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Organ of the Central Committee
CPI (ML)

New Democracy

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Farm Acts and Govt. Claims

Report of Women's Team on Hathras

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On US-Israel-UAE-Bahrain Agreement

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Implications of Shaheen Bagh Judgement

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Call On Bihar Assembly Elections

Defeat RSS-BJP and its Allies [mainly JD(U)]

**Ruling Class opposition parties
have no Programme for solving
People's Problems**

**Support CPI(ML)-New
Democracy**

In the state election after outbreak of Corona pandemic, RSS led ruling NDA is facing electoral challenge from other ruling class parties in Bihar. While the govt., Election Commission and even mainstream media had stonewalled all demands to postpone the elections on account of Corona pandemic, even interpreting such a demand as a fear in the parliamentary opposition camp of their impending defeat, the self-satisfied feeling has given way to desperation evident in the ruling camp. RSS-BJP led NDA has suffered internal division with Chirag Paswan led LJP going against JD(U) whose leader is NDA's projected candidate for Chief Minister should NDA secure majority in coming state elections with signs of covert backing of BJP. NDA's main contender for power in Bihar is another ruling class formation led by RJD called grand alliance. Its projected CM candidate is Tejaswi Yadav, son of Lalu Yadav,

presently lodged in Ranchi jail. There are candidates from other parties and alliances in elections.

Bihar assembly elections are first elections in a state after brutal lockdown avowedly to check spread of Corona virus. In May 2019 Lok Sabha elections RSS-BJP had returned to power with increased majority. Those elections were held under the orchestrated campaign in the name of Pulwama attack and Balakot strike building a ultranationalist, jingoist propaganda unleashing anti-Pakistan frenzy and deepening anti-Muslim polarization. Since its return to power, RSS-BJP have pursued twin agendas i.e. of intensifying fascist offensive and taking it to the level of fascist rule and of showering benefits on foreign and domestic corporate; doing away with the existing rights of workers and handing over complete control over agriculture to corporate. RSS-BJP have been the most reactionary wing of the Indian ruling classes and most loyal servant of big capitalists and big landlords. Their service of big capitalists (foreign and domestic corporate) and attacks on workers and peasants are amply shrouded by the corporate controlled mainstream media. The same mainstream media has consistently tried to frame the attacks on the minorities- religious and national, dalits, tribals, women and on the democratic rights and growing expansion of powers of state machinery in the language of nationalism.

Since coming back to power in 2019, RSS-BJP has been in a hurry to bring about their version of Hindu Rashtra in order to change the very political landscape of the country, the very mode of governance. RSS Chief Mohan Bhagwat has claimed that India is already a Hindu Rashtra. Soon after coming to power they annulled Articles 370 and 35A of the Constitution. Not only abolishing the

special powers granted to Jammu & Kashmir, they abolished the very state. They then moved to criminalize Triple Talaq. And then they delivered a big blow to secularism by enacting Citizenship Amendment Act, 2019 and announced making an All India National Register of Citizens (NRC) and preparing of National Population Register (NPR) to prepare for that. All this while they systematically further enhanced powers of Central Govt. In all these attacks they were helped by increasing surrender of state institutions before RSS led Hindutva, increasing caving in of the regional ruling class parties to RSS-BJP and demoralization among the rest of parliamentary opposition. While pursuing these domestic agenda, they have drawn India ever closer to US led camp, into closer alliance with Israel and making India part of the US led military alliance which is evolving into an Asian NATO.

Corona swept the world and India from beginning of 2020. RSS-BJP considered it a jackpot. They used it to further tighten their control over the people, while doing next to nothing to control Corona outbreak. They created Corona scare but not Corona care. They allowed Corona to spread to douse the fire of rising protests against their communal-fascist CAA-NRC, even blaming, with help from corporate media and political suckers in medical bureaucracy, a minority congregation for such spread. They intensified attacks on democratic rights activists in Elgaar Parishad case and foisted UAPA on anti-CAA protesters. They imposed a lockdown unheard of in the world and its methods inconceivable in a democratic society, giving police unbridled powers. Starved and abandoned, millions of workers were forced to migrate from places of their work with govts. giving up even pretense s doing anything. This tragedy, unparalleled in Indian history in its scope and pathos, will long resonate with people's consciousness; power dispensations- govt.,

judiciary, media etc. not bothering as the affected were poor and powerless. This reverse migration of tens of millions of workers rendered tens of crores jobless and sharply increased unemployment rate. This brought sharp increase in rural unemployment already quite high if underemployment is taken into account. Bihar, a largely agricultural state with over four fifth living in villages, has been one of the most hard hit.

The Corona pandemic has cast its shadow over these elections in Bihar. It has exposed the RSS-BJP gimmicks and Nitish led JD(U)'s gloating over his image which was to a large extent created with the help of corporate controlled upper caste staffed media. Bihar Govt. and Central Govt. ruled by the same forces led by RSS-BJP did nothing to help tens of millions of workers from Bihar working in different parts of country. State and Central govts. abandoned and even ridiculed them; held them responsible for spread of Corona. Nitish Kumar even obstructed the coming home of workers and students stranded outside Bihar. Neither Nitish Kumar forced Central govt. to take care of them nor his govt. took any steps. They turned a blind eye to the plight of Biharis without food and shelter. Not only the policies of ruling class parties are responsible for the present conditions of people of Bihar with a large number being forced to migrate outside state for mere survival, even the Himalayan plight evoked no sympathy from the rulers-Modi asking people to take care of themselves and Nitish abandoning the people to police. Anti-people character is their very nature. BJP is promising free Corona vaccine to people of Bihar. Does it mean to charge the people for this vaccine for the profits of their corporate masters? Or will it put a charge in other states? Or does it want the state govts. to foot the Bill, the state govts. having

been already reduced to municipalities after implementation of GST and their condition made worse by Central govt. forsaking its commitments.

Bihar is groaning under unemployment. When RJD leader raised the slogan of creating 1 million jobs, ruling BJP-JD(U) ridiculed him saying wherefrom he would get the money. But a few days later, RSS-BJP promised to create 1.9 million jobs! These parties have no plan to create jobs nor they are willing to adopt policies necessary for that, but these promises underline the problem of unemployment which has become gigantic in Bihar. Unemployment has reached 11% in Bihar without taking into account gross underemployment i.e. people getting work for only some days. Unemployment is stated to be almost 55% among the youth in Bihar. Not only absolute number of unemployed is staggering in Bihar, the number of people getting regular salaries is abysmally low. Only 1 in 10 Biharis draws regular salary (roughly 10%) while the all India average is two and a half times more (roughly 24%). Unemployment has become so serious as to enter the ruling class agenda.

But the ruling class parties cannot address this problem. Bihar has suffered under the suffocation of semi-feudal agrarian relations and almost total lack of industries. Even those existing earlier like ones in Dalmianagar have closed. Ashok Paper Mill in Darbhanga is closed and several sugar mills in North Bihar are closed. Neither rural distress rooted in semi-feudal agrarian relations and further aggravated by corporate assault on agriculture, has been addressed nor the issue of total lack of industries. In rural areas, vast masses are without means of livelihood. Nitish govt. had formed Bandopadhyay Commission which documented large amount of

landlessness and high level of tenancy. It noted that land reforms were mainly not implemented and that if 15 acre ceiling were to be properly implemented lakhs of acres of surplus lands would be available for distribution to landless. It made certain recommendations. But Nitish, in service of landlords, jettisoned those recommendations. Even his three dismils (0.03 acre) for house sites promise is mostly on paper. Nitish has patted himself with the tag of “Sushashan Babu” but that tag only means total power to police and bureaucracy. His govt. has attacked the struggles of landless peasants and agricultural labourers with ferocity.

In Bihar govt. jobs are the only non-agricultural source of income and a large number of govt. jobs are lying vacant, and ever growing army of contract teachers and health workers, ill paid and without rights. Their pleas for regularization have gone unheeded. RSS-BJP and Modi talk of Make in India but implement import from foreign; they talk of Swadeshi but implement Videshi. They are all talk and no action on this front. With their increasing kowtowing to foreign countries who wish to sell their products in India, their promise is only to hoodwink the people.

The stance of LJP serves the RSS-BJP purpose. RSS-BJP is keen to avoid the responsibility for the mishandling of Corona pandemic effects in Bihar. That is the main reason why it swears by Nitish Kumar leadership. LJP exonerates RSS-BJP ruling at the Centre and part of ruling alliance in the state, in fact the main force in the ruling alliance as Nitish is dependent on it. Chirag Paswan is talking of Bihar First Bihari First but supports the very Party which bears main responsibility for the plight of Biharis especially in the period of Corona pandemic. LJP is only playing for power hoping to

increase its share without any concrete programme for addressing the problems of the people of Bihar. Some ruling class parties are talking of youth, the new generation, but this new generation represents the old ideas.

The main ruling class opposition alliance led by RJD and Congress and revisionist parties, have no programme to address the problems of the people. RJD leader Tejaswi Yadav has been muted in criticism of RSS-BJP and Central Govt. led by them. Ruling class opposition parties have no basic difference on economic policies while several of them, especially Congress, had pedaled softer version of Hindutva.

Assembly elections in Bihar are taking place at a time when the whole country including Bihar is passing through unprecedented crisis. People are grappling with rising unemployment and attack on jobs; decreasing income and essential commodities going out of reach of the people; increasing attacks on workers, peasants and agricultural labourers; increasing attacks on muslims, dalits, tribals and women; overall with reign of terror unleashed over toiling people annihilating democratic rights even those granted in the Constitution and existing laws. RSS project of consolidating their fascist rule must be defeated.

People's struggle must be developed in defence and furtherance of their rights to land and means of livelihood; for gainful employment and free quality education & health care and for improving conditions of workers and peasants. Communist Revolutionaries are committed to develop such struggles and genuinely fighting for the people.

The Texts of the Farm Acts Nail the Lie in Govt.'s Claims

Ashish Mital

The Acts are:

- 1. The “Income Assurance” Farmers Produce Trade and Commerce (Promotion and Facilitation) Act, 2020, in short the ‘Mandi Bypass’ or MB Act.**
- 2- The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act, 2020, in short the Contract Farming, or CF Act.**
- 3. Essential Commodities (Amendment) Act, 2020, in short the EC Act**

The country is seized with the peasant opposition to the above Acts, brazenly declared passed in parliament, most undemocratically. The Prime Minister and Ministers continue claiming that these Acts will benefit farmers. It leaves one wondering why such ‘beneficial’ legislation is seeing such wide spread opposition. Let us test the claims, counter posing hard facts and the written law.

Claim 1. The farmer is now free to sell his crop anywhere. Govt is providing an Alternative to Farmers:

86.2 % of Indian farmers own less than 2 hectares land. They are under heavy compulsion to sell their crops immediately after

harvest in order to pay back debts, to buy inputs for the next crop, other needs and because they have no capacity to store the crop, to transport it (which govt. procurement did) and bargain the best price. They go to the nearest *mandi*.

The claimants of ‘sell anywhere’ are obviously unconcerned with the peasant’s plight and are committed propagandists of falsehoods. Where is the alternative? Companies will be alternative to what if not the existing arrangement? The Acts do not say that Corporate will be alternative to MSP and Govt. procurement. There is no ‘freedom of choice’.

Claim 2. MSP and govt. procurement will continue.

Section 5 of the Contract Act states that “to ensure **best value** to the farmer” such price “may be linked to the prevailing prices in specified APMC yard or electronic trading and transaction platform or any other suitable benchmark prices” – but NOT to MSP, nor to Govt. Procurement rate - because both are to be wound up! No declaration of MSP for all crops, determined by Swaminathan formula of C2 costs plus 50%.

Claim 3. Farmers will be free from exploitation by Intermediaries:

The APMCs, established in 1960s, were meant to be a marketing solution to provide incentive of a fair price and govt. procurement to peasants and to save them from selling crops at throw away prices, in lieu of debts accumulated from private lenders for purchase of inputs. Half a century later peasants are making the same complaints against the *arhatiyas* of govt. *mandis* and against the govt. for its failure to declare profitable MSP, for coverage of only 23 crops under MSP and for scarce procurement.

The claim is that the APMC Bypass Act will completely unshackle the control of the ‘middleman’, who are the main villains.

