this will make it harder to put forth representations.

The public consultation process under the EIA notification has been riddled with infrastructural disabilities, inefficiencies and lack of access to information. Public Hearings conducted across the country have been notorious for providing incomplete EIA reports, encouraging discussions on irrelevant details of the project, high levels of discrepancies in the information provided etc., thereby rendering the entire idea to involve citizens in environmental decision making, useless. The notification neither address these deficiencies pertinent in the process of public consultation, nor does it seek to ensure the authenticity or increased reach of information, that is critical for the concerned citizens to effectively participate in

the process.

As per the present EIA rules, a mining project can get environmental clearance for a period of up to 30 years but in the latest 2020 amendments it will be up to 50 years. This list shows how the draft EIA - 2020 is an attempt to skirt around all the major decisions of the NGT over the past few years.

A few years ago, the government started focusing on ease of business but today with changes like these the only focus is business while the original mandate of protecting the environment is nowhere to be found. The proposed EIA - 2020 notification is conveniently expanding the list of projects that can be exempted from close scrutiny.

There is a case going on regarding inland waterways. Waterways require two kinds of dredging – capital and maintenance. Now, as per the existing rules, capital dredging (for inland waterways) requires environmental impact assessment. However, in the draft EIA - 2020 the ministry has changed the definition of capital dredging to keep rivers out of the purview of the new environment clearance process.

The draft EIA - 2020 has ignored the monitoring and compliance of projects cleared. Under the draft EIA notification - 2020, project owners are to submit environmental compliance reports (after getting clearance) every year which under the EIA notification 2006 they had to do it every six months and extends the validity period for approvals in critical sectors such as mining.

The backbone of environment clearance rules is monitoring the conditions on which projects are cleared and ensuring compliance. But here the ministry outrightly trusts the industries whose track record doesn't inspire much confidence. This proposed

EIA - 2020 notification has no focus on ensuring compliance and monitoring of projects while it heavily relies on self-certification by the industry.

The government's actions on environmental regulation show that it considers it an impediment to the ease of doing business. During the nationwide corona virus lockdown, the MoEF has been working swiftly to clear projects, even carrying out public hearings over video conference.

Under the guise of streamlining the EIA process and bringing it in line with recent judgments, the Draft EIA – 2020 Notification disables it, shrinks its scope and removes the safeguards for environmental justice. It minimizes the role of the local people particularly the opinion of people likely to be effected by the project.

Hence, we on behalf of Central Executive Committee of AIKMS , we oppose this pro-corporate and anti people and anti environment amendments in the EIA proposed by the Central Govt.

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***The three Ordinances will Change
Nature of Indian Agriculture***

**Annuling Govt. Checks to
Hand over Control of
Agriculture to Corporate**

Ashish Mital

Recently, as part of its 20 lakh crore 'relief' package for the Corona affected economy, the RSS-BJP govt. has made drastic changes in the legal framework that govern production; land leasing; pricing and supply of inputs; pricing, procurement and sale of crops; storage, processing and food supply chain in India. These changes will have a widespread, long lasting and grave impact on various aspects of agriculture and rural life including land ownership, domination of village rich and middlemen, food security, peasant incomes and labour rates.

These changes give thrust to the policy direction of ruling classes to increase foreign and domestic corporate control on agriculture which will tighten their grip and further reduce the peasantry to its appendage. The Corporate have been demanding these changes in various garbs for long, the pending demand of FDI in Retail is one example. While the GOI hopes corporate investments will increase agriculture sector 'growth' and money supply in rural areas, it remains unconcerned about the protecting

the interests of the peasantry. The three Ordinances will harm interests of peasants, agricultural labour and consumers, in one go.

The Corona lockdown has further devastated the already debilitated economy. It was required of the GOI to provide relief to the peasants and agricultural labourers who constitute more than 50% of India's total workforce, the real base that could have helped rejuvenate Indian markets, production and helped the economy. It was also the opportune moment to change course, despite adverse terms of international commitments as the crisis would justify the need to do so. The world is moving towards protectionism, swaying from WTO commitments as international trade is declining. Our rulers, however, chose to save imperialist capital, not our people.

While the combined impact of all three ordinances is to liberalize corporate penetration and control, broadly speaking each of the three has slightly different targets. While the changes in ECA mainly frees up overall govt. checks and controls over food supply, the changes in APMC attack restraints on crop purchase by companies and the Contract Farming Ordinance targets inputs and organization of agricultural production.

