



Annual Report & Financials 2010-11

**Centre for Education and Communication
New Delhi**

Centre for Education and Communication (CEC), 2010-11

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Table of Contents

Executive Director's Note	5
Bonded Labour	9
Sumangalis: The Contemporary Face of Bonded Labour	9
With Brands and Retailers	11
Tirupur Stakeholder Forum	14
Reported Death of Sumangalis/Camp Coolies in Spinning Mills	15
Experiences in Organising Bonded Labour - Lessons Learnt and Challenges	15
Homeworking in Sangam Vihar	16
Employment Practices and Challenges in Garment and Textile Industry	17
Tea Garden Workers	19
International Tea Day (ITD) 2010	19
Tea Workers' Meet	20
Migrant Workers	21
Dialogue with Labour Organisations	22
Emigration Act and the Implications of the Proposed Amendments	24
Changing Contours of International Migration Regime – Implications for UP	24
Non-Negotiables in India's Emigration Law	25
CSOs' Dialogue with MOIA on the Emigration Law	26
GFMD 2010, Mexico	26
Universal Social Security	32
Chintan Shivir on Universal Social Security	32
Signature Campaign on Universal Social Security	32
Free Trade Agreements	36
Tax Justice	38
Sustainable Livelihood for Small Tea Growers	39
Project with the Support from NABARD	39
Governing Board of CEC	42
CEC Team	42
Financials	43

Executive Director's Note

The message of 2010-11 has been one of resilience of CEC, its untarnished recognition among its partners and stakeholders, and its resolve to be creative and effective in the midst of adversities. CEC has been without Core funding since April 2010. The committed funds for the previous year had also not been completely disbursed by the Core funding partners pending the resolution of issues raised. In this context, our strategy has been to keep to the primary strengths of CEC, to align its activities with the limited support it has been receiving from its other trusted donor partners, and to reduce its overall expenditure by shrinking in space and size.

Internally, the General Body meeting of CEC held in August 2010 elected a new team as Governing Board, maintaining the principle of continuity and change. While Duarte Barreto and Dominic D'Souza continue as President and Treasurer of the organisation, respectively, Bullu Sareen has been elected as the Secretary. Other members are E Deenadayalan, Philip Jadhav and Ashim Roy.

The key areas of our focus during the period have been trade and its impact on labour rights – in particular the slavery-like forced labour and child labour practices in the global garment value chain; the rights of migrant workers in India and abroad; the rights of tea garden workers including land/housing rights; the rights of women workers; and the demand for universal social security and cooperativisation of small tea growers. CEC completed three studies: (1) 'Slavery in Indian Garment Manufacture' by S Gunasekaran, (2) 'Need Assessment Study of Homeworkers in Sangam Vihar' by Avanti Nisha Pinto, and (3) 'Tax Evasion, Tax Avoidance and Tax Revenue Loss in India – A Report towards Creation of Public Awareness and Action' by D Narasimha Reddy along with Navneet Sharma, Pallavi Mansingh and Avani Pinto.

The third study was presented by Prof. Reddy in a meeting called by Christian Aid and Tax Justice Network in Delhi in November 2010. The study was undertaken by CEC in the context of increasing global awareness about tax justice and taxation as a legitimate means of income distribution and repricing as well as the most sustainable means to meet the developmental needs of countries. Particularly for India,

unprecedented economic growth in recent years has not been equitable and inclusive. The present study indicates rampant tax evasion and tax avoidance practices by domestic and global corporates, and the resultant revenue losses to the government of India. The study underlines the point that the state's apathy towards mobilising resources and their redistribution have contributed to a situation of over-concentration of wealth in the hands of a few and widespread socio-economic insecurity for the majority. The study argues for plugging tax evasion and tax avoidance as a means to raise revenue to be used for the developmental objectives of India. Christian Aid has financially supported this study as part of its global campaign for tax justice and corporate accountability in the war on poverty.

The second study was done in preparation for Ethical Trading Initiative's (ETI) plan to intervene in Sangam Vihar, New Delhi, from where a large number of global brands source their products. CEC is part of the National Homeworking Group of ETI's India intervention.

The first study was done on the Sumangali system in the garment manufacturing units in Tirupur and nearby areas, on the natural stone extracting and exporting units in Kota, and on karkhana and homeworkers in Sangam Vihar. Anti-Slavery International (ASI), our external partner, prepared an international version of the report. CEC adopted a unique strategy of collaborative research in the completion of this study. Without losing rigour, reliability of data, and verifiability of sources of information, CEC ensured the participation of a large number of stakeholders in Tamil Nadu during the research.