These Acts create at least 5 layers of middlemen, roles which will be filled by rural moneyed sections, who are the middlemen now also. Section 2(g) stipulates a Farm Agreement in which “written agreement entered into between a farmer and a Sponsor or a farmer, a sponsor and any *third party*”, the third party has been left undefined.

a) Under 2(g) the Sponsor is to provide farm services, i.e. “seed, feed, fodder, agro-chemicals, machinery and technology, advice, non-chemical agro-inputs and such other inputs for farming, etc” (section 2d). The farmer pays for these. But section 3(1)(b) states that the “responsibility for compliance of *any legal requirement* for providing such farm services shall be *with the Sponsor or the farm service provider*”. This ‘farm service provider’ is a middleman.

b) Section 4(1) and Section 4(3) say determining “quality, grade and standards for pesticide residue, food safety standards, good farming practices and labour and social development standards may also be adopted in the farming agreement”. Section 4(4) says monitoring and certification of quality and “the process of cultivation or rearing, or at the time of delivery, *by third party qualified assayer ...*” - another middleman.

c) Section 10 provides for “an *aggregator or farm service provider*”, the “aggregator” being any person, “including a Farmer Producer Organization”, who *acts as an intermediary* between a farmer or a group of farmers and a Sponsor and ‘provides aggregation related services to both farmers and Sponsor’. This

middleman will have three roles, aggregate land of small owners for contracts, services from companies for farming and farm produce for sale to companies.

d) Section 2(e) of Contract Act and Section 2(b) of the Mandi Bypass Act state that a “*farmer*” *also includes ‘Farmer Producer Organization’*. It is the landlord/rich farmer who will organize the FPOs and also act as an agency of the Sponsor Company. The original plan for FPOs was to be voluntary collectives of farmers to empower bargaining with traders. These acts envisage a middleman role for them, the present day moneylenders, brokers for banks, ‘arhatiyas’, commercial agents, etc. There is no security clause in the Acts for the underprivileged.

e) Section 5 (1) of the Mandi Bypass Act also provides for the FPO the role of *establishing and operating “electronic trading and transaction platform ... commerce of scheduled farmers’ produce in a trade area”*, meaning ownership and management of private mandis.

There is an obvious provision for a compete nexus between the Sponsor Company and the middlemen and with absence of govt., they will control all operations. Where is freedom from the middleman?

Claim 4. Food Security of the poor will not be harmed.

The EC Amendment says, “The supply of such foodstuffs, including cereals, pulses, potato, onions, edible oilseeds and oils”, etc., “may be regulated only under extraordinary circumstances” and “imposing stock limit shall be based on price rise” “may be issued under this Act only if there is—(i) hundred per cent increase in the retail price of horticultural produce; or (ii) fifty per cent

increase in the retail price of non-perishable agricultural foodstuffs, over the price prevailing immediately preceding twelve months.”

There will be no regulation of food prices, no check on hoarding and black marketing, in a food market chain controlled by Corporate and MNCs! Cheap food grain under PDS will get converted to cash transfer scheme and more than 75 crore beneficiaries will be forced to buy from open market.

This law further states that these changes shall not apply to orders under PDS and TPDS ‘for the time being in force’. The ‘time being’, for PDS, is very sinister.

Claim 5. Farmers shall not be deprived of their land.

Section 8 of Contract Act mentions that, “No farming agreement shall be entered into for the purpose of (a) any transfer, including sale, lease and mortgage of the land or premises of the farmer”. That is indeed very nice!

But Section 9 links “farming agreements” “with insurance or credit instrument *under any scheme of the Central Government or the State Government* or any financial service provider to ensure risk mitigation and flow of credit to farmer or Sponsor or both.” This will entail credit linkage with mortgaging of farmer’s land, unless it had been specified that the Sponsor Company will provide the assets for mortgage.

In case the contract suffers a financial loss, there will be recovery, under Section 14(7) “amount payable ... may be recovered as arrears of land revenue.” And though Section 15 prohibits recovery “against the agricultural land of the farmer”, clearly the credit instruments will follow their debt instruments, not Section 15 of this Act, to which they are only linked.

Claim 6. There will be no loss to the farmer in calamities (force majeure).

Section 14(2)(b) of CF Act provides that where the “order is against the farmer for recovery of the amount due to the Sponsor” on account of any advance payment or inputs, “such amount shall not exceed the actual cost incurred by the Sponsor”. So, apart from cost of inputs, the actual costs ‘incurred by the Sponsor’ will be recovered!

Further in cases where “default by the farmer is due to force majeure”, “no order for recovery of amount shall be passed against the farmer”. There is no commitment here to pay for the services of the farmer, though the loss is due to ‘force majeure’. In these recoveries the govt. will play an active role.

Claim 7 There will be no govt. taxes and benefit will be shared by the Company and the farmer.

This is another total lie. Section 6 of the Mandi Bypass Act does bar “market fee or cess or levy”, but only under “any State APMC Act or any other State law”. And Section 5(2) provides that the “the person establishing and operating an electronic trading and transaction platform shall prepare and implement the guidelines for fair trade practices such as mode of trading, fees, ...”. There will be no govt. taxes, but there will be mandi fees, and with no govt. control!

Three major threats stand out.**1. Farmers will be subjected to Corporate Control:**

The scheme of these three Acts is to impose ‘Indigo farming’ type pattern in the entire agriculture, with powerful rural elites

acting as middlemen of the MNCs and Corporate and both input and crop markets being corporate monopolized.

2. Subjecting food Security to World markets:

With complete govt. withdrawal from the food chain and food security, MNC food giants will freely import at the cheapest rate. ABCD (Archer Daniels Midland, Bunge, Cargill, Louis Dreyfus) the four major grain trade giants controlling more than 70% of world grain trade, Walmart, Nestle, Pepsico, CocaCola along with their Indian collaborators, Ambani, Adani, Tata, Birla, etc. will integrate Indian agriculture production with world markets and completely demolish freedom of farmers and food security.

3. Threat to India's food and political sovereignty:

With legal freedom these companies will readily promote banned and dangerous GM seeds, Terminator seed technology, which has been restrained due to protests. They will erode our seed sovereignty and threaten our food and political sovereignty.

No country in the world has developed by handing over its agriculture and welfare of peasantry to foreign powers.



**Report of the Team of the Representatives of
Women's Organizations**

**Women's Team Visits the Family
and Village of Hathras Victim,
Demand Court Monitored
Investigation, Action Against
Officials, Resignation of Yogi Govt.**

*(We are publishing here a Press Release issued by NFIW,
PMS and ANHAD on October 6, 2020)*

A delegation comprising Annie Raja, National General Secretary NFIW, Poonam Kaushik, General Secretary Pragatisheel Mahila Sangathan and Shabnam Hashmi, ANHAD visited Bul Garhi village in Hathras district on October 5, 2020 and spent 4 hours there.

We met and had detailed interaction with eight family members of the deceased Dalit girl who was allegedly raped and strangled on September 14 and later died in Safdarjung Hospital early morning on September 29, 2020.

The area is totally cordoned off; there is a huge police presence both on the main road which leads to the village as well as inside the village, through the long road leading to home of the deceased girl. It stretches almost two kilometers, with long patches with no police presence. In two places we heard men from the dominant

community giving their version to media; the version which is now being propagated by them as well as by the state apparatus.

Three of us conveyed our condolences to the parents and family members and sat down to share their grief. We extended our solidarity to their struggle to get justice for their dead daughter.

We spoke at length to the deceased's sister in law, her sisters, the girl's mother, two brothers, her father and his sisters and brother. His brother we later met at Aligarh.

Following this we went to the Jawaharlal Nehru Medical College & Hospital in Aligarh and also visited some people in the city who knew about the case. We spoke to several doctors and other staff who came in contact with the deceased during her treatment there.

Due to the atmosphere of fear and pressure from various quarters we are not naming the doctors, medical officers or other personnel with whom we interacted.

Long conversations with members of the family were accompanied by emotional outbursts and tears but on the whole were restrained. We present here a gist of what we gathered from these interactions.

Background, Incident, Treatment, Death, Cremation

1. Uttar Pradesh has a population of about 23.7 crores. Dalits comprise more than a fifth of the state's population, but remain most marginalized. India banned caste-based discrimination in 1955, but discriminatory attitudes against Dalits continue and they are among the most marginalized communities. According to the 66th round of the National Sample Survey Office, the proportion of rural Scheduled Caste (SC) households "self-employed in

agriculture”, that is, having their own land, is only 17.1 per cent, compared with 39.4 per cent among rural households of the Socially Advanced Classes (SACs). There have been several attempts by various governments to provide land to Dalit families to help them become independent. Due to lack of political will, discrimination and corruption, the land has not been given to all families only some have got small pieces of land.

2. Bul Garhi in Hathras district is a Thakur caste dominant village with only 4-5 houses of Dalit families. It is situated 12km away from sub-district headquarter Hathras. Baghana is the gram panchayat and it comes under Chandpa police station. There are about 66 houses in Bul Garhi village and 504 people. The Thakur landlord community has been wanting the Dalit families to leave the village for quite some time and make it a ‘Thakur Only’ village. The land, which must have been given to the Dalit families as part of one of the government schemes must have irked them, though we couldn’t ascertain when the land was allotted to the family of the deceased girl. The girls and women of Dalit families face harassment on a regular basis when they go out. One of the accused had in fact tried several times in the past six months to harass the deceased girl and as a result she had stopped going out alone.

3. On 14 Sept, 2020 after finishing all the work at home, tending buffaloes, cooking and cleaning, which began at 5 AM, she went with her mother and brother around 9.30 in the morning to cut grass for the animals. They were cutting grass at some distance from each other. After some time the mother looked for her daughter and first thought probably she returned home. Suddenly she found her slipper lying *ulta* (upside down). She followed the trail and found her daughter lying in a field, with no clothes on her body. She found

strangulation marks on her neck, her eyes were red and she couldn't speak as due to the strangulation her tongue was clenched between teeth and had got cut (wounded). Mother began screaming for help, saw a child and yelled to him to call her son from their home. She tried to cover her daughter with clothes lying around. Her distraught son arrived on the spot and with great difficulty they reached Chandpa police station to lodge a complaint. The girl was placed on an elevated structure. A complaint was lodged which took quite some time. The girl was sent to Bagla Combined District Hospital, Aligarh Road, Hathras

4. The Bagla Combined District Hospital after initial examination and first aid referred her to Jawaharlal Nehru Medical College in Aligarh. When she was brought to the Medical College her condition was critical therefore she was not able to give any statement. She had sustained many injuries apart from strangulation. There was hemorrhage in eyes due to strangulation, and she had sustained severe injuries on her neck and back, she was unable to breathe properly, suffering from quadriplegia (paralysis in all four limbs). According to the letter written by Chairman of the neurosurgery department to CMO, JNMC Hospital asking for her dying declaration to be recorded, her condition was critical and she was referred to neurosurgery, forensic medicine, and ophthalmology, OBS & GYNAE. She was then admitted in HDU- High dependency Unit.

5. On September 22, 2020 when she regained some consciousness and was able to speak, the chairman, department of neurosurgery, JLN Medical College, Aligarh asked for her dying declaration to be recorded in front of a magistrate. This is a norm for critical patients. A statement before the magistrate was recorded.

6. Her statement under 161 CrPc was also recorded after which section 376D was added to the initial FIR in Hathras which was registered under 307 IPC, 325 Sc/St atrocities act. The Additional SP's video which was tweeted on Sept 26, 2020 by @HathrasPolice says that the 'deceased was unable to give a statement at the time of filing the FIR'. When her statement was recorded by IO she named 4 people who raped her. Therefore 376 D has been added, all four have been arrested. No one is absconding and the case will be taken up in a fast track court.

Link to the tweet:

<https://twitter.com/hathraspolice/status/1309859079112646656?s=20>

7. The MLC report under details of the act given by the patient states: 'orifice penetration: vagina, complete/attempted: complete, penetration by: penis.' The provisional opinion of the doctor: 'On the basis of local examination I am of the opinion that there are signs of use of force however opinion regarding penetrative intercourse is reserved pending availability of FSL report.'

8. The FSL report says: 1. There are no signs suggestive of vaginal/anal intercourse. 2. There are evidences of physical assault (neck and back). The forensic examination was conducted on September 22, eight days after the incident. In cases of rape, according to government guidelines, the forensic samples should be collected within 72 hours of the incident. Sperms can't survive after more than 90 hours.

9. The deceased girl's statement before the magistrate, which would be treated as the dying declaration of the victim is crucial in such cases.

10. According to various doctors and other staff that we spoke to at the JNMC Hospital, Aligarh and various family members, there was tremendous pressure on the family by the local Hathras administration and the local BJP MP, who also visited the Aligarh hospital, to shift her to AIIMS, Delhi. Finally when family succumbed to the pressure and asked the JNMC hospital in Aligarh to shift her to Delhi, the JNMC referred her to AIIMS, but she was admitted to Safdarjung Hospital on September 28th, where she died early next morning. The police had informed the family in Aligarh that they had an ambulance ready to take her to Delhi.

11. When the consent of the father was taken for postmortem, he was shown her face but apart from him no one was allowed to see her then or later.

12. The family members claimed they had no papers except the copy of the first FIR, which was registered in Hathras, not even the death certificate.

13. On September 29, 2020 at 2.25 am at a funeral ground in her village the police forcibly cremated her body against the wishes of the family. The family was not even allowed to see her face. The girl's aunts pleaded, tried to stop the ambulance carrying her but the family members were badly roughed up and allegedly barricaded within their home after that.

14. The family alleged that there was intimidation and delay at every step, and no support came from the police or administration. From the moment they took her to the Hathras police station to her forced cremation, they faced intimidation, threats, manhandling, also allurements of money once the case became public. The family was particularly distraught at the atrocious manner in which

the police cremated her without allowing any of the family members to take a last look.