Changes in the Essential Commodities Act - 1955

Essential commodities relate to products essential for survival - food, edible oil, lifesaving drugs, etc, whose consumption is essential, not optional and rise in prices of which would affect entire cross-section of population, particularly the poor. While low cost of essential commodities keeps the overall cost of living cheap and affordable, it also plays a role in keeping unit labour cost low, the other important factor being labour demand and supply.

The “**Essential Commodities Act**” 1955 ensured delivery of certain commodities or products, the supply of which if

obstructed owing to hoarding or black marketing would affect the normal life of the people. It empowered the govt. to “regulate or prohibit the production, supply or distribution thereof or trade and commerce therein” of essential commodities, for securing “equitable distribution and availability at fair prices”. It gave power to prevent hoarding to regulate the prices (Section 3, ECA 1955).

It is the states who are to implement the EC Act, 1955 and the Prevention of Black marketing & Maintenance of Supplies of Essential Commodities Act, 1980 (essential commodity for purpose of this Act is as defined under ECA 1955). But the centre has thrust this change in ECA by promulgating the Central Ordinance and has attacked the federal structure of governance.

As reported on August 8, 2019, a gazette notification had said that “persons and firms engaged in contract farming agreements with farmers are exempted from the existing licensing and restrictions on stock limit and movement of foodstuff under the Essential Commodities Act, 1955.” But wheat, pulses and edible oils, edible oilseeds and rice were exceptions, as states had been permitted to impose some temporary restrictions on them in order to contain price increase of these commodities. (Ref: Essential Commodities Act GS: 3 “EMPOWER IAS”). This ordinance will do away with this permission also.

The Essential Commodities (Amendment) Ordinance, No 8/20 states that for the purpose of ‘increasing competitiveness’ in agriculture sector and ‘enhancing income of farmers’, ‘while protecting the interest of consumers’, the ‘regulatory system needs to be liberalized’. For this it says that section 3 shall be so amended so as to include that ‘the supply of such foodstuffs like, cereals, pulses, potato, onions, oilseeds and vegetable oils’ may be ‘regulated only under extraordinary circumstances’. It further states that any

regulation of prices shall be done only if there is a '100% increase in retail prices of horticulture items' or a '50% increase in prices of non-perishable agricultural food stuffs', 'over the prevailing 12 months average'.

We shall proceed to first study the other two ordinances.

Changes in APMC Act :

It is titled "**Income Assurance**", though income erosion will be closer to its real effect. The concept of Income Assurance flows from the logic advanced by WTO, World Bank and a large number of govt. advisors and pro corporate economists that differentials in world market prices and that in Indian markets show that Indian peasants receive lower rates than they would if they had the benefit of the international prices. Hence the govt.'s curtailment of corporate who 'can purchase' at international rates, its restrictions on exports, failure to implement farm to fork, etc, have reduced the prices received by peasants. They have variously criticized this curtailment, including calling it negative subsidy. They have deliberately underplayed the role of monopolies and also powerful international boards (Several traded farm commodities have an international board which are also linked to stock exchanges) in determining prices and even keeping them artificially low, particularly in dependent developing countries. They have made comparison of prices received by Indian peasants with average prices of the crop received in the world exchanges, which does not apply. They have deliberately ignored the fact that it is not the restrictions in international marketing that is causing farm income distress, it is rather the absence of guaranteed profitable prices that is leading to distress. World over, particularly in developed countries, the govts assure both profitable prices and purchase; and

crop producers, mostly companies, stay afloat on these guarantees.

The govt. has passed the Ordinance, No. 10 of 2020, titled, "The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Ordinance, 2020". The objectives of this Ordinance are:

"Creation of an ecosystem where the farmers and traders enjoy the freedom of choice relating to sale and purchase of farmers produce which facilitates remunerative prices through competitive alternate trading channels; to promote efficient transport and barrier free inter-state and intra-state trade and commerce of farmers' produce outside the physical premises of markets or deemed markets notified under various state agriculture produce marketing legislations; to provide a facilitative framework for electronic trading and for matters connected therewith or incidental thereto."

This has three parts.