The study made an appreciable impact consequent to a series of exposé in Indian Express after its dissemination workshop in Dindigul, Tamil Nadu. Subsequently, a strategic meeting was called by the ASI in collaboration with ETI in London to share the report of the study with brands and retailers. The Government of Tamil Nadu announced a series of measures to ameliorate the plight of the Sumangalis; the Tirupur Exporters' Association formed a working group that included trade unions and CEC; and key global brands rallied. The study and its aftermath have opened up opportunities for further action. Tdh, in collaboration with CEC and SAVE, is organising a global meet in March 2011.

CEC has been at the forefront, rallying public opinion on the issue of rights of migrant workers – immigrants as well as emigrants. CEC's key intervention has been on India's proposed migration policy and the suggested Emigration Management Bill to replace the existing Emigration Act, 1983. Migrant Forum in Asia (MFA) partners in India, other migrant rights organisations and trade unions have been CEC's collaborators in this exercise. This group entered into a dialogue with the Ministry of Overseas Indian Affairs (MOIA). Another key step has been to draft an alternative 'emigration welfare bill', with emphasis on the rights of emigrants, by the collaborating organisations. Executive Director of CEC attended the Civil Society Days of the Global Forum on Migration and Development held in Porte Vallarta, Mexico, as an invitee of the organisers based on the strength of the organisation's work on migration issues.

The tea trade unions and small tea growers' organisations have greatly internalised the idea of International Tea Day (ITD), initially proposed by workers and small tea growers' representatives from tea-producing countries in 2005, in a meeting called by CEC. Thousands of workers assembled at Malbazar, Dooars, in West Bengal on December 15, 2010. Events were also held in Tamil Nadu and Kerala. During these meetings, workers raised the demand for housing and land rights for tea workers, empowerment of women workers and their informed participation in the discussion on restructuring of tea plantations by the Government of India and planters.

Meanwhile, thousands of small tea growers assembled in Gudalur, Tamil Nadu, under the banner of Confederation of Indian Small Tea Growers' Association (CISTA). The formation of CISTA was facilitated by CEC in 2007. Representatives of small tea growers' associations from Arunachal Pradesh, Mizoram, Assam, West Bengal, Tripura, Bihar and Tamil Nadu elected their new office bearers in the second annual general body meeting of CISTA on December 14, 2010. The programme in Gudalur was organised and self-financed by Federation of Small Tea Growers' Associations in Gudalur Region (FESTA-GR), a body of small tea growers' societies formed by CEC. They launched a signature campaign from Gudalur, with the intention to collect more than a lakh of signatures. The Tea Board of India (TBI) has recognised CISTA's and CEC's work among small tea growers. Collectivisation of small tea growers is continuing in Tamil Nadu and Kerala in collaboration with National Bank for Agriculture and Rural Development (NABARD).

Social Security Now (SSN), a network initiated by CEC, has also evolved dynamics of its own, with constituent members bearing the costs for national events. The National Working Group meeting in Bhopal was financed by NWCYD, and the Chintan Shibir in Mumbai was financed by YUVA. The Chintan Shibir evolved 'a statement of affirmation' of the SSN and in a fairly well-attended meeting in Mumbai launched a signature campaign demanding non-targeted, non-discriminatory Universal Social Security from the Government of India. Vinay Kumar of National Dalit Land Rights Movement represented SSN in the first international meet on Universal Social Security convened by Government of Brazil.

The key criteria for measuring the impact of the activities of a research, campaign and advocacy organisation are: (a) the extent of participation of stakeholders in the activities; (b) the extent to which it generates public opinion; and (c) the extent to which policymakers responded to the issues raised. CEC can confidently claim that it has not failed on these parameters. Networking, based on shared responsibility and participation, has been the mainstay of CEC's method of action. It received fairly good coverage in national and local media at various points of time. CEC and its various partners have been in dialogue with the central government, state governments, members of parliament, members of state assemblies and other relevant institutions of the government. All these programmes are managed and facilitated by a small team with limited resources and run on the strength of stakeholder collaboration and confidence. All information on CEC's activities are regularly updated on its website (www.cec-india.org) and it has been observed that the site receives more visitors now compared to previous years.

J John
New Delhi
August 02, 2011

Bonded Labour

Sumangalis: The Contemporary Face of Bonded Labourer

In 2009, CEC in collaboration with ASI initiated a study on 'Slavery and Production Markets in India' to explore how slavery is reinvented in export production chains in the garment and stone industry. As part of the study, case studies were conducted in the garment industries of Tirupur and Delhi, and in the sandstone quarries of Rajasthan. The study finds that bonded labour still exists in India, but in new forms of exploitative practices. It links the entry of global retailers in textile production with contemporary forms of slavery in India.

A coalition of NGOs, human rights activists and other concerned groups, organised a national conference on 'Sumangalis: The Contemporary Faces of Bonded Labourers' on May 28, 2010, at Madurai. The process was facilitated by CEC. The meeting focussed on Sumangalis – young girl victims of a scheme called Sumangali, where girls below 18 are employed in garment industries and spinning mills on the basis of a promise of Rs 30,000 to the girls after three years of work.