15. A study to identify healing process and outcome of hymenal injuries was conducted by Multicenter retrospective project and it used photographs to document the healing process and outcome of hymenal trauma that was sustained by 239 pre-pubertal and pubertal girls.

[https://www.researchgate.net/publication/](https://www.researchgate.net/publication/640296_Healing_of_Hymenal_Injuries_in_Pubertal_and_Adolescent_Girls_A_Descriptive_Study)

[640296 Healing of Hymenal Injuries in Pubertal and Adolescent Girls A Descriptive Study](https://www.researchgate.net/publication/640296_Healing_of_Hymenal_Injuries_in_Pubertal_and_Adolescent_Girls_A_Descriptive_Study)

The objective of this study was to identify the healing process and outcome of hymenal injuries in pre-pubertal and adolescent girls. All 126 pubertal adolescents were sexual assault victims. The hymenal injuries healed at various rates and except for the deeper lacerations left no evidence of the previous trauma... The final “width” of a hymenal rim was dependent on the initial depth of the laceration. No scar tissue formation was observed in either group of girls. The hymenal injuries healed rapidly and except for the more extensive lacerations left no evidence of a previous injury. A swab collected after 8 days of the actual act would not have any evidence of the rape committed.

The New Narrative being Spun by UP State

1. We note with grave concern and indignation that despite the deceased’s dying declaration and circumstantial evidence various members of the ruling party and members of the dominant caste have started building a narrative that the victim was not raped. The head of BJP IT cell tweeted a video of the girl, disclosing her identity which violates the law, in an attempt to say that she was not raped. Under the Indian Penal Code,

disclosing the identity of a rape victim is a crime punishable by a jail term of up to two years. In the video, when the victim when asked why they strangled you, she says because she was resisting 'zabardasti'. 'Zabardasti' is used for sexual assault and this video is of the police station in Hathras. Such efforts of the government and by BJP in trying to shield the perpetrators are highly condemnable.

2. The UP government has filed cases against those who organized protests against the brutal attack on the Dalit girl by men of high caste, and is now calling it an international conspiracy to malign the Yogi government and create caste riots in UP. Under the present government at the center and in UP, every act of dissent is now being termed as a conspiracy to malign BJP and its state governments. They have forgotten that it is every citizen's right under the Constitution of India to raise his/her voice against injustice of any kind. We strongly condemn all such efforts whether presently in UP or in Delhi to term peaceful civil resistance as a conspiracy.

<https://indiatomorrow.net/2020/10/05/hathras-up-police-lodges-open-fir-against-unnamed-persons-for-conspiring-to-create-caste-tensions-and-destabilise-up-government/>

<https://www.ndtv.com/india-news/hathras-case-deep-conspiracy-in-hathras-up-police-files-19-cases-across-state-2305419>

3. Several opposition leaders have been assaulted by the local upper caste and even lathi charged by police, when they visited the village to meet the family of the deceased. We strongly condemn this.

The Delegation Demands that:

1. Yogi Adityanath should be sacked from CM's post for deteriorating condition of constitutional bodies and growing violence against women and especially Dalit women
2. Time bound court supervised enquiry into the Hathras case
3. We demand an enquiry into the diversionary narrative propaganda
4. Ensure safety and security of life and livelihood of the family
5. Suspension of the District Magistrate
6. We demand an enquiry into the role of all authorities including public representative in denying justice.
7. We demand that NHRC should investigate why all Dissent is being criminalised
8. Strict implementation of SC/ST Prevention of Atrocities Act

Effective implementation of SC/ST Sub Plan and Component Plan with wide awareness and publicity about the schemes and programmes under this Act, for Dalit Community's Development.



The Four Labour Codes : Attack on Rights of Workers

The Modi Govt. has used the situation of the pandemic and the consequently truncated monsoon session of parliament to push through its pro-corporate, anti-worker, anti-peasant agenda. Three farm bills and three labour codes were hastily passed and have also received the sanction of the president. The fourth labour code (code on wages) had already been passed last year. Before we examine what these new Labour Codes are, let us first understand the purpose of labour laws in general.

2. Labour laws are supposed to protect workers from various forms of insecurities, adversities like job insecurity, retrenchments and wage insecurity. They are supposed to create provisions for safe and good working conditions in factories and other establishments. In a word, labour laws are made to protect the rights of the workers. In a socio-economic situation in which the class of workers sells labour power to a class of employers, the former is placed in a disadvantageous position while the latter is advantaged to impose its will and domination. Hence the purpose of labour laws has to be premised upon the principle of protecting the workers from the various insecurities they face. In our country consequent upon the innumerable struggles of workers several labour laws were enacted containing certain such protections. It is well-known that the enforcement of these laws has been poor with

employers flouting them with impunity. Capital on the other hand has been demanding the dismantling of these protections and therefore changes in the existing labour laws to realize what is called as labour market flexibility. Changes in labour laws have been a longstanding demand of Indian and foreign corporate particularly since the introduction of the new economic policies in 1992. During the Vajpayee regime in 2002 the process was started with the report of the 2nd National Commission on Labour. Changes in labour laws proposed in its recommendations were strongly opposed by the trade union movement and the Coalition governments at the centre in the next ten years were not in a position to implement this agenda of the corporate. However the objective of decreasing labour costs for capitalists was achieved to some extent by permitting large scale outsourcing and contractualization in disregard of the laws and this was condoned by the judiciary.

3. The Narendra Modi led RSS-BJP central govt. after coming to power in 2014 moved to restructure 29 existing labour laws into four labour codes – Code on Wages, Code on Occupational Safety, Health & Working Conditions (OSHC), Code on Social Security and Industrial Relations Code in which it has finally succeeded. It only remains for the Govt. to formulate and publish the rules for these codes after which they will become the new labour laws. Rules for Wage Code are already framed.

4. Before going into important specific changes in the laws, we should understand the general pattern of the new codes. The Govt. had been justifying creation of these 4 codes as a 2 process of simplifying, rationalizing and consolidating the multiple labour laws. The truth is that there has been no simplification or rationalization.

5. The various acts have been pooled together to form a code with the different old acts becoming different chapters in the new code. The sections of the various acts have been copied verbatim in most cases like a cut-paste job. For example the Industrial relations code replaces the Industrial Disputes Act, 1947, The Trade Unions Act, 1926 and the Industrial Employment (Standing Orders Act), 1946. The old Trade Unions Act has been copied as Chapter III and the old Standing Orders Act has been copied as Chapter IV and the old Industrial Disputes Act has become Chapters II, V, VI, VII, VIII, IX, X, XII, XIII and IV and similarly in the other three codes also. At the same time certain Acts like the BOC Act, 1996 are not copied over in the Code on Occupational Safety, Health and Working Conditions. The specific anti-worker changes which have been made we will discuss in detail later.

6. In the old Acts details as to applicability of social security benefits, health, safety and welfare measures, etc. and other matters were specifically written clearly. In the new codes matters have been left vague and the govt. has been given the power to decide these while framing the rules for implementing the codes. For example in the old Factories Act health and safety measures were given in detail regarding space between machines, protective equipment to prevent accidents, ventilation, etc. and welfare measures like toilets, cold drinking water, canteen, rest room, washing facility, crèche, etc were specified in the Act itself. Same was the case with mines. Now the health, safety and welfare measures will be formulated by the govt. For example while in the Factories Act crèche facility, rest room, etc. were compulsory now Section 24 (3) of the OSHWC code says that, “the Central Govt. may make rules for the facility of crèche....” In essence what should have

been decided by the legislature is now to be decided by the govt. and the govt. can make changes or even withdraw safety and welfare measures or grant exemptions from laws to employers if and when it wants.

7. Wherever there was a minimum threshold of number of workers 10, 20, 100 etc for being covered under provisions of the old labour laws, in the new codes these thresholds have been increased by double or more. As a result a large no of workers will get excluded from the purview of these laws and will no longer enjoy the protection of these laws. Furthermore power to increase this threshold in some laws has been given to the govt.

8. The Labour Departments of the Central and State Govts were the agency for implementation of the multiple old labour laws. The Inspectors had the powers to carry out surprise inspections, to inspect records, to impose fines and to initiate criminal prosecution of employers for violation of labour laws although they rarely used these powers for the benefit of workers. However the force of the workers movement could compel them to use these powers to pressurize the employers to settle with the workers. The new codes have greatly limited their powers and the labour department's function will now be that of facilitators who will convince and help the employers to implement the laws with no coercion involved. The employers are expected to voluntarily implement the laws and their self-certification of implementation through affidavit will be sufficient. There will remain virtually no scope of any inspection on a complaint of a union or workers regarding non-implementation of labour laws.

9. In the old laws for some violations there was provision for punishment of imprisonment although rarely if ever were

employers sent to jail. Now this leniency has been formalized by introducing the facility of compounding offences. An employer who may be liable to undergo imprisonment for violation of labour laws can now get away with paying a monetary penalty instead of imprisonment.

10. We will now discuss some of the important specific changes made through the new codes.

Industrial Relations Code, 2020.

11. This code replaces the old Standing Orders Act, The Trade Unions Act and the Industrial Disputes Act. The changes made in the old laws through this code are the most dangerous for workers as they amount to attacks on the right to organize into a union of the workers choice and the right to strike among other things. Furthermore in Sec.2, the definition of industry has been changed to exclude “any other activity as may be notified by the Central Government”. The Govt will therefore have the power to declare any industry to be not an industry. The “institutions owned or managed by organizations wholly or substantially engaged in any charitable, social or philanthropic service” have also been specifically excluded in this code.

12. In the old central law there was no provision for recognition of unions by the management (A few states had a separate law for this). All registered unions had the right to raise demands and even go on strike for the demands and compel the management to negotiate with it. In fact even without a union, five worker representatives authorized by workers in a meeting had the right to raise demands and give a strike notice and negotiate and sign a settlement.

13. Now a registered union having 51% or more workers of the establishment as their members will be recognized as the negotiating union. If no union has 51% membership then all the unions who have more than 20% of workers as members will form a negotiating council. How this membership will be checked has not been specified and will be decided by the Govt. The management will have the right to refuse to negotiate with any other union.

14. When workers of an industry who are unorganized begin to get organized into a union, it will be legally easy for the management to get pliant workers to form another union and give it recognition as a negotiating union. Once recognition has been given to a union favourable to the management, it will be extremely difficult for any new union to establish itself and get 4 recognition because of having limited possibility of legally agitating on workers' demands. The code will ensure pro-management unions or nominal unions in most establishments.

15. Apart from the above major change regarding recognition, other provisions of the old trade union act are mainly unchanged.

16. The provision in Section 62(1) of this code amounts to complete denial of the right to strike. In the old Industrial Disputes Act Sec.22 applied to public utility services only and 14 day notice of strike was necessary. Section 23 was for all other industries where no notice was required and only restriction was that of no strike during pendency of proceedings before court, tribunal, etc. In the new code the old sections 22 and 23 have been combined into new section 62(1) and made applicable to all establishments. Section 22(1) of the ID Act states, "No person employed in a public utility service shall go on strike in breach of contract, (a) without giving to the employer notice of strike..with six weeks before striking..." But

Section 62(1) of the Code says, “No person employed in an industrial unit shall go on strike in breach of contract,(a) without giving to the employer notice of strike within sixty days before striking...” (italics ours) So now what will happen is that first 14 days notice of strike will be given before which no strike. Then after receiving notice conciliation officer will start conciliation proceedings and while these are going on no strike. After negotiations fail, conciliation officer will send failure report to govt. who will refer it to a tribunal and as long as matter is in tribunal no strike. On the other hand after failure of conciliation proceedings, under the new law, management can also directly take the matter to tribunal [Sec 53(6)] and so no strike possible. In effect every strike can be declared an illegal strike. Furthermore mass casual leave has also been included in the definition of strike.

17. Chapter VB of the old industrial disputes Act has become chapter X in this new code. Chapter VB covered lay-off, retrenchment and closure in establishments having more than 100 workers. In such establishments the management had to secure permission of the govt. for layoff, retrenchment or closure. Often it was not politically expedient for governments to give the permissions. This gave rise to the phenomenon of voluntary retirement schemes (VRS) wherein the workers were given a larger financial package to get them to accept VRS and achieve the management objective of closure/retrenchment.

18. In the new code this threshold has been increased to 300 workers. As a result a large number of workers employed in medium size establishments having 100 to 300 workers will be deprived of the protection they earlier had. Furthermore the govt. can increase this threshold whenever it wants and for this provision

has been made in Section 77(1) of the code, “...not less than three hundred workers or such higher number of workers as may be notified by the govt.....” Furthermore, the govt. has also been given the power to alter the rate of retrenchment compensation from the standard 15 days per year of service via section 79(9), “...compensation which shall be equivalent to fifteen days average pay, or average pay of such days as may be notified by the appropriate government,...” Decreasing the rate may not be politically or legally 5 feasible for a government but it could be increased to tempt the workers to accept the retrenchment somewhat like VRS.