The first is the concept of 'farmers and traders' enjoying 'freedom of choice' relating to 'sale of farmers' produce' to be purchased by traders. Both are unequal forces. One has a produce to sell which has to be sold there and then and immediate encashment is essential and there is no scope for storage. The other is a big trader who has the power of waiting on the purchase, buying elsewhere and bargaining. The 'freedom of choice' will be of the trader company, not of the peasant. In no way will this 'facilitate remunerative prices through competitive alternate channels'. It is locking up a sheep and a lion in one cage to invoke 'freedom' of choice!

The second part is the 'barrier free' commerce of farmers' produce 'outside the physical premises' of govt. markets. Let us see

what the state APMC Acts say about regulation of crop prices.

An Agricultural Produce Market Committee (APMC) was a “marketing board established by a state government in India to ensure farmers are **safeguarded from exploitation by large retailers**, as well as ensuring the **farm to retail price spread does not reach excessively high levels**”. *Well laid out market yards and sub-yards were constructed and for each market area an APMC was constituted to frame the rules and enforce them. They ensured that farmers are not exploited by intermediaries or money lenders, who compel farmers to sell their produce at the farm gate for an extremely low price and that all food produced is first be brought to a market yard and then sold through auction. All traders are required to have ‘a license’ to operate within a mandi. Wholesale and retail traders (e.g. shopping mall owners) and food processing companies are not allowed to buy produce directly from a farmer.*

The Mandi Adhiniyam in UP laid down that these mandis are “meant to reduce the multiple trade charges, levies and exactions charged from the producer sellers, to verify and ensure accuracy of scales and weights, establish market committees in which the producer will have his due representation, ensure the producer has a say in utilization of market funds for improvement of the market as a whole, provide for fair settlement of disputes relating to the sale of agricultural produce, provide amenities to the producer seller, arrange better storage facilities and provide market intelligence to help the farmers.”

One can fairly conclude that this ordinance is designed to bring back exploitation by large retailers, to immensely increase the margin between farm to retail price, to allow hoarding, exploitation

by intermediaries and money lenders, to allow wholesale traders and food processing companies, to encourage inaccuracies in weighing and cheating of peasants, etc.

It is not without reason that the demand of the peasantry has been to improve the administration, management and democratic content of these market committees to improve the concerns of common peasants, to improve infrastructure, to expand coverage and to prevent cheating, corruption and control by landlords, middlemen and contractors, but the govt. has gone ahead with practically winding up these agriculture marketing committees by depriving them of trade in major crops and leaving them with little else.

While the peasantry has been fighting for declaration of MSP for all crops at remunerative rates @ C2+50% and procurement of all crops, accountability from Mandi and govt. officials and priority purchase from smaller peasants, the govt. has hit them really hard.

The declaration of MSP and procurement, regulated through the APMC, have been essential measures along with the ECA, to ensure minimum prices, price stability for peasant crops, govt. procurement and stocking. Income of peasants is largely assured because of the baseline MSP and govt. procurement. Freedom for corporate investments, the giant private purchasers is sure to force withdrawal of govt. from declaring any profitable MSP and procurement.

Included in this aspect is to make trade of agricultural produce **‘barrier free’**. This essentially is to neutralize and render ineffective all state level levies, checks and state guarantees and privileges to protect their peasants from outsider big traders at reduced prices.

The changes on 'barrier free' trade and commerce outside 'physical premises' of govt markets is also another big blow to the rights of the state govts and to the federal structure of the Constitution as these were entirely within the ambit of state rights.

Export/ Imports and Competitive Pricing:

As specifically declared the Corporate will have freedom to play with the Indian markets through freedom to export and import these crops and the govt. will not be left with any control. Peasant organizations have been forthright in regularly demanding end to Govt.'s unplanned and harmful exports and imports and the compulsion thrust by WTO to import 5% of all crops from international markets. Much too often it is done to the detriment of the peasantry, i.e., heavy cheap imports arrive along with the harvest and exports are not opened up even when they can to help prices of the crop during harvest time.

The third aspect of this attack is the establishment of **Electronic Trading**. This Ordinance establishes the concept of **Farmer Producer Organizations** to be a group of farmers, by whatever name called. It permits trade only by those traders with a PAN or such other document as specified by the central govt. (section 4). Such plan is obviously not for small and local traders. It permits these traders to defer the actual payments to farmers by 3 days, provided that a proper receipt for the purchase is issued {section 4(3)}. We have a huge negative experience of the deferred payments by sugar mills in India and we know how the payments remain perpetually pending. The Ordinance bars all state fees under APMC on agricultural trade (section 6). Under the Ordinance (section 5) it is the FPOs and Cooperative Societies that are to establish the electronic exchanges.