The conference had four main sessions: inaugural session; Session I: Violations of Labour Rights and Human Rights – Experiential Sharing by Victims of the Sumangali Scheme; Session II: The Way Forward: Multiple Responses to the Sumangali System;



and concluding session. The

speakers at the inaugural session were: Annie Raja, General Secretary, National Federation of Indian Women (NFIW); C Mahendran, Deputy Director, Communist Party of India (CPI); Henri Tiphagne, Executive Director, People's Watch; J John, Executive Director, CEC; Adv. MA

Britto, Convenor, CASS; and A Aloysius, Convenor, Tirupur People's Forum. In the first session, victims shared their bitter experience of exploitation. This was followed by a

technical session where legal experts spoke on labour rights and human rights violations of the scheme. The conference concluded with the presentation and adoption of a resolution. The valedictory address was given by Dr. V Vasantha Devi, former vice chancellor of M S University, Tirunelveli, and ex-chairperson of Tamil Nadu State Commission for Women. Around 500 people including activists, Sumangalis and their parents from different parts of Tamil Nadu participated in the conference.

It was organised by CEC along with a coalition of NGOs, human rights activists and other concerned groups including Campaign Against Sumangali Scheme (CASS). The meeting for the first time gave a call to end the exploitative system and demanded that all Sumangalis above the age of 18 who had completed six months of training be considered permanent workers and given decent wage. The meeting was widely covered by the print and electronic media.

The study itself was a networked process. It facilitated the coming together of a number of activists working in the field, both in the sourcing areas and the areas where mills and garment-production units employing Sumangalis or camp coolies were located. The national conference in Madurai was conceptualised over a series of meetings with these activists. The decision to form CASS was also an outcome of this process. Now CASS works independently.

On October 2, 2010, a dissemination meeting on the findings of the study was held at Dindigul, Tamil Nadu. The meeting was attended by around 100 participants, the majority of whom were victims of the Sumangali scheme. The study was widely publicised by the local and national media. Please find annexed list of the coverage of the dissemination meeting.



Another dissemination meeting of the findings of the study was held in New Delhi on August 14, 2010. It was attended by senior trade union leaders, activists and representatives from civil society organisations.

Action by the Government

An enquiry was conducted by the Chief Inspector of Factories, Labour Department. The team visited the houses of those victims who had not been given compensation (houses of four victims mentioned in



the newspaper report were visited). They also visited 167 factories and 30-32 small factories, and enquired into the sanitation, food and other working conditions. They said that the conditions were not satisfactory in a number of factories (about 20).

Labour Minister TM Anbarasan called a meeting of textile industry representatives and trade unions and said that the textile factories should adhere to labour laws in their units. He advised that Sumangalis should be:

- paid the minimum wages fixed by the government for all workers;
- made permanent on their completion of 480 days;
- given provident fund and employees state insurance benefits;
- given identity cards;
- provided with hostels with all basic facilities; and
- allowed leave to visit their native place.

The managements agreed to these suggestions. Representatives of South Indian Mills Association, Tamil Nadu Spinning Mills Association, South Indian Small Spinners Association, Labour Progressive Front (LPF) and Centre of Indian Trade unions (CITU) had participated in the meeting. T Prabakara Rao, Principal Secretary, Labour and Employment Department, and Hansraj Varma, Commissioner of Labour, were among those present.

The Labour Minister convened a meeting of all deputy labour commissioners (DLCs) and asked them to look into the issue. As yet, no legal action has been taken.

With Brands and Retailers on Rights Violations in Garment Manufacture

The objective of the meeting held on November 26, 2010 at the ETI office, London was to share the findings of the study 'Slavery in Garment Manufacture', with focus on the system of Sumangali as practised in garment manufacturing and spinning units in Tamil Nadu, and child labour in Sangam Vihar and Tughlakabad in Delhi. Based on the field work and research conducted by CEC, ASI had prepared a draft report, which was circulated among the brands and retailers prior to the meeting. The meeting was called to reflect on the findings of the study, to get feedback from the brands and retailers, and to arrive at certain conclusions on steps to be taken to address the issues raised in the study report. Among those who participated were representatives from the following brands and retailers in the United Kingdom and Europe: Inditex Group, Zara, Stradivarius, Pull & Bear, Oysho, Bershka, Cortefiel Group, Women's Secret, Spring Field, Arcadia Group, Wallis, BHS, Umbro, Timberland, Sting, S.Oliver, River Island, Replay Jeans, Roxy, Petrol, Bestseller's Group, Jack & Jones, Name It, Only and Outfitters Nation, NKD, Nike, Migros, Mexx, Lee Cooper, Limited Brands' La Senza, Kappa, Guess, El Corte Ingles, Diesel, Desigual, Decathlon, D Pam, Converse, C&A, Boden, GAP Levi, Mothercare, Next, Marks & Spencer, and We.