19. Earlier after retrenchment, the retrenched workers had a right of preference in reemployment whenever vacancies arose without any time limit (old Section 25H). In the new code Section 72, this right has been curtailed to only one year from the date of retrenchment. Therefore after one year has passed since any mass retrenchment/closure, the employer is freed of any obligation to re-employ retrenched workmen.

20. The old standing orders act has been mainly retained as Chapter IV. However the major change has been that the threshold for application of provision of standing orders has been increased from 100 to 300 workers. As a result a large number of workers of medium size establishments will be deprived of the right of having their working conditions and other rights clearly defined in standing orders. Furthermore Section 39 empowers the govt. to exempt any establishment from the provisions of standing orders. This would result in free play of the policy of hire and fire.

21. One very significant change first introduced in the standing orders and now part of this code is the new category of

fixed term employment which fulfils the demand of employers for freedom to hire and fire. Fixed term workers will be those who will have agreed to accept employment for a fixed period and at the end of the period their employment will automatically end and they will have no right to raise any dispute. They will also not get any retrenchment compensation but will get an equivalent amount as gratuity if they have worked for more than one year. Fixed term employees will always be facing the threat that their contract will not be renewed. Obviously employers will prefer fixed term to permanent employees and workers in this category are bound to keep increasing especially among skilled workers. The old Act Sec.9 specifically provided for displaying of certified standing orders by the management at the entrance in the language understood by workers. In the new code this provision is not there and it has been left vaguely in Sec33(2) for the govt to prescribe how workers are to be informed.

22. Under this code there will be no labour courts, only industrial tribunals for an area or national tribunals. Under the old ID Act, labour courts and industrial tribunals were presided by judicial officers. In a radical change the new Industrial tribunals will have 2 members- one judicial and one administrative. On some issues they may individually hear and decide matters i.e. the administrative member may alone decide on issues of workers. The constitutional concept of separation of judiciary and executive has been abandoned.

23. Finally Section 96(2) gives the appropriate govt. the power to exempt any new establishment from any or all of the provisions of this code for a period decided by the govt. in public interest.

Occupational Safety, Health and Working Conditions (OSHWC) code, 2020.

24. This code subsumes thirteen old laws – Factories Act, 1948, Mines Act, 1952, Dock Workers (Safety, Health and Welfare) Act, 1986, Building and other construction workers (Regulation of employment and conditions of service) Act, 1996, Plantations Labour Act, 1951, Contract Labour (Regulation and Abolition) Act, 1970 (CLARA), Inter-State Migrant Workers Act, 1979, Working Journalist and other newspaper employees Act, 1955, Working Journalist Act, 1958, Motor Transport Workers Act, 1961, Sales Promotion Employees Act, 1976, Beedi and Cigar Workers Act, 1966, Cine-workers and cinema theatre workers Act, 1981.

25. This code being a combination of so many diverse laws, different sections have different applicability. An establishment is one in which 10 or more workers are employed. The definition of factory has been changed and the minimum number of workers has been doubled from 10 to 20 where power is used and from 20 to 40 where power is not used. Thereby a large no. of small industrial establishments will now no longer be considered factories and the workers will be denied the protection of the health, safety and welfare provisions of the chapter on factories in this code. We have discussed earlier that despite the name of this code, the working conditions, safety and welfare facilities have not been specified in the code and are to be decided and declared by the Govt. later in the rules in respect of factories, mines and other establishments. There is a provision for annual medical check-up of workers in the code which is of particular importance in the matter of occupational diseases but it is not clarified as to how this will be done.

26. Working conditions, safety, welfare, etc. of mine workers is not specified in the code and will be decided and notified by the govt. later in the rules. Building and other construction workers (BOC) Act has been subsumed in this code but the various specific provisions for BOC workers in the old Act like conditions of service, safety and welfare measures like drinking water, latrines and urinals, accommodation (which is the first requirement), first-aid, canteens, crèches find no specific mention in the code and they will depend on what rules the govt. makes. In fact the requirements of occupational safety, health and working conditions are so greatly different in factories, mines, building and construction works, motor transport, beedi and cigar workers, etc. that putting them all under one law is totally misconceived. The end result is that the rights of workers in all these matters instead of being well defined in Acts of parliament will be decided by the govt. as it pleases. The Govt. has been claiming that it is bringing more unorganized workers under the purview of law through the code but many sectors of economic activity in the unorganized sector like domestic workers, scheme workers, hotel workers, digiplatform and gig workers, etc. have been left out of the code.

27. The provisions of Contract Labour (Abolition & Regulation) Act-CLARA have been compressed and included in this code as Chapter XI Part I. As with other laws here also the threshold for application of the provisions of this law have been increased from the earlier 20 workers to 50 workers now (Section 45(1) of the code). Under CLARA an establishment had to be registered for employing contract labour whereas in the new code the principal employer has been relieved of this responsibility. So now only the contractor has to get a license which will be valid for

5 years.. Even this provision can be relaxed through Section 47(2) of the code which brings in a new type of licence called a “work specific licence”. “where the contractor does not fulfill the requisite qualifications or criteria referred to in sub-section(1), the licensing officer may issue him a “work specific licence” renewable within such period....”

28. Under CLARA, the principal employer had the responsibility to maintain registers and records and his representative was supposed to be present at the time of payment of wages and to certify the payment. All this has been done away with and the only responsibility left with the principal employer is that of paying wages if the contractor fails to do so. One change that could benefit workers is that the responsibility of providing restrooms, canteens, etc. will now be of the principal employer not the contractor. Finally the declared objective of abolition of contract labour has now been quietly given up.

29. In this code also Section 127 gives the govt. the power to exempt any establishment from any or all of the provisions of the code in general and also specifically to exempt any new establishment or class of establishments from the code in public interest for creating more economic activities and employment opportunities.

The Code on Social Security, 2020

30. This code incorporates 9 old Acts - Employees’ Provident Funds and Miscellaneous Provisions Act, 1952; Employees’ State Insurance Act, 1948; Employees’ Compensation Act, 1923; Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959; Maternity Benefit Act, 1961; Payment of Gratuity Act,

1972; Cine-workers Welfare Fund Act, 1981; Building and Other Construction Workers' Welfare Cess Act, 1996; and Unorganised Workers Social Security Act, 2008. There are no major changes in the provisions of the laws and the basic question that social security must be seen as a right and must be universal has not been addressed. These separate acts have only become different chapters of one code. For BOC workers who are migrants they will have portability of benefits i.e. the option of availing benefits in their home state or in the state where they are working. How this will be implemented in practice will have to be seen. In the definition of building and construction work a provision has been added that...." where such works related to own residential purposes of an individual or group of individuals for their own residence and the cost of such work does not exceed fifty lakhs or such higher amount and employing more than such number of workers as may be notified by the appropriate govt." will not be included in building and construction works. This permits the govt. to change the definition of BOC worker and deprive a section of workers of the welfare benefits.

31. Some misconception has been created that the requirement of 5 years of service for getting gratuity has been removed. This is not so and the requirement remains. Only in the case of fixed term employment workers this requirement has been reduced to one year. In this code 8 also inspectors have been made facilitators and the facility of compounding of offences has been given to employers.

The Code on Wages, 2019 and draft Rules

32. This code was passed by parliament in 2019 and incorporates four old Acts – Payment of Wages Act, 1936, Minimum

Wages Act, 1948, Payment of Bonus Act, 1965 and Equal Remuneration Act, 1976, which form different chapters in the Code. The draft rules for the wage code have also been published and when officially notified will become law. A new concept of a 'floor wage' to be decided by the Central Govt. has been introduced and the State Govts are to fix the minimum wages which must be above this floor wage. It is most likely that the floor wage will in practice become the minimum wage fixed by the states. The matter is further complicated by the provision in Sec.9(1) that different floor wage may be fixed for different geographical areas with the result that workers working in different units of an industrial establishment in different geographical areas may be paid different rates of minimum wages. In addition in the draft rules, different rates of minimum wages are to be fixed for metropolitan, non-metropolitan and rural areas. With so many different minimum wage rates, implementation will become very difficult and employers will always try to pay lowest rates of wages. MNREGA wages have been specifically excluded from this code thereby ensuring that MNREGA work will be paid at less than minimum wage.

33. In the Rules Chapter II, Rule 3, the manner of calculating the minimum wages has been described laying down 6 criteria to be considered. These criteria are claimed to be based on the recommendations of 15th Indian labour conference and the judgement of the Supreme Court in Retakos Brett case in 1992 updating these criteria. These criteria have been law for last 28 years but were not implemented and it is unlikely they will be implemented in future also. The criteria for housing rent expenditure has been fixed at 10% of food and clothing expenditure which is extremely low and should be at least 25% considering the

high cost of rented accommodation and the fact that the original criterion laid down by the Labour conference was the rent for size of accommodation allotted to Class IV Govt. employees.

34. In the old bonus Act, the union and/or workers had the right to demand from the management and inspect the accounts of the establishment for calculating the profit and accordingly the rate of bonus due to workers. In this code sec. 31(3) states that “where there is a dispute regarding quantum of bonus, the authority notified by the appropriate Government having jurisdiction may call upon the employer to produce the balance sheet before it, but the authority shall not disclose any information contained in the balance sheet unless agreed to by the employer. Obviously no employer will agree to give information to the union and the union will be unable to legally prove the justification of its demand for bonus.

35. Inspectors under this code also will be facilitators and the facility to compound offences is provided for in this code too.

36. The old labour laws were not gifts from rulers but were the product of determine struggles waged and innumerable sacrifices made by the ancestors of today’s working class. Under the guise of simplification, rationalization and consolidation these laws have been reorganized into the four labour codes and in that process attacks have been made on many hard won rights of workers, particularly the right to organize and the right to struggle. The aim of the Govt. is to lower the labour costs for the Indian and foreign corporate. The drastic decrease in permanent jobs and the increasing outsourcing and contractualization has already decreased the average wages. The amendments regarding working conditions, safety and welfare will ensure that expenditure of

employers in this regard will greatly decrease. The lack of effective implementation machinery with Inspectors becoming facilitators will mean that the already poor implementation of labour laws will become worse.

37. These changes in labour laws pose a serious challenge before the working class. A broad based, determined and protracted struggle of workers is the need of the hour to fight back this attack. IFTU calls upon all sections of workers to come forward unitedly for such a militant struggle.

National Committee

Indian Federation of Trade Unions (IFTU)

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Why Three Farm Bills are Peasants' Death Warrant

Nabin Karmakar

Last month, on 25/9/20, more than 265 farmers' organizations affiliated to the All India Kisan Sangharsh Co-ordination Committee (AIKSCC) called for a 'All India Bandh' in protest of the new farm bills. That day they have shown their protest, dharnas in various forms in different states across the country. In Rajya Sabha, two of the farm bills were passed by the RSS-BJP government by almost forcibly gagging the voice of opposition.

As per census 2011, 96 million cultivators enumerated farming as their main occupation, down from 103 million in 2001 and 110 million in 1991. The first agricultural census done in the beginning of the 1970s reported that figure at 71 million. Still nearly half of the workforce is working full-time in farmlands. The size of the operational holdings for small and marginal peasants has shrunk from 1.15 hectares in 2010-11 to 1.08 hectares in 2015-16, according to provisional estimates of the 10th agriculture census 2015-16, and small and marginal holdings constitute almost 90% of our total agricultural land holdings. Another striking feature of India's agriculture is the continuing trend of increase in the numbers of small holdings in the country. In the last five decades, those numbers have grown from 138 million in 2010-11 to 146 million in 2015-16, as per provisional estimates of agriculture census 2015-16. Now let's take a look at why the three agricultural bills are against the interests of farmers and people.

The first of these three bills is "The Essential Commodities (Amendment) Bill, 2020". This legislation was made in 1955. At present, it has been revised. The old act mentioned number of strict punishments and penalties against the hoarders and black marketeers. They have been repealed under the current bill for several food items. Previously, one of the conditions for traders to get a license was how much they could keep grains in the godown or store. The system of controlling the prices of agricultural products was in that old law but now the previous regulation has been changed on the pretext of increasing investment in agribusiness and infrastructure and raising private capital. Govt. is claiming that the amendment of the bill will bring a lot of investment in the trade of agricultural products, increase competition, increase farmer income

and generate new employment. Different states governments could take actions against the stock holders of essential commodities under the old law but all the barriers have been released to protect the big businesses and corporate under the present law. There is only provision in the bill that the central government can intervene in the event of war or famine or serious natural disasters and abnormal price increases. It is doubtful how much the RSS-BJP led central government, who are friends of big businesses, corporate will intervene in an emergency? If this law comes into force, no citizen will be able to go to court for legal action against the stockholders who will now have the right to sell food grains at 1.5 times the prevailing rate in the previous year. In other words, the helpless people will be forced to fall in the lap of death even like the 'Manawntar' (famine) of the last century (1943) that happened in Bengal and millions of people died from lack of food.