Electronic Trading, eNAM, will give a further blow to all registered traders in *mandis* as well as local small transporters, reducing the work prospect and income of crores of rural people. It will further increase unemployment. They will allow traders to receive the cheapest price by either purchasing from where it is cheap or by bargaining with the producer to reduce his price. The producer remaining bound to his village and area will get no benefit. It will thus lower the general prices at the time of harvest when farmers need maximum protection from private hawks. MSP, govt. procurement, regulation of export and import were such measures. This measure has been adopted under the slogan of “One Nation, One Market”!

Price Assurance Ordinance

The third Ordinance is the Price Assurance Ordinance, “The Farmer (Empowerment and Protection) Agreement on Price Assurance and Farm Services Ordinance”, No 11 of 2020. It provides a “national framework of Farming Agreements that protect and empowers farmers to engage with agri-business firms, processors, wholesalers, exporters or large retailers for farm services and future farming produce at a mutually agreed remunerative price framework in a fair and transparent manner ...” It covers all food stuffs, fodder and cotton.

Under this Ordinance Farm services include supply of all types of inputs and machinery, seed, feeds, fodder, technology, agro-chemicals, non-chemical agro inputs, etc. Once established, the Govt. is naturally absolved from responsibility of ensuring these provisions. Though not mentioned, it is only a matter of time when ‘all types of inputs’ will be enlarged to include all irrigation facilities, ponds, canals, etc which can then be ‘Corporatized’.

The scope of the agreement (section 3) includes one between a “farmer and a sponsor” or “a farmer, a Sponsor and a third party”, “prior to the production or rearing of a farm produce of a predetermined quality, in which the Sponsor agrees to purchase such farming produce from the farmer and to provide farm services”. “Trade and Commerce Agreement” says “ownership of the commodity remains with the farmer during production and he gets a price for the produce upon its delivery as per agreed terms with the Sponsor”. “Production Agreement” says the Sponsor will agree to “provide farm services, either fully or partially, and bear the risk of the output, but agrees to make payment to the farmer for the services rendered by such farmer”.

The agreement further specifies inclusion of the following:

It envisages and incorporates continuation of share cropping by stating that no agreement shall be detrimental to the interests of sharecroppers. {section 3(2)}

The farming agreement shall be for between one season to 5 years or if more it is to be specified. {section 3(3)}

The parties shall mutually agree to quality grade and standard of produce. It may also include criteria for pesticide residue, food safety standards, good farming practices, labour and social developmental standards, etc, which is to be certified by a mutually agreed to third party. {section 3(4)}

The prices to be paid or the variations to be specified including base price, bonus etc. {section 3(5)}

There are delivery specifications {section 3(6)}

Such produce shall be exempt from all state laws relating to sale and purchase of the crop and the ECA and Control orders. {section 3(7)}

An **aggregator/FPO or a farm service provider** may become party to the agreement and is a person who acts as an intermediary between the Sponsor and the farmer and provides “aggregation related services” to both.

There is mention that no recovery for any dues shall be initiated against the land owned by the farmer.

What Conclusions can be drawn from this Contract Farming Ordinance?

1. **Ownership:** The agriculture operations will come under a contract. It shall no longer remain the sole concern of the peasant, but also of the Sponsor Company which shall exercise its control and supervision. It will be incorrect to say ‘ownership remains of the farmer during production’ because the crop is bound to the Sponsor. Ownership here only means responsibility. To say that Sponsor ‘bears the risk of output’ and ‘agrees to pay the farmer for the services rendered by the farmer’ are also empty words because the farmer is not providing any service except that he is growing a crop as per agreement and the Sponsor is only obliged to pay for the crop which has to be delivered as agreed.

2. **Inputs and Services:** They shall have to be procured from the Sponsor as per his wish, if the contract is to be made. It is the Sponsor who is to provide farm services ‘fully or partially’. They are claimed to be of good quality and are sold at a premium price. In existing contracts, seed in case of potato farming and other inputs in other contracts are provided by the Sponsor.

3. **Inspections, Supervision:** Services are provided by the Sponsor directly or by the farm service provider, FPO or Aggregator. Each service will be paid for immediately, as per contract, which shall obviously be dictated by the Sponsor. And

they are no longer in the domain of the peasant to carry out at his / her will. The inspections, supervision and reports by the private 'agreed to parties', which in those cases where the deal becomes unprofitable for the Sponsor, shall hang like a Damocles sword over the head of the peasant. In this, the issues of concern will be reports on good farming practices, pesticide and chemical residue, labour and social development standards, etc.