Presenting the study, J John shared insights from three case studies done on SCM Group, Eastman Group and Prem Group, all exporter groups based in Tirupur. The case studies pointed out how the purchasing practices of the buyers were not sensitive – rather, they were exploitative practices along the value chain. As per the Indian law, the Sumangali/camp coolie system was a violation of Bonded Labour System Abolition Act, 1976, Apprentices Act and Convention Nos. 29, 105, 100 and 111 ratified by India. J John explained how the Sumangali and camp coolie systems were essentially the same as in both cases the mobility of workers was restricted and wage was used as an instrument of control. In many cases, there persisted a debtor-creditor relationship and the right to organise was denied. He stressed on the fair and rational determination of labour cost and purchasing practices that adhered to basic fairness and justice.

The meeting decided that the next meeting of the Tirupur Working Group would be on December 13, 2010, at Tirupur. It was hoped that more brands and retailers would join the group. Other stakeholders including NGOs such as CEC and SAVE

might also be invited. It was further decided that a message of support from the present UK meeting should go to the Tirupur edition. ETI and ASI in consultation with representatives of brands would prepare the letter. The ASI would publish the report by March 15, 2010. Companies could come out with broad pointers to action. ETI, ASI and CEC agreed to remain involved in the issue along with brands and retailers. The next meeting of this group was to be held in January 2011 to review progress and take concrete steps.

Tirupur Stakeholder Forum

In response to the decisions taken at the London meeting, a meeting of stakeholders was called by Tirupur Exporters' Association (TEA) on December 13, 2010. Six trade unions – AITUC, CITU, MLF, LPF, ATP and INTUC – and four NGOs – SAVE, Prakruthi, Thadam Social Welfare Trust (TSWT) and CEC, along with Brands Ethics Working Group (GAP, Walmart, Primark, Mothercare, C&A, S.Oliver, Inditex (Zara), H&M and TESCO), will be the initial members of this forum. Pallavi Mansingh participated in this meeting on behalf of CEC.

The meeting was facilitated by Prem Durrai and N Chandran, Vice President, TEA. They narrated how TEA in the past had worked to fulfil its social obligation. Tirupur exporters have been engaged in wage negotiations and settlement with trade unions since 1987 and it has been a history of labour struggles and conciliations. The meeting decided to set up a forum called Tirupur Stakeholders Forum (TSF) to address the issues concerning working conditions in knitwear export units in Tirupur. Giving their feedback on how to proceed, brands and CSOs insisted that these meetings be conducted with a fixed agenda and a strategy plan.

It was decided that the forum would meet once in a month or whenever necessary and provide suggestions for the welfare of workers. It was also decided that the next meeting of the forum would be held in January 2010.

The third meeting of Tirupur Stakeholders Forum (TSF) was held on January 23, 2011. Almost 25-30 participants including representatives of brands, retailers and exports, trade unions and NGOs were present. This was the second meeting attended by CEC. The main objective of this meeting was to finalise an agenda for TSF. Partners of TSF had sent in their suggestions to TEA in advance. CEC and SAVE suggested agenda points:

1. Employment practices in garment-manufacturing units and their supply chain, particularly spinning mills – the conditions of hostels which are allegedly similar to those of forced labour/bondage; recruitment practices in the case of young girls, particularly those below the age of 18; nature of contracts, nature of tasks assigned, duration of work, working hours, toilet facilities and nature of controls, nature of supervision, membership in a union; consideration of the recommendations by the Labour Minister on October 19.
2. Are those living within factory premises being denied the freedom of association or free mobility – their living conditions – why should the hostel be in the factory premises?
3. Are the wages rational and transparent? Are they a means of control? Both aspects were read out in the meeting. Retailers were in favour of the agenda proposed by CEC since both were essentially the same. CEC and the retailers stressed that the issue was not of skilled workers employed through contractors; it was of the nature of contractual employment that was being offered to young girls who were coming as trainees in the factories – the issue was about their conditions, their payment terms, hostel conditions, etc. CEC and the retailers said that the practice was observed in garment units as well, though under different names. Moreover, the top manufacturers had integrated units – the same employer owned a spinning mill and a garment factory. They also pointed out that the objective was not to do away with the hostel scheme but to allow transparency and monitoring of the conditions in which workers were staying.

It was suggested and decided that TEA would formulate a set of draft guidelines/affirmations/principles that all the members would agree to. This would be done before the next meeting, on February 23, 2011.

Subsequently, CEC participated in the TSF meetings held on February 23, 2011. J John, CEC, pointed out that the objective of the TSF had to be changed and could now be stated as one of creating awareness on initiatives taken by TSF. N Chandran said a discussion was held with the exporters having spinning mills and afterwards 'A guidance document for migrant women workers in hostel and the recruitment process – spinning/garmenting factories' had been prepared by taking into account

various factors. The draft copy of the document was distributed to the participants and their views were sought on the same.