Most importantly, rice, wheat, pulses, potatoes, onions and edible oils have been dropped from the list of essential commodities. As a result big agri businesses and corporate will be able to increase the prices of essential food grains and edible oil by one and a half times over the previous year. The prices of potato and onion will increase tremendously and in accordance the prices of fruits and vegetables could go up to two times the previous year's price. What could be the definition of this new farm bill of open hoarding and licensing of black marketeers? This bill gives Corporate the legal rights to plunder both the farmers and the common consumers arbitrarily.

The name of the second bill is "The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Bill- 2020". The purpose of this bill is to state that (1) both farmers and traders will

be able to buy and sell agricultural products in the way of their choice. Farmers will be able to gain profitable prices without going to the mandi (regulated market) and without paying extra taxes. (2) Farmers will be able to conduct business, transactions within the State or outside States efficiently, transparently and independently. (3) Electronic business or e-trading system will be developed.

During the British rule, there were frequent famines in our country due to lack of food. The last famine was in Bengal and the fact of the famine was the stockpiling of food in the godowns by unscrupulous traders in the name of war. As a result, about 5 million poor peasants, agricultural labourers and poor rural and urban people in 20 districts of Bengal died due to lack of food. This incident shook the whole country. Later, after 1947, legislation was enacted to regulate the essential food grain business. The APMC (Agricultural Produce Market Committee) Act was introduced in the early 1970s because there were some loopholes in the first law to stop hoarding or the checks were not enough.

As per Constitution, Agriculture is in the State-Center concurrent list. States can make laws on agricultural products at their own convenience. There are about 26,000 mandis in our country now. There were some provisions in the APMC so that the big traders, moneylenders, middlemen do not cheat the farmers. These mandis are given the sole right to frame the rule to develop the mandis and the food grains are traded in the market at 'Minimum Support Price' declared by the state govts. There is a provision of penalizing the sale of underpriced agricultural products outside the market. The Mandi Committees are nominated by govts, so that farmers are not deprived and crop prices do not

increase abnormally. It is the responsibility of the government representative to ensure this. The purpose of this provision was to ensure that on the one hand the farmers would get the proper price of such crop and on the other hand the retail buyer should not fall into the trap of abnormal price increase by traders. The committee works under the control of government officials at the SDO (sub divisional officer) level to implement what was stated in the APMC Act. Like any other law, proper implementation of APMC or Mandi law depends on the goodwill of the state governments. In fact, irregularities, corruption, infrastructural problems, lack of democratic management also existed in the implementation of this law. The responsibility of the government was to amend the laws from time to time from the experience of law enforcement. But instead of correcting the weaknesses of the old law, the new law has been made for the big corporate.

Earlier, under the APMC Act, big traders were not allowed to trade in agricultural products in mandis and regulated markets. The new Act of 2020 states that from now any person can buy and sell crops from any place, store them in godowns and provides various opportunities to big businesses including tax exemption. Owners of large capital who have not been able to purchase farmers' crops as a provision of the regulated market (mandi) law for so long, the current enactment has removed that barrier. It is mentioned in the enactment that agents or brokers of big capitalist companies could buy crops from the field, or open their own business centers to buy and store and farmers will get a higher price than the price at which they sell in the mandis. The central government has not yet enacted any law to fix the 'minimum support price' of crops. Government orders were issued year after year.

According to the report of the 'Shanta Kumar Committee' appointed by the Central Government, only 6 per cent of the crops produced are sold at the 'minimum support price'. The remaining 94 per cent of the crops have to be sold at open market prices, which are much lower than the price announced by the government in most cases. In fact, the farmers are the victims of government fraud in step after step.

Modi came to the power with the assurance that the farmers would be paid 1.5 times cost price of the crop as per the recommendation of the 'Swaminathan Commission'. So the main demand of the farmers is to enact a law to give the 'minimum support price' for the agricultural crops, so that the needy can stop distress selling. But the so-called 'farmer-friendly' RSS-BJP government is not listening to that. During last 6 years the RSS-BJP government has cheated and deprived the farmers in the country.

Generally, farmers in the states do not get the minimum support price announced by the government. If the APMC law becomes ineffective or weak, the poor and medium farmers will be forced to sell their crops at a greater loss as they cannot compete with the owners of large or monopoly capital. On the contrary most agricultural products are perishable, farmers do not have their own godowns. Considering all this, the farmers will be forced to give up crops at the price prescribed by the big companies. A small provision in the new law is that if there is a complaint, the farmer can go to the appellate committee. But in the experience of the farmers, most officials of these appellate committees will judge in favour of the owners of large capital because of their class position.

In spite of the many shortcomings of the APMC Act in the market system, the law was more helpful to the farmers because

Mandi is not just an alternative market but farmers can and do fight unitedly here for produce prices. But in the new law, it is impossible of the poor peasant to fight alone with the owners of the big capital. It is like a baby goat fighting a tiger.

Name of the third farm bill is ‘The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Bill-2020’. There are provisions in the bill relating to contract farming, dispute resolution and the powers of the central government and various officials. It has been said about the bill that a national level committee will be set up that would look after the empowerment of farmers, protect them, sell the produce at a profitable price with transparency and so on. While there is talk of “guarantee of agricultural crops” of farmers, but it is fact, the interests of big corporate who are engaged in agribusiness, have been protected in the bill. Farmers will enter into agreements with agribusiness companies, wholesalers and exporters. Farmers will be forced to buy agricultural inputs made by the agribusiness companies and pay a cash price for it. Farmers will be forced to sell their produce at the price fixed by the companies. Again, companies may not buy food grains after the harvest using various excuses, or may reduce the prices. Tomato producers in Punjab and potato growers in Howrah, West Bengal have a bitter experience with the deal with PepsiCo.

Under the agreement, farmers will have to purchase all or most of the agricultural inputs such as fertilizers, seeds, pesticides, etc. from certain companies on the pretext of maintaining quality. As a result, the small and medium cooperatives that have sprung up in rural India either they will weaken or close. A section of the present workers will become unemployed. The farmers may have

to mortgage the land for cash and borrow it from these companies as per their terms and conditions. It is not surprising that these moneylenders will also be the contracted by companies. The company's brokers are always active. Now, if there is a dispute over the agreement, there will be lawsuits in various parts of India. Do the small peasants who cultivate small lands have the ability to carry on legal disputes? Full responsibility for crops' production will be on the shoulders of the farmers whether it is a natural disaster or an insect attack. If the crop production is of poor quality, it is the responsibility of the farmers. The law provides for a "price insurance" but it is for the company, not for the farmer. This bill is enacted to allow companies to do captive farming in the form of contract farming, like compulsory indigo cultivation during the British rule in India. Formulation of contract farming law is in the interest of the corporate and the central government wants to free itself from all responsibilities for development of agriculture.

The main purpose of combining these three farm bills of the Central Govt. is to control not only the crops produced by the farmers, but also the lands occupied by the farmers and to hand it over to the big corporate. Along with giving state-owned industries, mines, forests, transport infrastructure, railways, airports, everything to Ambani-Adani, the RSS-BJP led central government has turned its attention to farmers' land. So, this time, using the excuse of Corona pandemic, the central government wants to snatch agricultural lands which are a means of livelihood of the farmers, in the interest of big corporate. As many as 42,480 farmers and daily wagers committed suicide in 2019, an increase of about 6 per cent from the previous year according to the latest National Crime Records Bureau (NCRB) data. However, common people including workers, farmers and students have become

aware of the fact that they have been deceived by the BJP govt. time and time through experiences. As a result, a united peasant movement has been intensified against these three farm bills across the country.



Release Father Stan Swamy Immediately

Withdraw Elgaar Parishad Case and Release all those Arrested in that fake case

CPI(ML)-New Democracy strongly condemns arrest of Stan Swamy in Elgaar Parishad case. He was arrested on 8th October evening.

83 years old Jesuit priest Stan Swamy became the latest victim of the expanding dragnet of imagined conspiracies being spun by the RSS-BJP government at the Centre in its attempt to crush every form of dissent. This is yet another example of flagrant disregard for human rights and the rule of law by the present Hindutva government at the Centre. It outrages human sensibilities to note that in the said case most of those arrested are elderly persons with exemplary record of public service and formidable reputations as public intellectuals and human rights activists, while rabid Hindutva leaders like Sambhaji Bhide and Milind Ekbote, the actual perpetrators of the violence at Bhima-Koregaon, are being shielded.

Father Stan Swamy, who originally hails from Kerala, has spent forty years working among the predominantly tribal areas of Jharkhand, and is known for being vocal on issues impacting the land rights, lives and livelihoods of the tribal people of Jharkhand. Actually, it is this unfailing commitment to the tribal rights which has earned Father Swamy the wrath of the Hindutva forces in particular. As has already been articulated publicly, the thrust of the so called investigation that Father Swamy has been subjected to till now has had nothing to do with his alleged linkage to Bhima-Koregaon but to somehow manufacture his links with CPI(Maoist). Father Stan Swamy's home in Ranchi had been raided twice earlier – on 28 August 2018 and 12 June 2019, besides him having been subjected to over fifteen hours of interrogation by NIA over two days before his arrest.

It appears that arrest of Stan Swamy is a preparation by the Govt. to launch a renewed offensive to further displace tribals taking over resource rich areas inhabited by them. His arrest along with attack on tribals and their leaders is a part of this offensive.

The entire investigation and arrests made in the matter of Elgar Parishad case are actually part of the ever deepening 'conspiracies' of the RSS-BJP at attacking the toiling masses leaving them bereft of any legal rights to resist the Hindutva onslaught which aims to secure the resources of the country for the most reactionary segments of the ruling classes. There is a pattern in the 'conspiracies' and 'investigations' leading to the arrests of numerous intellectuals, academics, political and democratic rights activists, student leaders, minorities and Dalits. The Bhima-Koregaon case, arrests relating to the 'North-East' Delhi violence and the anti-CAA movement, and now the conspiracy alleged by the

Ajay Singh Bisht government in Uttar Pradesh behind the rape and murder of the Dalit woman in Hathras, clearly define the contours of RSS-BJP's conspiracy against the people.

While this vile 'conspiracy' and calculated arrests being enacted in the name of 'investigations' exposes the deepening fear of the people that is engulfing the Hindutva rulers, these also threaten the lives, liberty and democratic of Indian masses,

especially the Dalits, Minorities, Tribals and other toiling masses.

CPI(ML)-New Democracy appeals to all democratic and progressive organizations and individuals to condemn Father Stan Swamy's arrest, to protest against this brutal offensive and to build a broad-based powerful movement against ruling fascist forces. This assault on the democratic rights must be resisted by all means. CPI(ML)-New Democracy notes and welcomes the widespread condemnation of this arrest and appeals this opposition to be developed into mass protests.

CPI(ML)-New Democracy

October 9, 2020



Statement by participants of the Mahila Ekta Yatra regarding the chargesheet filed by Delhi Police in FIR 59/2020

**We strongly contest criminalization of women's
expression of peaceful dissent and
participation as citizens in Indian democracy**

The women-led peaceful protests against the CAA, NRC and NPR became a powerful symbol of democratic resistance, inspiring solidarity from across the globe. Women, especially from the Muslim community, expressed their firm opposition to laws and policies that have differential impact and consequences on citizenship of different religious communities and vulnerable groups. To express this view point 24X7, peaceful sit-in protests were held in Delhi and many parts of the country.

To express solidarity with the women who were upholding the spirit and values of the Indian Constitution, the Mahila Ekta Yatra, comprising women from diverse backgrounds and faiths, visited some sites of protest against CAA/NRC/NPR on the 14th, 15th and 16th of February 2020.

At the protest sites, we reaffirmed our commitment to a secular and inclusive India. To safeguard these values, we opposed the discriminatory Citizenship Amendment Act (CAA) and the proposal to create a National Register of Citizens (NRC) through a National Population Register (NPR). These measures would

disproportionately impact the poorest and vulnerable groups, including migrant labour, homeless, small farmers, adivasis, indigenous communities, muslim community, dalit bahujan masses, women and transgender persons, who would not be able to furnish the necessary documents to prove citizenship as required by the proposed CAA/NRC/NPR combine. At the protests sites we spoke about women's rights and other democratic rights, including the right to education, food security, social security and the right to information. We collectively read the Preamble of the Constitution and sang songs of peace and harmony.

The chargesheet filed by the Delhi Police in F.I.R No. 59/2020, assigns blame for the communal violence in North-East Delhi in February 2020 to protestors, activists and students who were peacefully opposing the CAA/NRC/NPR. The chargesheet, filed in September 2020, also mentions the Mahila Ekta Yatra.

As organisers and participants of the Mahila Ekta Yatra, we know that the allegations and insinuations against us are completely false and fabricated. They are part of a persistent effort to suppress legitimate, peaceful expression of political opinion and opposition by criminalising it through perverse re-scripting of the truth and facts. The chargesheet invokes the draconian UAPA to intimidate and silence dissenting voices and curtail personal liberty through long periods of incarceration.

In our work and our struggles, we, as part of the women's movements, have consistently opposed all forms of inequality, injustice and discrimination. The various struggles for human rights and justice we have been associated with, have one thread in common – a deep commitment to constitutional values and principles. We shall not be intimidated. We shall not be silenced.