4. Aggregators, FPOs: The important, new concept is of the FPO, Aggregator or Farm Service Provider. This person or group will act as an intermediary between the Sponsor and the farmer and will provide "aggregation related services" to both. He will pool land to make an attractive proposal on behalf of farmers to the Sponsor. He will aggregate supply of services and he will supervise the harvesting and aggregate the produce for the Sponsor to purchase. This person will quite obviously come from the power setup in the village or area. He may also play a role in deciding the 'agreed party' for inspections, supervisions etc.

5. Cash Requirement: It is not specified where the cash required for inputs and services will come from. The peasant who will need cash to pay for services will have to engage a financier, which may be a bank also and this financier could be placed in the category of the Farm Service Provider. Who will benefit out of this structure which already involves 3 forces, and 4 in case of sharecropped land? Quite obviously first the Sponsor, then the FPO/ Aggregator/ FSP and the last is the owner. While agriculture operations will be conducted in a more organized manner due to pooled operations and better organized farm labour, requirement of labourers will come down without any benefit to them of rise in wages.

~~**6. Landlords, Middlemen:**~~ Contract farming will further
June - 2020 empower landlords and middlemen and provide them a new role. It

will also encourage misuse of all types of village common lands by them. In a way it will act to reverse some provisions of Zamindari Abolition.

7. Sharecroppers: Contract farming will ruin both the small peasant as well as the sharecroppers. One they will lose the right to grow essential food grain and keep it for their sustenance. They will be forced to buy food grain from the market at high rates. Secondly the entire concept of share cropping, which is about sharing the crop produced and operates for the small peasant and landless mainly for food grain will become infructuous. Contract farming entails entire crop to be sold to the Sponsor and the sharecropper will only get some cash for his labour. The condition about the contract not being 'detrimental to the interest of the sharecropper' is meaningless. This is an attack on the food security of the poor. Presently also around 30% of food grain grown is kept for consumption and this is higher amongst the small and marginal farmers.

8. GM, Hybrid Seeds: Contract farming will promote unchecked sale and use of GM Seeds, which have been subject to several approval procedures. It will promote unchecked and unscrupulous growth of mechanization with replacement of agricultural labour. It will change the entire complexion of agriculture and become an appendage of Corporate commercial interests with contracts being given only for producing those crops which the Corporate will use commercially. It will see more promotion of Bt Brinjals and Bt Cotton and more cases like the one in which Pepsi charged Gujarat farmers with patent violation.

9. Land Security, Debts: Though it has been specifically mentioned that no recovery of dues shall be issued against the land, but dues on the peasant are contemplated as the input supplies and services are not being made for free. Nor is it that the risk of

production will be on the Sponsor. Ultimately, if the dues are to be recovered, how else, other than from the land will they be?

The Indigo Experience:

It will be of some interest to read some observations about Indigo farming and farmers in India during British Colonial Rule. Accordingly, under the *Bengal Indigo Contracts Regulation, 1823* and the *Bengal Regulation 6 of 1823*, “The capitalist advances his money, and sometimes the seed likewise, upon a contract to receive the produce of a defined quantity of land, either at a certain fixed price, or at rates to be subsequently determined with reference to the market price at a specified season; and this system is understood generally to prevail in the Province of Bengal in the cultivation of the plant from which the indigo-dye is extracted.”

Another report says, the indigo planters persuaded the peasants to plant indigo instead of food crops. They provided loans at a very high interest. Once a farmer took such loans he remained in debt for his whole life before passing it to his successors. The price paid by the planters was meagre. The farmers could make no profit. The farmers were totally unprotected from the indigo planters, who resorted to mortgages or destruction of their property. Government rules favoured the planters. By an act in 1833, the planters were granted a free hand in oppression. Landlords sided with the planters.