Reported Death of Sumangalis/Camp Coolies in Spinning Mills

Tirupur People's Forum initiated a fact-finding exercise into the reported death of over 10 girls, who were Sumangalis/camp coolies, over the past few months. On December 14, 2010, a group of NGOs including CEC visited the family of Pandiswari, a 17-year-old who died in a spinning mill near Vedasandur. The group also visited the Centwin mill, the local police station in Vedasandur, the SP office, and the inspector of factories.

It was learned that the management had compensated Rs 500,000 to the family. Members of the family were unwilling to cooperate and reveal any information to the fact-finding team about her employment and the circumstance that led to her death. The police officials appeared to be on the side of the management. There were serious flaws in handling of the death by the police and in their investigation. As per the report, it was suicide by consuming hair oil. She had drunk hair oil by mistaking it for water, before going to bed on December 2. The death was reported at 4.30 am on the 3rd and police FIR registered at 1.00 am (midnight). It was found that she had worked for four-and-a-half years in the same mill, which meant she might have started her career at the age of 12.

The incident was a clear example of how the government had failed to protect the rights of workers in spinning units. The fact-finding team demanded that the government authorities take responsibility for the incident. The team demanded a CPCD enquiry into the incident. The team also suggested that a Sexual Harassment Complaints Committee should be set up, as per the Vishaka Judgement, in all the spinning units and the committee should include one member from the NGOs.

Tirupur People's Forum (TPF)

The meeting of Tirupur People's Forum was held on December 18, 2010. The meeting focussed on finalisation of the report of the fact-finding team, outcome of the TEA meeting, possible strategy to prevent the Sumangali scheme as it was expanding in the entire mill sector as well as in the mega garment units around Tirupur (with recruitment being done from Andhra Pradesh, Orissa and the northeastern states), inaction on the petitions to state women's commission on the employment of girl

children, and pro-employer stand by the new chairperson, who had released a handbook code of conduct for such employment in textiles to provide a cover-up to the prevalent exploitation. The meeting was followed by a press conference. J John and Pallavi Mansingh were present in the meeting.

Experiences in Organising Bonded Labour - Lessons Learnt and Challenges

Although the Government of India enacted the Bonded Labour System Abolition Act (BLSAA), 1976, forms of bondage persist in changing forms and are getting redefined according to the needs of the emerging new societies and economies. The vulnerability of bonded/forced labour needs to be understood as an ensemble of factors defining the social, economic, political and cultural positioning of workers that prevent them from entering employment avocations as free labourers and claiming labour rights. In this context, Centre for Education and Communication along with Volunteers for Social Justice (VSJ) organised a one-day meeting – with the theme ‘Experiences in Organising Bonded Labour, Lessons Learnt and Challenges’ – on May 30, 2010, at Jalandhar. The meeting discussed the proposed amendments to the Bonded Labour System Abolition Act (BLSAA), 1976, which were worked out after a series of meetings in Punjab, Chhattisgarh and Delhi. It served as a platform for sharing experiences in organising bonded labourers by unions and activists.

Study on Home Workers in Sangam Vihar

CEC conducted a study for the National Homemaker Group of Ethical Trading Initiative (ETI). The purpose of the exercise was to investigate into the prevailing situation in the garment industry in Sangam Vihar catering to export production, focussing particularly on certain socioeconomic issues. It intended to understand how home-based work and work in handwork units were organised, who the home workers were, what was the nature of work arrangements, whether families were engaged, nature of employer- employee relations and if it was changing in any way, role of agents/contractors, engagement of workers in relation with the Corporate Codes of the company, socioeconomic and living conditions of the workers, various categories like employment, income, age, gender segmentation and skill levels, issues like forced labour, injuries and medical care, and existing infrastructural facilities like schools and health centres. The study also conducted need assessment focussing on the perspective of workers and agents regarding improvements that could be made

in their living and working conditions. Results of the study were shared in a meeting of the ETI NHG in July 2010.

Labour and Employment Practices and Challenges in Garment and Textile Industry

A one-day multi-stakeholder meeting on 'Labour and Employment Practices and Challenges in Garment and Textile Industry' was held on March 10, 2011, at Hotel Residency, Coimbatore. It was organised by Tirupur People's Forum (TPF), Hind Mazdoor Sabha (HMS) and Centre for Education and Communication (CEC). The purpose of the meeting was to understand the linkages between the global market and the labour vulnerability in India. The whole programme had been divided into two sessions: the theme of the first sessions was 'Achievements and Challenges of the Textiles and Garments Industry', and that of the second session was 'Review of Challenges, Resolutions and Responsibilities'. Each session had a group work followed by a plenary session where the individual group reports were presented and the outcomes discussed. The participants were divided into four groups with adequate representation for each stakeholder category to ensure that all could hear and share views and concerns. The participants agreed that since TSF had already been initiated as a multi-stakeholder group, it was strongly recommended that the TSF should follow up on the resolutions/solutions that came up in the meeting. TASMA should be invited to become a member of TSF and multi-stakeholder committees be constituted from the TSF for the purpose of preparing guidelines for hostels including monitoring.