53 persons were killed in the communal violence in Delhi.

Unfortunately the Delhi Police, which functions under the Ministry of Home Affairs, has taken no action against persons who made incendiary speeches and called for violence. Recent developments have made it clear that an independent judicial inquiry needs to be conducted into the manner of investigation by the Delhi Police. Judicial oversight is required to prevent malicious prosecution.

We, the participants of the Mahila Ekta Yatra, demand that all steps be taken to ensure that real perpetrators of the Delhi violence are brought to book and the persecution of peaceful dissenters is immediately stopped.

We are :

Annie Raja, Anjali Bhardwaj, Dipa Sinha, Shabnam Hashmi, Kamla Bhasin, Navsharan Singh, Vani Subramanian, Poonam Kaushik, Maimoona Mollah, Amrita Johri, Philomina John, Suroor Mander, Aditi, Radha, Suneeta Dhar, Priya Pillai

(On behalf of the Mahila Ekta Yatra)

**JUSTICE TO HATHRAS RAPE VICTIM
ANNIHILATE CASTE & PATRIARCHY**

**Appeal from Women's Organizations
for Nationwide Joint Protests on
October 29**

All organizations and activists working to preserve our right to life, livelihood, democratic rights and a violence free life are extremely concerned at the way the inquiry in the Hathras rape and murder of the Dalit girl is being compromised. The UP state government under CM Yogi Adityanath seems to be working overtime to protect the upper caste culprits who belong to the same Thakur caste as the CM. The Thakur community is being allowed to organize their caste panchayats and openly threaten the girl's family who now fear for their safety. The investigating agency is brazenly denying that rape was committed. Cases are filed against the people who have supported the family.

The website of the CBI had earlier displayed the FIR registered by its Noida branch which included Sections 376, 302 etc. This has been removed from this website. Now it states that the CBI will conduct its investigation on the basis of an earlier FIR lodged at the Hathras police station which does not include charges of gang rape and murder. This is a clear attempt to dilute the investigation even before it has started.

Attacks against Dalits and women go on with impunity with the goons and rapists being given political patronage by the Modi-Yogi regime.

We appeal to all citizens to come forward and raise our voice in unison to condemn this brazen attacks on the Scheduled Castes, Scheduled Tribes and women. This violence has increased under the BJP-RSS regime. We condemn the Manuwadi Code that is being implemented in Uttar Pradesh. Let us all unitedly fight to protect the secular, democratic traditions of our country and the fundamental rights guaranteed by our Constitution.

Let us all unitedly protest all over the country on October 29, 2020 – one month after the death of the Hathras victim.

1. CM Yogi must resign.
2. DM Hathras must be removed
3. Institute Court monitored scientific, time bound impartial investigation. The rape and murder case should be investigated under SC/ST Prevention of Atrocities Act.
4. Invoke the Prevention of Atrocities Act against the accused as well as against the police and administrative officers responsible for burning the victim's body to destroy evidence.

- ☐ **All India Democratic Women's Association**
- ☐ **National Federation of Indian Women**
- ☐ **All India Progressive Women's Association**
- ☐ **Pragatisheela Mahila Sangathan**
- ☐ **All India Mahila Sanskrutika Sangathan**
- ☐ **All India Agragami Mahila Samiti**

**Workers' Roar over artificial shortage of sand
created by Sand Mafia**

**Construction workers hold a
big rally in Adoni town,
Kurnool district, A.P**

U. Venkateshwar Rao

A large number of construction workers staged a demonstration and also a dharna in front of RDO office in Adoni town, Kurnool district, Andhra Pradesh. It was held on 14-10-2020 demanding an end to the artificial shortage of sand, control of high prices and for providing work to the construction workers. BOC Workers came into streets in huge number. They raised slogans with anger against Contractors who are selling sand illegally on high prices. They further demanded action against middlemen. Ferociously, they questioned why the govt. is not taking action against illegal sand grabbers. They criticized that the middlemen were robbing, making the daily workers jobless. The town of Adoni seemed like a sea of struggling workers. It was surprised to see so many workers moving on roads with fighting spirit. Adoni people were amazed by the labour force that lined the long streets. More than 3,000 workers from the town of Adoni and surrounding villages virtually occupied the town of Adoni. All the main streets were jammed with workers. A large number of workers from about 45 wards in Adoni town and about 35 villages in surrounding five Mandals, mainly Adoni rural mandal, participated.

Other than Adoni, workers came from Kaitaram, Emmiganur, Aspari and Aluru mandals. After the demonstration, they stormed the Revenue Divisional Officer's (RDO) office and demanded that their problems be resolved immediately.

Let's find out the reasons for the workers' response at this level.

There are many small ditches and bends in the vicinity of Adoni. The Jagan government had earlier announced that the sand could be taken for free. But locally some landlords and middlemen are making money by selling sand making money in an illegal way. Actually cost of one tractor load sand was Rs 2,000 earlier. But now it is being sold for over Rs 5,000. In addition, sand from the Thungabhadra river, (Its distance from Adoni is nearly 50 KMs) is being diverted to other areas, creating an artificial shortage. Further, those illegal sand grabbers are selling at high prices. The 18-tonne sand lorry is selling for Rs 35,000 instead of earlier cost of only Rs 13,000. This is nothing but robbery. This public exploitation has increased. Unable to afford the rate at this level, the building owners, mainly belong to middle class, stopped their construction works. This has completely damaged the work or employment of thousands of BOC workers.

K.Venkappa, IFTU district general secretary and Com. Mallikarjun AIKMS district general secretary initiated this drive. Further, B. Eaaranna, K. Ramudu, G. Eaaranna, V. Ramudu etc. local leaders also participated. All of them formed a team and talked to the workers individually and in groups. The fact that sand shortage was created artificially was widely publicized among BOC workers. This was followed by a series of meetings, which were

conducted by above-said team in systematic and constructive manner. They created awareness in even labour *mistris* through spade work. All of them were fully involved in formulating the programme.

On October 8th, workers held a dharna in front of the local MLA Y. Sai Prasad Reddy's house with 300 workers. MLA also promised to take the issue seriously and resolve it. He met with the *mistris* two or three times after that but the problem was not resolved. So it was decided to intensify the movement. Five days back a special meeting was held with forty *mistris* and an agitation programme was made. It was decided at the meeting that all the workers should stop work on October 12, 13 and 14 and hold a large Rally in Adoni town on the 14th October. It evoked very good response and reaction from BOC workers. On the 12th and 13th thousands of workers participated in this strike. Finally over 3,000 workers staged a big massive rally in Adoni on October 14. Workers warned that the movement would be further intensified if their problems were not resolved.

People are discussing that it is very rare for a rally to take place in the city of Adoni at this level. Thousands of people lined up on both sides of the road to watch the Rally. The people understood the seriousness of the problem and expressed support for the demonstrators. It has become a hot topic of discussion in the town. The RDO himself came out from his office and assured openly in front of demonstrations to bring it notice of district collector, and further promised to resolve it immediately.

The demonstration was organized by IFTU Affiliated A.P. Progressive Building and Other Construction Workers Union. Its State Vice President B. Yesu participated in the programme as

Chief Guest.

This programme was led by A.P. Progressive Building and Other Construction Workers Union AP state committee member K. Venkappa, Adoni town president B. Eaaranna, town secretary K. Ramudu, Committee members G. Eaaranna, V. Ramudu, Mallayya, Valamanna, Centering Malli etc. They were ably supported in these efforts by the district general secretary of AIKMS Mallikarjun.

PDSU state Joint Secretary K. Bhaskar, district leaders, B. Mahendra, Tirumalesh took part in the rally in support of workers. CITU leaders also came in the last minute and declared their solidarity through participation in said demonstration.

Let's hope this movement gives inspiration for future struggles!



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Sangrami Ekta

Odia

On US-Israel-UAE-Bahrain Agreement

On September 15, 2020, leaders from Israel, UAE and Bahrain assembled in the White House where US President Trump announced formal establishment of ‘normal’ relations between the Zionist state of Israel and Kingdoms of UAE and Bahrain. Earlier, on August 13, UAE had announced an agreement with Israel and USA to normalize relations with Israel. Kingdom of Bahrain had followed suit with similar declaration on September 11. Last year Bahrain had hosted a Conference in its capital Manama where a plan for Palestine by Trump’s son-in-law and senior advisor Jaryd Kushner was adopted.

From this declaration two things are obvious- first, alliance between Zionist state Israel and Gulf monarchies has been made open and second, support to national rights of Palestinians has been even formally given up by the gulf monarchies. These dependencies of western imperialist powers, first of Great Britain and then of USA, had never been really opposed to the imperialist sponsored and executed Zionist project of establishing a Jewish state on Arab land. Calling this as peace accord is hilarious as these two kingdoms had never been at war with Israel nor share any border with Israel. With these agreements, UAE and Bahrain have become third and fourth Arab state to have normalized relations with Israel after the establishment of diplomatic relations with Zionist Israel by the military rulers of Egypt in 1979 and King of Jordan in 1994.

Middle-East has been witnessing these developments due to

several factors. Main among them have been decline of US imperialism in the region particularly its willingness and ability to deploy armed forces to protect monarchies and dictatorships in Arab countries. Second has been growing disaffection among the people and their rising anger against decline in their living conditions on top of absence of democratic rights. These two factors are keeping the cauldron of Middle-East boiling.

Gulf monarchies had been set up by the colonial powers during last two hundred years, many of them over the last hundred years. These are set up, sustained and protected by colonial powers mainly Britain to control the oil wealth of the region after commercial refining of crude oil was developed. It was then that dominant colonial powers, Britain and France and colluded and collided to control the region and brought these tribal chiefs and local leaders to power along with carving out a 'national home' for Jews living since long in European countries. These twin projects were put into motion in the course of victory of Entente in First World War, specifically in the context of defeat of Turkey which had been the major power in the region. However, before the advent of commercial refining of crude oil, colonial powers had set up bases in the Gulf region as ports for the supply to and protection of their colonial possessions in Far East especially India.

This brief recapitulation is only to emphasize that these Gulf monarchies have since inception been serving the interests of colonial powers. US imperialism became their main protector after Second World War, having emerged as the dominant imperialist power in the world. Israel and Gulf monarchies have been the twin pillars on which western imperialist influence rested though dictators were propped and toppled depending on their attitude

towards and utility to the western imperialist powers. The cards of 'human rights' and 'democracy' on the one hand, and of 'peace' and 'stability' on the other were displayed as the imperialist interests of these powers demanded. There has never been and there is no conflict of interest between Zionist Israel and Gulf monarchies as both were propped up by same powers and for the same reason. That the monarchies sometimes chose to flaunt their support for the cause of Palestinians was dictated by the need to maintain support of the masses, especially in the context of challenge from other world powers. And it was done with the permission of their imperialist masters. US President Donald Trump was not wide off the mark, for a change, in stating that Saudi monarchy will last only weeks without US military support. These monarchies have been and are the vassals of imperialist powers for the share in loot and plunder of the resources of these regions.

In the post Second World War period with the decline of several imperialist powers, people's struggle for liberation got immensely intensified in colonial and semi-colonial countries. Some countries fought for their independence, some bargained their independence and some had independence thrust upon them, to paraphrase the famous bard. UAE has been a particular case in point. After British Govt. signified its inability to continue military protection, these Sheikhdoms had requested British Govt. to continue their military presence even offering to bear the entire expenses. When British anyway withdrew, Sheikhdoms went under the military protection of US imperialism which set up military bases in these countries. Most of these Sheikhdoms united to form UAE, while Bahrain and Qatar became separate states.

These Sheikhdoms have not only been brought into power and

sustained in power by imperialists, they continue to be dependent on them for their survival. These have been and continue to be mainly the instruments of suppressing their Arab citizens. The struggles in these countries are further compounded by the fact that a good majority of working people are immigrant workers mainly from other Asian countries, mostly non-Arabs. The Sheikdoms need imperialist troops to protect them not from other countries but from their own people whom they do not trust, hence do not arm for defense. Their conjuring of foreign threats is therefore mainly to justify presence of imperialist troops and bases and further strengthen the security apparatus to control their people, suppress any dissent against their rule. With people having little democratic rights, people's anger takes the course of outbursts.

These steps are being misleadingly and mischievously projected as steps in the direction of peace in the Middle-East and for protection of rights of Palestinians. UAE official communication mentioned these, taking credit for the halt on 'new' annexation of Palestinian land in West Bank. These are not at all true. Zionist Israel's most jingoist ruler Netanyahu was forced to stay new annexations in the period of Corona even before this. Further Netanyahu has made it clear that halt to constructions is only temporary and is no part of any agreement with any other country. Prime Minister Netanyahu said there was "no change" to his plans to annex parts of the West Bank adding they were on temporary hold. Secondly, this can be no harbinger or even contributor to peace in the region. Openly going over to the main threat to peace in the region, Zionist Israel, cannot be considered to be a step in the direction of peace.