Dispute Redressal:

In the Income Assurance Ordinance, the dispute redressal is under section 8, whereby the parties can file for dispute settlement with the SDM of the area who shall appoint a conciliatory board for the same. It shall have 3 to 5 persons with one Chairman who shall

be an officer under him. The members shall include a representative of the disputing parties. But no norm has been laid down for such boards and obviously 'farmer' representative is not insisted upon. The appeal shall lie with the SDM, himself and there shall be an appellate authority above him, who will be the Collector or a deputy appointed by him for the purpose. Any person aggrieved by this shall have the right to appeal to a joint secretary appointed by the central govt. for the purpose (section 10.). And Section 13 reads, "No suit, prosecution or other legal proceedings shall lie against the central govt. or the state govt. or any other persons in respect of anything which is in good faith done or intended to be done under this Ordinance or any rules or order made there under". Section 15 reads, "No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter ... under this Ordinance". So, the entire proceedings have been protected even from judicial intervention. In the Price Assurance Ordinance also the dispute settlements are as described as above, through the administrative machinery and deprived of judicial interference.

Increasing farmers' Income, Protecting Consumers:

These Ordinances will lead to the exact Opposite of 'Increasing income of Farmers' and 'Protecting interest of Consumers'. With all cereals, pulses, edible oils, onions and potato having been removed from being under cover of the ECA, the giant companies will be free to procure these items directly from the peasants, store and hoard them, process the crops and sell at monopoly prices in local markets.

Once a crop is out of the purview of being 'essential' why will the govt. declare a MSP and procure it. Worded differently, the logic put forward by the Govt. for this Ordinance states so, that the ECA

was invoked in a situation of food shortages in the 1960s and with food production rising there is no need for such 'restrictive' legislation which needs to be 'liberalized'. Liberalization will naturally mean freeing up the commodity from its govt. price and purchase control. We know that already the Govt. declared MSP and procurement is far short of ensuring profits for the peasant. The Shanta Kumar Committee has recommended winding up of procurement, as according to it only 6% farmers benefit. And we also know the plan to wind up PDS rations and convert it into the cash based Direct Benefit Transfer scheme. So Govt. sponsored Price Assurance, i.e. MSP will be out.

The impact of this can be understood from the list of MSP foods declared by the govt. MSP is declared for only 22 crops. These are cereals - Paddy, Wheat, Barley, Jowar, Bajra, Maize, Ragi; Pusles - Arhar, Moong, Gram, Masur (lentil), Urad, Soyabean; Oilseeds - Sunflower, Seasmum, Nigerseed, Rapeseed/ Mustard seed, Safflower, Copra and Groundnut. That leaves out only Cotton and Jute and also Sugar cane for which an FRP/SAP is declared. The Ordinance calls this 'liberalized regulation', but it will obviously lead to Corporate regulation, freedom for the peasant is completely a false notion. At a time when his produce comes into the market in bulk, either the peasant is protected from dominant market forces through Govt. declared minimum rates and procurement, or he falls prey to the market leaders. There is no third way.

The govt. will, on its own, not be left with adequate stocks and legal security to control the supply of these items and to rein in the ravaging hoarders and black marketeers, in this case the big corporate. It will have itself undermined its own ability to prevent price-rise of foods and ensure food security.

Incidentally, all these food items constitute the most essential

ingredients of the poor man's plate. To what level the prices of these food items will increase, is anybody's guess. But, yes, the govt. has put in a check. It says that if the yearly rise in prices is double or more for horticulture items and 1.5 times for food grains, then it will act. The meaning is clear, it is making an allowance for at least this much food inflation.

It is absolutely clear that neither income of farmers will rise, nor will consumer interest be protected. With the govt. out of the way, what will be the future of the peasant movement for Leke Rahenge "Poore daam", they will have to work out afresh.

Food Storage, Privatization of FCI:

The former Agri Secy Siraj Hussain stated that he had actually recommended removal of ECA limitations for 5 years in order to promote private investments in food storage infrastructure. These above measures will not only lead to private markets and godowns, for more than one reason, the FCI warehouses will also be privatized. One is that when the govt. will not declare a MSP, why and how will it buy and store. Secondly, the FCI is any way under a huge debt of Rs 2.65 lakh crores as on March 1, 2019. Though this practice has been on since 2010, the loan was just Rs 91,409 crores in 2014 and it increased by 190% in these 5 years. The reason for this is that though the govt. has been claiming a cost of almost Rs 10 per kg for stocking, loading, transporting, distributing the food stocks, which it bills on to food subsidy, it has not been making this entire expenditure by giving it to the FCI. The gap between FCI expenditure on food handling and actual payments has been filled up through loans, taken by FCI from the National Small Savings fund. These have to be returned. From where? Anybody can guess.

This, apparently, is the govt. plan to Double Farmers' Income.