Bonded Labour



Tea Garden Workers

Tea garden workers, in spite of being settled in the tea gardens for decades, have lived in a condition of virtual bondage. They have never enjoyed full rights. Despite the presence of various laws on land reforms, tea workers continue to be denied housing and land rights in all the tea-producing states: West Bengal, Assam, Kerala and Tamil Nadu. Lands that were claimed from tea gardens through Land Reforms Acts in West Bengal were not distributed to the landless tea workers. The forest department took over some areas of such land and the rest of the land still remains undistributed. Denial of housing and land rights leads to the denial of several other rights to the workers, including civic rights. Housing continues to remain an instrument of control in tea plantations along with wage. In addition to this, government policies conditioned by the WTO and FTAs, the demands of the corporate sector to bring about drastic changes in the estate structure, and the recent amendment by the government to the PLA suggest the need to address this in the context of rights of tea workers.

International Tea Day (ITD) 2010

The sixth International Tea Day (ITD) was observed on December 15, 2010, by trade unions, workers' organisers, tea workers, and activists in different parts of the country. The theme was 'Proposed Structural Changes in Tea Industry in India: Implications for Workers'. A seminar and public meeting on this theme was held on December 15 in Jalpaiguri, West Bengal. The seminar deliberated on these areas: restructuring of tea plantations and the demand for housing and land rights for all tea workers, redefining wage-determination basis, assuring living wages for all workers, strengthening the panchayat in tea areas, and ensuring applicability of court orders.

In Kerala, a seminar on 'Reopen the Closed Tea Gardens; Implement the Supreme Court Judgment' was held on December 19 at Peerumedu, as part of the ITD observance. In Tamil Nadu, a public meeting was held on December 26 at Valparai.

The call to observe International Tea Day issued by the unions pointed out how the key components of the second wave of globalisation were the efforts to achieve price integration by removing import tariffs and export taxes through WTO and FTA negotiations, the reorganisation of the tea industry by the increasing separation of production and marketing of tea, and allowing for the growth of small tea growers as an alternative business model in tea production. In this process, the global leaders in the tea industry are redefining the global value chain of tea by re-marking components of value chains and assigning roles and responsibilities at each level. Consequently, a few brands and retailers like Tata-Tetley and Unilever have assumed unassailable control over the tea value chain and are dictating the terms of the tea trade. In many parts of the world, this reorganisation is threatening the dominance of the estate production system in the tea industry, though it provides employment to millions of workers directly and indirectly. In India, the planters are themselves arguing that tea production in plantations in the present form is becoming unviable. The declaration is given as Annexure 1. The campaign flier is given as Annexure 9.

Tea Workers' Meet

A meeting of tea workers' leaders was held on September 19, 2010, in Kolkata. The meeting discussed housing and land rights for the tea workers, particularly given the context of the government conducting studies to understand restructuring of tea plantations. They discussed whether a commission could be constituted to determine the availability of land – both government and private – and identify the eligible workers including dalits, adivasis, tribals and those displaced. They also discussed the redefining of the wage-determination basis to ensure living wages to the workers and strengthening of the panchayats in tea gardens. A recent verdict of Supreme Court on the takeover of closed and abandoned tea gardens by the central government was also discussed. It was resolved that all trade unions would jointly fight to implement the Supreme Court's order, with agreement to take up the issue for further discussions on International Tea Day 2010, which would be marked with a meeting on December 15 at Jalpaiguri.

The meeting was attended by representatives of Darjeeling Tarai Dooars Plantation Labour Union (DTDPLU), Darjeeling Cha Bagan Workers' Union (DCBWU-UTUC), and National Union of Plantation Workers – INTUC from both West Bengal and Assam.

Migrant Workers

Programme on Policy Interventions in India's International Migration Policy

CEC along with Indian members of Migrant Forum in Asia (MFA) is working on policy and advocacy intervention to protect the rights of migrant workers, with the objective of ensuring that migration is safe for all and that the rights of migrants are protected through appropriate policy and legal mechanisms by the Government of India, and defended by trade unions and migrants' organisations. The immediate objectives are: 1) Government of India develops policy, legal and administrative instruments that guarantee and ensure the rights of migrant workers from and into India; and 2) facilitate empowerment of trade unions and migrant organisations to defend the rights of migrant workers, including in-migrants.