Roots of the current spree of ‘normalization of relations’, establishing diplomatic relations and developing commercial intercourse should be seen in the threats perceived to these Sheikhdoms by Sheikhs as well as their imperialist protectors. First of these factors pertain to the emergence of multi-polar world and unwillingness and inability of US imperialist rulers to deploy troops in defense of these Sheikhdoms. This aspect is reflected in emergence (or re-emergence) of Russia as a Middle East power. Its military intervention in defence of Bashir Assad led Bath regime and US inability to pursue regime change in Syria through military means have brought changes in the military balance in the region. US imperialism has for the time being confined itself to militarily support Kurd forces and control the oil rich areas of North-eastern Syria. This military rebalancing has made Russia a very important factor in Middle-East. Reactionary rulers of Russia led by Putin have emerged the ‘go to power’ for the dictators of the region. Russia is playing a nuanced military game and trying to befriend the rulers of different persuasions to cement its prominent role in the region. While its relations with Iran regime were well known, Zionist ruler Netanyahu pays regular visits to Moscow. In exchange Israel is allowed to attack targets in Syria though Syrian air space is controlled by Russia. Russia has built on its historic relations with military rulers of Egypt and is with them in supporting forces backing Hiftar in Libya. UAE Sheikhs have also improved relations with Russia, taking part in Libyan operations and not supporting anti-Assad forces in Syria. Russia even maintains relations with Saudi rulers though there is much mistrust there.

While Russia has increased its military role, China has deepened its economic relations with countries in the region, and of late, has even embarked on increasing its military engagement in

the region. China maintains a military base in Djibouti to the west of Gulf countries and is preparing to sign a long term deal with Iran worth US\$ 400 billion investments. This deal has wide economic ramifications and strong military component. With CPEC (with Pakistan) it represents a vast area dominated by China. China is the biggest buyer of Gulf oil with demand in US declining and Europe getting supplies mainly from Russia. Gulf monarchies also face growing dependence on China for its trade.

Decline of US and assertion by Russia has had another fall out for the region. That is Turkey trying to increase its influence in the region. Turkish designs are not limited to Kurdish areas of Syria and Iraq but these extend to areas under the control of Ottoman empire. In this consolidation of power by ruling AKP, formed by adherents of Muslim Brotherhood (MB), has played an important role along with changes in balance of power among imperialist countries in the region. MB ascendancy has meant increasing attacks on workers and other toiling sections, and suppression of democratic rights.

While problems of the people are increasing, MB led Govt. is seeking to evoke great power euphoria. MB led Turkey is trying to emerge as the leader of Muslim world. Increasingly open alliance of Gulf monarchies and dictators of the region with Israel under the umbrella of US imperialism, is helping MB utilize anger on the Arab street. MB is an important force in Arab countries including Gulf countries opposing monarchies. Thousands of MB activists are languishing in jails in Saudi Arabia and UAE while Qatar Emir has aligned with Turkey and MB. It may be recalled how Turkey leader Erdogan had claimed in post-Arab Spring Tunisia and Egypt that Arab countries should follow Turkish model.

With oil prices declining due to economic stagnation and shrinkage in several large economies, and consequent decline in incomes from oil revenue, attempts by the monarchies to cut the expenditure on social sector and consequent rise in anger among the people in these countries, MB poses an existential danger to the Gulf monarchies. One may just recall the Mecca siege of 1979, the year Iran had seen overthrow of Shah monarchy, two separate developments which have shaped the response of Gulf monarchies and their imperialist patrons. And it is the former led by MB which is perceived as greater threat to the survival of these monarchies. On the other hand, increase in Iran's influence challenges their influence in the region and also emboldens their Shia minority, its rise only emboldens the forces fighting for change while MB poses a direct internal challenge. Not for nothing had ruling Sheikhs of Gulf (with the exception of Qatar) pumped in money in support of military coup in Egypt overthrowing elected President Morsi of MB. This support to MB, was also the real reason behind blockade of Qatar though couched in many apparently inconsequential issues.

With rising anger of the people and inability of US imperialism to commit more forces to the region, Gulf monarchies have been increasingly looking forward to Israel, the most potent military force in the region, for support. As US imperialism under Trump Admn. has maintained relations with AKP ruled Turkey which had been a very important member of US led camp in Middle-east, the opposition has been couched in anti-Iran rhetoric. But the reality is that gulf monarchies are openly courting Israel as a bulwark against MB and Turkey. For opposing Iran, Gulf monarchies would not have made their alliance with Israel which had becoming increasingly overt during the last years. It is the step monarchies, at

the prodding of US imperialism, have taken in face of twin dangers but mainly from their own people. Trump Admn. is laying down the framework for the management of its interests in Middle-East and using anxieties of Gulf ruling Sheikhs to bring the alliance between two pillars of its influence in Middle-east openly together. This development is obviously against the national aspirations of Palestinian people but it also brings portents of forging the unity of Arab people who are true friends of Palestinian cause. The anger expressed in Bahrain and UAE against these treacherous deals though generally ignored in the mainstream media, offers that portent.

Saudi rulers have offered cautious support to these deals by UAE and Bahrain but they are very much part of this. Prince Faisal bin Farhan Al Saud, the Saudi foreign minister, described the normalization deal as a potential contribution to peace in the region saying “Any efforts that promote peace in the region and that result in the holding back the threat of annexation could be viewed as positive.” Cautious nature of their reaction is attributable to managing its domestic fallout as well as its position among the world Muslims. Turkey and Iran have already come together to challenge that. The contention between these countries for influence over the Muslim countries is going to get further sharpened.

The development has put the rulers of Pakistan in a difficult position of balancing its economic dependence on Saudi Arabia and Gulf states and their growing ties with Indian Govt. under the auspices of US Admn. Pakistan’s cautious reaction was evident when it termed the controversial deal between the UAE and Israel to normalize ties as a development with “far-reaching implications.”

These developments in the middle-east are also intimately

connected to the growing contradictions among the imperialist powers in the world. US imperialism is facing increasing challenge from Chinese social imperialism, Russian imperialism and also differences with European imperialist powers. These growing inter-imperialist contradictions are impacting the developments in vast regions in the world particularly in Asia. US imperialism is trying to forge military alliance to take on China and Indian rulers have been part of it. RSS-BJP led govt. has little qualms in justifying its open alliance with US and its allies hoping to counter growing Chinese influence in the region as well as hoping to attract big companies from US and its allies away from China. However, Indian Govt. is trying to continue its relations with Russian imperialism which is coming under increasing strain due to intensification of inter-imperialist contradictions and RSS-BJP Govt.'s open alliance with US imperialism and with its close allies like Israel.

Indian Govt. had welcomed the deal between Israel and UAE mediated by US calling both Israel and UAE “key strategic partners”. RSS-BJP Govt. has been forging and flaunting its relations with Gulf monarchies e.g. Saudi Arabia and UAE. They too have expressed support to India on disputes between India and Pakistan.

The development has been condemned unanimously by Palestinians. Fatah accused the UAE of “flouting its national, religious and humanitarian duties” towards the Palestinian people, while Hamas said it was a “treacherous stab in the back of the Palestinian people”. Palestinians have demonstrated in all parts of the world against the deal between Israel, UAE, Bahrain mediated by US Admn.

This development increases already serious challenges faced

by the struggle of Palestinian people for realizing their national aspirations. This adds to an existential danger to their justified aspirations. Whether end of the lip-service by the Arab monarchs and dictators may be a blessing in disguise will be determined by the reaction of Arab people. It has already helped bridge differences between various organizations of Palestinians bringing them on one platform.

The national struggle of Palestinians continues, braving assaults and attacks by one of the most barbaric regimes which kills old and young with impunity, tramples over international law without compunction. They continue their brave struggle with saga of sacrifice. Democratic and progressive people the world over support their struggle and honour the great sacrifices being made by them.



Central Committee Statement

Hold Accountable Yogi Govt For Heinous Gang Rape, Murder of Landless Dalit Girl in Hathras !

Land Reforms are the Key to Fight Caste Oppression and for Caste Annihilation.

In a brutal, heinous gang rape and murder, on 14th September a landless Dalit girl was brutally gangraped by upper caste men of her village while she and her mother were foraging for fodder. Her mother was just a little distance away but could not see her due to visual problems. The girl's spinal cord was damaged, her tongue got bitten away between her teeth, yet she fought for days for life, first at JLN Hospital at Aligarh and then at Safdarjung Hospital Delhi where she died yesterday i.e. September 29 morning.

In a terrible yet hardly unanticipated further show of insensitivity and brutality, Modi-Yogi Rule (Police of Delhi and UP administration) did not hand over the body of the girl to her parents and brother standing outside the hospital. Instead it was smuggled out of Delhi and secretly cremated at Hathras, denying even a decent funeral to the family.

When it was clear that the girl was desperately serious, fearing criticism the UP police hurriedly arrested the four guilty named by the girl. But the Khairlanji case, so many cases of upper caste *senas*

wiping out landless Dalits in Bihar, scream out the harsh truth of what will be the fate of such cases in Courts of the country. In the case of a *sathin* of Rajasthan on which rests the much violated Vishakha Judgement, a Judge had remarked that upper caste men would scarcely sully themselves raping a lower caste woman! This brutal gangrape and murder of Hathras is also strongly reminiscent of the Nirbhaya case of 16th December 2012 and adds to the annals of violent sexual crimes against women in India.

The Hindutva dispensation in rule via RSS-BJP Govts in power at Centre and UP any way stands for a Manuvadi patriarchal and casteist stratification in which the Dalit woman is the lowest in the low as she is both Dalit and woman.

There is crying need for all forces to come out and demand justice for both the victim and the family, and keep vigil on the case to ensure fast track disposal of the case and conviction of the guilty. Also the guilty police officers who delayed action in the case should be booked and responsibility of the same should be fixed up to the top.

But the larger issue must not be lost sight of. It is a harsh fact of life throughout the country that landless, maximally Dalits, face terrible humiliation at hands of upper caste while looking for fodder. In places where latrines have not been built this is so for answering calls of nature too. Dalit women are victims of sexual violence of all varieties for the same reason. It is crystal clear that to talk of caste annihilation or for elimination of caste exploitation cannot advance much without pointing out the need for land reforms in the same breath. Struggles of Dalits for their share in Panchayat land in Punjab and role of women in that struggle under the leadership of Zameen Prapti Sangharsh Committee prove the importance of land question in fight against caste oppression especially of oppression of

Dalit women. It is obviously linked to break down of law and order in UP under Yogi, but it is not limited to that, it has been the lived reality of the lives of Dalit masses in UP and elsewhere.

The Union leaders of Safdurjung Hospital employess and also members of PMS Delhi were with the family of the victim at Safdurjung Hospital yesterday. PMS and PDSU Delhi are part of protests centrally and in areas of Delhi today i.e. September 30.

CPI(ML)-New Democracy strongly condemns the police repression let loose on those protesting against this brutal gang-rape and murder. Besides colluding with perpetrators of this crime and not handing over even the body to family members, police of Yogi's UP govt. arrested today morning more than 50 activists from the village and have taken them to police station. Not to be outdone, police of Modi's govt. arrested protestors from UP Bhawan in Delhi. Voice of the oppressed is sought to be silenced through brutal force.

CPI(ML)-New Democracy calls:

Let us organize protests countrywide.

Fast Track disposal of case and give justice in time bound period for gang rape and murder of the young girl!

Enquire into why the family was denied access to body, into why arrests were delayed for so long and take action against guilty officers.

Rise Against Patriarchy and its reinforcement through open advocates of Manuvad- Ruling RSS-BJP!

Land Reforms are the key to Caste Annihilation, end to Caste Exploitation and Oppression.

Central Committee, CPI(ML)-New Democracy

September 30, 2020

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Acquittal of All Accused in Babri Masjid Demolition Case Must be Opposed

Acquittal of all the accused in Babri Masjid demolition by the CBI Court on September 30, 2020, though anticipated after the Supreme Court verdict handing over place where Babri Masjid stood to a Trust for Temple construction, marks a new low in the administration of law and justice in India under the RSS-BJP rule. It shows how the judicial processes have been permeated by majoritarian outlook resulting in subversion of all principles of jurisprudence and natural justice.

Holding that there was no conspiracy in demolition even when there was a concerted campaign by RSS and its affiliates for demolition of Masjid really stretches judicial logic too far. Obviously nothing can ever be proved beyond all doubts, hence, the term “beyond reasonable doubt” but the Court in the instant case has discarded all evidence which should have been enough to persuade any reasonable person to reach conclusion of existence of conspiracy but was found to be insufficient by the Court concerned. There has been evidence galore to prove this point but appreciation of evidence by the Court has been contrary to the established principles of law. The whole exercise of painting the demolition carried out under the care and supervision of leaders of RSS and its affiliates as spontaneous and unplanned is violence against common sense and also against judicial sense. This judgement also flies in the face of the findings of Justice Liberhan Commission that the demolition was meticulously planned. Justice Liberhan had held

and named a number of leaders of RSS, BJP and RSS affiliated organizations and bureaucrats for their role in the demolition of Babri Masjid. Many of the accused acquitted by the Court were in that list.