IFTU CALL ON THREE-DAY STRIKE BY COAL MINE WORKERS AGAINST HANDING OVER COAL MINING TO PRIVATE SECTOR

The Indian Federation of Trade Unions (IFTU) extends support to the three day strike by the coal mine workers starting 2nd July in protest against the Centre's decision to open 41 coal blocks for commercial mining by private players.

Taking advantage of the Pandemic, the Prime Minister on 18th June, 2020 launched the course to auction 41 coal blocks in five states, Jharkand, Chattisgarh, Odisha, Madhya Pradesh and Maharashtra the first three states with 9 blocks each for commercial mining. Apart from these, 11 blocks in the Singareni Collieries are also under the axe. It is being told that this decision is in line with the vision of "atmanirbhar", self-reliance. The country is supposed to become self reliant in the energy sector by opening up the coal sector to private players. The PM wants us to believe that self reliance can be realized only by privatization that would also mean the entry of foreign players or FDI. The Centre had earlier taken the decision to permit 100% FDI in the coal sector and the present decision to open up coal sector to private players cannot be seen in isolation from this policy framework.

The process of de-nationalizing the coal sector had begun in the nineties when many works which were directly under the

various subsidiaries of the CIL or under the SCCL were handed over to private agencies or were outsourced. For instance, most of the work of removing the over-burden(OB) in the open-cast mines are managed by private agencies. In the last decade and a half many underground mines, which are labour intensive have been shut down and open-cast mines have increased. In the 18 open cast mines in the SCCL, all the over-burden works are done by private companies. This process entailed the employment of contract labour instead of regular workers. The Coal Mines Special Provisions Act, 2015 is a part of the scheme to denationalize the coal industry allowing private companies to enter this key sector. The present decision of handing over 41 coal blocks to private players would also result in displacement of tribal population from their forest dwellings and in deforestation.

The National Committee of IFTU demands,

1. The roll back of the decision to auction 41 coal blocks.
2. Annul the Special Provisions Act
3. Stop outsourcing and regularize contract workers.

(Issued by Com. Aparna President and Com. Pradeep General Secretary IFTU on 30.6.2020)



Condemn Increase in Prices of Petrol & Diesel

In a continuing attack on the people – peasants, workers, consumers, traders and generally poor people, the Govt of India has now continuously raised petrol and diesel prices for last 16 days. Petrol prices have been hiked by Rs 8.30 per litre while diesel prices have been increased by Rs 9.50 per litre. This increase is on top of sharp increase in taxes levied on diesel and petrol in the month of May, 2020.

With economy in doldrums and need to take measures to spur economy assuming paramount importance, economists and people's organizations have been demanding lowering of prices of petrol and diesel. The Govt.'s increase in taxes at this time thus assumes a criminal character besides being irresponsible in the extreme.

This increase has come at a time when crude oil prices continue to be low in the international market despite some marginal increase in crude oil prices in May 2020. The earlier sharp decline was offset by increase in duties. Even this rise of approximately 9 dollars per barrel works out to just Rs 4.30 paise per litre, which is half the value of the current hike in prices. In fact the component of taxes in the prices of diesel and petrol now amounts to roughly two thirds of the price charged from the people.

In fact the cost price of crude is only about Rs 20.12 per litre. After processing, transport and Oil company profit margins, 'ready to sell' petrol is priced at Rs 24.62 and diesel is at Rs 26.02 per litre. Excise duties currently are Rs 32.98 and Rs 31.83, while VAT is Rs 18.36

and Rs 18.45 per litre of petrol and diesel respectively. With this, Rs 51.32 paisa is govt taxation. It is 65% of the value paid by the consumer.

With economy in deep crisis and industrial production having fallen by 55% in April, preceded by a 16.7% dip in March, the entire economy is in shambles despite an increase in agricultural output during Kharif season. Having failed to make any worthwhile contribution to prop up peoples' income in its relief package, the GOI has left them, particularly the peasants, industrial workers, small traders and small producers, to their own efforts to survive. Raising fuel prices at this juncture will severely and adversely impact all industrial and agricultural operations, it will raise travel and transport costs and fuel all round inflation. It will undermine people's efforts to survive and is a serious attack by the Modi govt on '*atmanirbharta*'.