PSAARC Panel Discussion on Migration in South Asia

Centre for Education and Communication (CEC) along with Migrant Forum in Asia (MFA) organised a panel discussion on 'Migration in South Asia' as part of the People's SAARC event on April 21, 2010. The panel discussion was held at Indian Social Institute (ISI), New Delhi.

The panel consisted of academics, activists and trade union leaders from South Asian countries and deliberated on issues and strategies related to migration within South Asia as well as migration of South Asians to other parts of the world. The meeting also discussed the following issues: 1) critical assessment of migration policy in South Asian countries, 2) ILO convention on domestic work, 3) portability of social security benefits, and 4) a visa-free South Asia. The statement is given as Annexure 7.

CEC in coordination with MFA organised a national meeting on the Emigration Management Bill, 2010, proposed by Ministry of Overseas Indian Affairs (MOIA). The meeting was held on June 29, 2010, in Hyderabad. As the MOIA is all set to replace the existing Emigration Act, 1983, with the new Emigration Management Act, the meeting discussed what should be the non-negotiable in any amended Act on emigration from a human rights and a labour rights perspective.

The one-day meeting was divided into four sessions. Session 1 was the introductory session chaired by Duarte Baretto, Executive Director, FEDINA. J John, Executive Director, CEC made the keynote presentation on 'Overview of recent developments in international migration and legal/policy arrangements'. This was followed by a presentation on 'Leveraging the demographic dividend – compulsions of India in the 21st century' by KN Bhatt, Associate Professor, GB Pant University. Session 2 focussed on the existing legal framework governing India's international migration policy and its implications. Paramjit Singh Judge, Professor, Guru Nanak Dev University, chaired the session. CK Karunakaran, Advocate, Kerala High Court, made a presentation on 'Emigration Act, 1983, migrants' rights and examination of case laws'.

Session 3 was on migration law and human rights concerns. It was chaired by SN Thakur, National Secretary, All-India Trade Union Congress, and Ashok



Ghosh, National Secretary, United Trades Union Congress. Christian Wolff, independent consultant, presented points on 'Emigration Act and international migration regimes – exigencies before the government of India'. This was followed by a presentation by Yamini Atmavilas, Associate Professor, Administrative Staff College of India, on 'Recent trends in women's migration and adequacy of legal entitlements'. Anasua Basuroychoudhary, Research and Programme Associate, Mahanirban Calcutta Research Group, made a presentation on 'Integrating rights of immigrants and refugees and protection of undocumented migrants and victims of trafficking in national law'. Babu P Remesh, Reader, Indira Gandhi National Open University, spoke on 'Migrants' right to social security'. The last session was called 'Towards a rights-based position: Strategy and action plan'. It was co-chaired by J John and Amjad Hasan, Indian National Trade Union Congress.

Dialogue with Labour Organisations

A trade union meeting on migration was held at the United Trades Union Congress (UTUC) office in Kolkata on September 21, 2010. Discussants included: Dilip

Migrant Workers

Bhattacharya, All-India Central Council of Trade Unions (AICCTU), West Bengal State Committee; Tarun Sarkar, All-India Central Council of Trade Unions (AICCTU), West Bengal State Committee; Prabir Das, All-India Central Council of Trade Unions (AICCTU), West Bengal State Committee; Rabin Mukherjee, All-India Trade Union Congress (AITUC), West Bengal State Committee; Debanjan Chakrabarti, Secretary, Centre of Indian Trade Unions (CITU); Syamal Kanti Kaungo, Trade Union Co-ordination Centre (TUCC); Ashok Ghosh, General Secretary, United Trades Union Congress (UTUC), West Bengal State Committee; Barun Chaudhuri, Secretary, UTUC, West Bengal State Committee; Dipak Saha, West Bengal State Committee, UTUC; Ramayan Prasad Dhamala, Migrant Nepalese Association Advisor, Central Committee; Narayan Prasad Homagai, Migrant Nepalese Association (MINA) in India, Central Member; Mrinal K Biswas, General Secretary, Indian Journalist Association; J John, Centre for Education Communication (CEC); and Pallavi Mansingh, Centre for Education Communication (CEC).

Ashok Ghosh read out the secretarial report of the UTUC conference, which noted the importance of international migration to India. J John pointed out that migrant workers going out of India were not a direct agenda for the trade unions in India. As a



research organisation they had tried to highlight the issue, but in the final count, trade unions needed to take it up. The urgency came from the fact that the Emigration Act, 1983, which was supposed to protect the rights of the migrants, was being amended. The main thrust of the 1983 Act was the protector general of emigrants at the national level and the protector of emigrants at the state level. The

MOIA did not address migration from the perspective of the rights of the migrating people. Com. Debanjan informed that he and Pandhe from CITU had co-edited a book on globalisation and migration. Ramayan Prasad, Migrant Nepalese Association (MINA) in India (affiliated to GEFONT), pointed out that any law should include migrant labourers from other countries. Any scheme or benefit for migrant workers should take into account migrants from Nepal. Mukherjee, AITUC, said that workers had the right to organise and the right to minimum wage. Com. Das, AICCTU,

suggested that a dialogue be initiated with the central government on the issue of migrant workers. Dilip, AIUTUC, said that trade unions needed to take up the issue of migrant workers. They needed to have serious internal discussions and formulate positions. The problems of migrant workers needed to be addressed in their complexity.