This judgement obviously goes against the Supreme Court verdict on Babri Masjid issue in which demolition of Masjid was held as illegal. But the whole tenor of that judgement was catering to the majoritarian outlook and the present judgement carries that further. Probably judiciary wishes to moderate administration of Hindu Rashtra in divided doses for the benefit of its acceptance.

The basic quality of law, even when it is draconian or most unjust/undemocratic is its uniformity. Though it is often violated in practice in face of class and social factors influencing the judicial process but it is at least upheld in theory. But the judicial pronouncements have violated this basic feature i.e. it has lifted the veil from over the eyes of Lady of Justice. Now judgements are pronounced which suit the powers that be i.e. which are in their favour. Consider the incarceration of a large number of people as accused of non-existent conspiracies! Incarceration of over a dozen democratic intellectuals under Elgaar Parishad case and ever expanding arrests under case of conspiracy behind Northeast Delhi violence and refusal of bail tell that different yardsticks are being applied for appreciation of evidence in every case. Despite a number of videos showing damage of public property by the police and damaging of CCTV cameras by them, judicial silence is profound, not spurred into action either *suo moto* or on being approached.

This judgement, along with host of recent judgements, should make people, particularly intellectuals, rethink whether higher judiciary can be relied upon to defend people's freedoms given

under Constitution and laws? It will be pertinent to revisit the role of higher judiciary in Germany under Weimar Republic in the advent of Hitler and his Nazis to power there. India shares some aspects like Constitution guaranteeing some rights along with continuation of old laws and continuation of the judiciary from earlier period to secure these rights. Obviously Weimar Republic had lasted for about a decade and a half only, but longevity alone may not be any guarantee.

This judgement adds to the challenge posed before the people of the country by the assault on people's rights under rule of fascist forces. It only underlines the need for a united and vigorous movement against this fascist rule. While the judgement should be appealed against, the real task is to mobilize the people.

CPI(ML)-New Democracy

October 1, 2020

Remembering Comrade S. N. Singh

S. Jha

21st October, 2019 is the 36th death anniversary of Com. Satyanarayan Singh (SNS), one of the founder members of CPI(ML), Central Committee and Politburo member of undivided CPI(ML) and General Secretary of Revived CC of CPI(ML) formed in the course of struggle against 'Left' deviation and later of the PCC, CPI(ML) formed after merger of CC CPI(ML) and Unity Committee, CPI(ML).

Com SNS was born on 30th January 1923 in Dhamar village

, Arrah District of Bihar and he died on 21st October 1984 due to renal failure in Vishakhapatnam of Andhra Pradesh when he went there to hold unity talks with CC, CPI(ML).

Com. SNS made great contribution in Indian Communist movement. He joined communist party during Second World War while he was working in air force of British India. While he was in service in 1946 he refused to salute British Union Jack. On this charge he had to serve two years of jail punishment. After coming out from jail he became a professional revolutionary in Communist Party of India (CPI). As party work he was made in charge of Shahabad dist. organization of Bihar and later was deputed to the organizations of south Bihar districts.

In 1952 Com. SNS led historical struggle of workers in Jamshedpur against Tatas. For that he along with three other leaders of CPI was arrested in 1952 in Jamshedpur Conspiracy case and remained in jail for 8 years. In 1962 he was again arrested as he opposed war with China and remained in jail for 4 years. In the split with Dange revisionists in CPI he remained with CPI(M). When historical Naxalbari upsurge occurred he firmly stood with Naxalbari struggle and severed ties with CPI(M) neo-revisionists.

After Naxalbari he led the historical Mushahari peasant upsurge in Mazaffarpur district of Bihar. He was Convenor of Bihar Unit of AICCCR, predecessor of CPI(ML). In CPI(ML) he staunchly fought for Marxism-Leninism-Mao Zedong Thought as guiding ideology, played pioneering role in rectifying 'left' deviation in CPI(ML) led by com Charu Majumdar. By fighting against both 'left' and right deviation he upheld the line of 'Revolutionary mass line'. Realizing the damage due to split among communist revolutionaries in India he from the beginning earnestly tried for

and played a prominent role in uniting communist revolutionaries in India into a single party.

He was among the few persons among Indian Communist revolutionaries who realized before 1975 emergency declaration, the danger of fascism in semi-colonial semi-feudal India and supported the Jayprakash Narayan led movement in 1974. In practice along with fighting for a revolutionary line beside organizing peasant struggles as in Mushahari, Surajgoda, Karpi etc. he led many exemplary struggles of working class and other section of the people which general masses still remember like struggle in Sindri Fertiliser, struggle of CISF jawans in Bokaro, struggle in Rakha Copper mines of Singbhum, struggle in Uranium mine workers in Jadugoda etc. He was a very capable leader in organizing working class (not only in small factories but in big Industries).

He was a very popular leader loved by the people in wherever he went and came in touch with the people. A incisive writer of polemical articles, Com. SNS was a very powerful orator. In personal life he had a simple life style with communist ideals, very agile, open hearted, fearing no sacrifice, he never hesitated for open self criticism whenever he realized any of his mistakes. On the occasion of death anniversary of com SNS let us pay tribute to this great revolutionary communist leader.

Red salute to Comrade Satyanarayan Singh (SNS)

October 21, 2020



Forced by Peasant Struggle, Punjab Vidhan Sabha passes 4 Agriculture Bills

Ashish Mital

The four bills passed unanimously on October 20 by Punjab Vidhan Sabha are a result of the intense and focused struggle of Punjab's peasantry. They help, as they also highlight the attack on peasants by the Central Acts as well as bring forth the state government's assertion of its Constitutional rights over Agriculture. They do not, however, provide any concrete relief to the peasants from the impact of the Central Acts and only end up validating several pro corporate concepts.

Both Bills start with a reference to the central acts stating that they "introduce several other infirmities and distortions operating to the grave detriment and prejudice of agriculture and communities associated with it, in the execution of agreements between farmers and traders or buyers". They also state that the central acts introduce a mechanism that is "vulnerable to encroachment and manipulation by vested corporate interests leaving the farmer open to the vagaries of market forces for getting an optimum price for agriculture produce, fruits and vegetables."

The Bills thus oppose corporate control over agriculture in a sense, but fail to conceptually counter the imposition and facilitation of corporatization of our farming and food chain. They pose to oppose the Central Acts, underline the need to annul them, but end

up validating conceptually the centre's facilitation of Corporate penetration and control over agriculture.

MSP and Procurement Guarantee

The major debate in Punjab is about MSP and govt. procurement. The single biggest failure of the Bills is that there is not a word about guaranteeing procurement by the govt. Also, there is no assertion on determination of MSP as per Swaminathan formula. The Bills simply rely on central MSP declarations and state that purchase below MSP will be invalid “in so far as it relates to wheat and paddy alone”. MSP benefit to other crops is denied.

There nothing specified to ensure that farmers actually get any justice if transactions are below MSP, as they are to be declared invalid, but it is not notified that it will be an offence. Saying that something is not valid does not mean it is declared to be an offence, inviting penalty or punishment. It is not clear what the peasants are supposed to do if the transaction is declared invalid. Nothing in the act is ‘prescribed’ for such eventuality. No grievance redressing mechanisms has been provided for. The Bill simply states that if anyone “compels or exerts pressure on the farmers to enter into a contract or sale of agriculture produce in his possession, at the price below at the MSP, then such person shall the deemed to committed an offence which shall be punishable of a term of imprisonment of less than 3 years and fine.” It is unclear how the peasant should prove his harassment.

Question of Funds

Both the bills state that it is the primary and principal responsibility of the state govt. to provide a level playing field to farmers and prevent exploitation, even though responsibility runs

concurrent and falls on both state and centre. While ground operations are controlled by the state govt the centre has to provide the policy thrust and funds. However there is nothing in the bills which pins down the centre for provision funds, nor do the Acts state from where the state govt will generate funds, without which it will not be possible to implement any MSP or procurement guarantee measure.

Contracts, Mandi Fees, etc.

The Contract farming Bill of Punjab states that the central law will come in to force only when the state govt notifies it. The bill does not invalidate contract farming or question it.

The APMC-related and Contract Farming related Bills, oppose the Central Act's provision that fees cannot be levied in 'trade areas' by stating that the state government will keep the powers to levy fees. The Bills also try to hold off enforcement of Central Acts by saying that they can come into force only when state government notifies.

Both Bills seek to provide access to parties to approach civil courts, but do not provide for any compensation to the litigant farmer during the pendency of his claim.

Food Pricing and PDS

In the ECA-related Bill, Punjab government seeks to keep authority to regulate the 'extra ordinary circumstances', but does not oppose this new anti people condition on food stocking and trade. Under the Essential Commodities Act, 1955, the provision is for the centre to notify, 'if it is of the opinion that it is necessary or expedient to do so' any commodity to be essential. Under this food

was essential commodity at all times and so legal inflation check was mandated at all times. The Punjab Bill thus validates the Central Govt. ploy to bring food out of essential commodity category and open up food market more to corporate profiteers. This is when the Central Act clearly states that PDS system is for the 'time being in force' and that BJP leaders, government committees and corporate lobbies are asking for the PDS system to be dismantled. This is neither reassuring for the farmers or the consumers.

Posing to Support Peasants

What the Punjab government has attempted is a stand on some aspects, which is quite limited and even that does not seem enforceable. What it could have done is to clearly pin down a complete and proper ban on the freedom of corporate and MNCs to conduct business in agriculture, setting up of *mandis*, conducting food processing, storage, cold storage, transport, sale and control of the food chain. By failing to do so ruling class parties in Punjab have exposed themselves as essentially in favour of the pro corporate policy, though their stated positions do help the peasant struggle against the centres attack.



Implications of Shaheen Bagh Judgement

The Supreme Court on October 7, 2020 passed Judgement on a petition which prayed that the Shaheen Bagh protest be lifted. As the protest was dispersed by the Police in March 25, 2020 using the Epidemic Act, the petition was actually infructuous, but the Bench went ahead and used the petition as the basis to deliver its point of view on the struggle itself. The Court gave a blanket opinion, even while acknowledging that blanket opinions cannot be given on such struggles. In delivering this blanket opinion, it omitted all the specific issues pertaining to Shaheen Bagh struggle and yet related its opinion to the Shaheen Bagh peaceful women sit in, which shook awake the whole country, bringing into sharp focus the Preamble of India's Constitution.

The Supreme Court bench stated that the right to protest was not absolute. In practical and specific terms, as applicable to Shaheen Bagh, it will translate into meaning that the right of the Shaheen Bagh protest should not have infringed on the right of commuters to a specific route. Because, as per the records of proceedings on this very petition before this very Bench, this is all that actually happened. When the petition came up before this Bench, the Court employed three Hon'ble interlocutors to speak to the women protestors on its behalf. The three came to the site not only to listen but also to tell the protestors to move out of the half of one carriageway that was actually closed due to the protest. The talks (there were several rounds and in addition the team visited

the site some more times when no formal talks were held) were not closed door but held openly over the public address system at the sit in, and in the presence of media including news channels. Each time they reported back to the Court and in this way there were several hearings on the case. Post the first report of the interlocutors, one of the interlocutors submitted a detailed map of the roads around the sit in site, showing how major roads giving alternative routes had been deliberately blocked by the Police of UP and Delhi to create a traffic problem. There was no reason at all to block these roads. Once the Interlocutor submitted the map to the Court, this very same aspect was promptly publicized by several news channels as some new revelation though it was obvious to all in the area. However the final order of the Court does not even mention this fact.

Similarly, despite heavy police presence on both ends of the sit-in site, the women were threatened by weapon holding youth several times. These youth managed to reach right up to the site each time and were removed with great courtesy by the police after the volunteers had identified or stopped them. In these circumstances, the women had pointed out to the interlocutors that they were forced to restrict access on the parallel carriageway to emergency vehicles. These aspects are also not even noted in the final judgement. None of the youth who threatened either the women at Shaheen bagh or who fired shots at Jamia students are behind bars.

In fact all that the judgement says is that protests can take place only in areas designated by police. This is a definite blow struck at the right to protest itself. Leave alone a partially blocked road with alternative available routes, protests have blockaded

roads and railway lines so many times over. The very purpose of this judgement is also to discredit the women 's protest at Shaheen Bagh along with trying to shackle dissent.

The timing of the judgement is such that it is sure to cast its shadow on the UAPA cases being made on and the hounding of the anti CAA protestors in Delhi, accusing them of an 'antinational conspiracy' and of the riots in Delhi. Legislations passed by Parliament are not sacrosanct. Laws are amended, modified, revoked. Besides, a legislation like CAA is against the very spirit of the Constitutional provisions, as India is not a Hindu Rashtra. Ever since the BJP-RSS Central Govt came to power, it has been out to restrict right to dissent while pushing through pro corporate policies on one hand and take steps to establish its Hindu Rashtra on the other. In this period the highest Judiciary has sided with the Government in the curbs on dissent and dissenters, alongside refusing to test executive decisions to the extent displayed in its initial response to the migrants walking across the country following the lockdown declared without caring for the people.



Organ of the Central Committee, CPI(ML)

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