Earlier while the crude oil rates fell drastically during rise in Corona cases world over, the govt took advantage and raised the excise duty on petrol and diesel by Rs 3 per litre. Then during the lockdown, it amended the finance bill to increase the maximum limit of raising additional excise duty on petrol from Rs 10 to Rs 18 per litre and on diesel from 4 to Rs 12 per litre. Now with some increase in the crude oil prices, these increased taxes and crude hike are together further fuelling the fuel price hike. The govt excise duty on petrol has been raised from Rs 9.20 per litre in November 2014 to Rs 31.98 in June 2020 while that on diesel has been raised from Rs 3.46 to Rs 31.83.

Meanwhile the govt. had then reduced the ATF prices to Rs 22.54 per litre while increasing the burden on the poor. Today also it is Rs 33 per litre, which is just 41% of that of the poor man's fuel.

This highlights whose travel and transport the govt wants to subsidize and who the govt. wishes to burden.

Central Committee of CPI(ML)-New Democracy strongly condemns this increase in prices and demands that taxes on diesel and petrol should be completely waived off. This is all the more urgent in view of the needs of economy and people's livelihoods which have been further severely impacted due to Govt.

CPI(ML)-New Democracy

June 23, 2020

Women Organizations & Activists Seek Public Judicial Enquiry into North-East Delhi Violence

(We are publishing a letter addressed to The Minister of Home Affairs dated 8 June 2020 written by Leaders of women's organizations, activists and intellectuals. This letter was endorsed by 369 leaders of women and other mass organizations and intellectuals. The move was spearheaded by several women's organizations in Delhi including Pragatisheel Mahila Sangathan. – Editor)

Sub: Seeking Public Judicial Enquiry on the violence that engulfed North East Delhi from February 23

Sir,

This is a reminder that our letters dated 25 April 2020, 30 April 2020 and 5th and 18th May 2020, have not received any acknowledgement of receipt, or a note regarding what action will be taken on our proposed demand for a Public Judicial Enquiry. As a result we are sending you another reminder of our grievances and demands.

As representatives of various civil society collectives, organizations and activists, we are deeply disturbed by the manner in which investigations are being conducted regarding the four day violence that engulfed parts of North East Delhi from February 23 onwards. Ostensibly, the ongoing investigation being conducted by

Delhi Police at the behest of directions from the Ministry of Home Affairs, with the claim about investigations being carried out in a scientific manner, complete with evidences and proofs.

However as we pointed out earlier, our concern is regarding the alacrity with which the police is filing FIRs and not putting them up in public domain for scrutiny. The arrests at the time of pandemic, particularly under UAPA, are disturbing, especially when the arrests are of activists, student leaders and a pregnant woman!!! The lack of clarity on the procedure of arrests, the manner in which charges are framed and the limited scope for the arrested to seek legal aid, is alarming. Arrests during the pandemic are violative of human rights and an indicator that the administrative machinery seeks to suppress democracy in an underhand manner.

We are aware of the police statements that they are arresting an equal number of people from both communities. However, as long as the list of the undertrials and the FIRs are not made public, the intention of the investigation will remain suspect. The arrest of students who were nowhere near the violence, and implicating them for reading poetry or passages of the constitution and publicly voicing their interpretation of democracy, raises doubts about the process of investigation. The arrests of students, women and human rights activists by framing non-bailable charges in 'running FIRs, during a pandemic, is travesty of justice and a violation of their fundamental rights enshrined in the constitution. We are concerned about the list of women, particularly unarmed students, who are getting implicated in the violence. This would be the first time in the history of the world that women and even pregnant women are being jailed for their convictions in a constitutional democracy.

We are again attaching a list of our findings and concerns regarding the arrests and the manner in which investigation is being conducted. **We would like the MHA to conduct a Public Judicial Enquiry into the violence and as a first step recall all the FIRs of activists and students, particularly women, as soon as possible.** During a pandemic, when it will not be possible for the accused to get judicial help, it is criminal to jail them and deny them any opportunity to defend their stand. The decreasing faith in the investigation process can be redeemed by transparency.

We trust you will help us uphold the values of the constitution and democracy by instituting a free, fair and impartial enquiry into the sequence of events that led to devastation and loss of lives in North East Delhi.

We request an acknowledgement of the mail, with an assurance that the Ministry will consider our demands.

Regards,

Cc: Chief Minister of Delhi

Deputy Chief Minister of Delhi

National Human Rights Commission

National Commission for Women

Organ of the Central Committee, CPI(ML)

NEW DEMOCRACY

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