The meeting decided to prepare a memorandum to be sent to the Government of India. A joint delegation of the CTUOs could meet the labour minister on International Migrants' Day on December 18, when the parliament would be in session.

Understanding the Usefulness of the Emigration Act and the Implications of the Proposed Amendments

The meeting was attended by almost 20 participants, including advocates, academics, activists, civil society organisations, migrants' rights organisations and trade unions. Spread in two sessions, the meeting discussed issues related to external migration from Punjab and issues that needed to be addressed in India's international migration law. The meeting demanded an Act that was comprehensive and addressed labour migration, human trafficking, rights of family members of migrants, and new emerging issues like holiday wives. It also deliberated on how to address violations and complaints, what should the jurisdiction of the Act be, the existing provisions for penalties, and how the scope of punishments could be increased.

Changing Contours of India's International Migration Regime – Implications for UP

A regional meeting on international migration was held in Lucknow on October 30, 2010. The meeting looked into the recent spurt of migration from Uttar Pradesh and the vulnerabilities shaping it. It addressed migration and its consequences in the context of the policy on international migration that the Government of India was in the process of drafting. Almost 30 people attended the meeting.

It was highlighted in the meeting that Uttar Pradesh was currently the largest migrant-sending state in India. In 2009 the figure crossed one lakh twenty-five thousand, exceeding Kerala and Punjab, and accounting for 21 per cent of migration from India. In this context, this meeting was an important tool to understand the recent trends of migration from Uttar Pradesh. Moreover, there are many cases of

undocumented migration due to the lack of legal channels and most of the migrants are unskilled workers. This itself validates the need for an international migration policy that should address the vulnerabilities of migration, especially undocumented migration. The meeting also stressed on people's right to move freely across borders. The need for agencies like NORKA in Kerala to help migrant workers in Uttar Pradesh was also highlighted in the meeting.

The two regional meetings, held in Punjab and Uttar Pradesh, intended to gain inputs on the possible non-negotiable in any amended law on India's outmigration from a rights perspective.

Non-Negotiables in India's Emigration Law

The drafting committee – as decided in the national meeting of CSOs, migrant rights organisations, trade unions, activists and advocates in Hyderabad – comprised of J John, Executive Director, CEC; Ashok Ghosh, National Secretary, UTUC; Paramjit Singh Judge, Head of the Department of Sociology, GND University; C Karunakaran, Advocate, High Court, Kerala; Babu P Remesh, Reader, IGNOU; and Yamini Atmavilas, Professor, Administrative Staff College.

The meeting started with heated discussions on the content and nature of the non-negotiable – whether they should be in the form of an Act or just a memorandum stating the concerns of CSOs. Other issues of debate were – whether or not the ECR should be there, whether the Act should include registration and enumeration; how and what should be the nature of social security; how to define the punishment; and so on. The committee formulated a draft based on a draft presented in the national meeting by Advocate Karunakaran.

A national meeting that followed brought together trade unions, civil society organisations, migrant rights organisations, activists, academics, advocates and media, and they discussed the draft legislation proposed by the committee.

Advocate Karunakaran read the draft clause by clause and the group gave comments and suggestions on each one of them. The changes were incorporated by Advocate Karunakaran in a revised draft.

There was also a discussion on strategy and it was decided that the Act would be put up for public consultation on a website. Inputs would be collected from a wide range

of people before it was submitted to the MOIA. It was also decided to have targeted campaigns with members of parliament in five key migrant-sending states – namely Kerala, Tamil Nadu, Andhra Pradesh, Uttar Pradesh and Punjab.

CSOs' Dialogue with MOIA on the Emigration Law

Representatives of trade unions, migrant rights organisations, civil society organisations with focus on human rights and labour rights, academics and activists had a dialogue with the officials of the Ministry of Overseas Indian Affairs on November 24, 2010, on India's proposed international migration policy and the Emigration Management Act, 2010. Paramjit Singh Judge, Head of the Department, Sociology, GND University, and Ashok Ghosh, National Secretary, United Trades Union Congress, led the discussion. Explaining the concerns stated in the memorandum, J John, Executive Director, Centre for Education and Communication, pointed out that civil society organisations were concerned about the increasing emphasis by the government on management of migration and encouraging migration for development. The Government of India had not initiated any serious dialogue with the relevant stakeholders on this matter, bringing unwarranted secrecy to a process. It was suggested that the Ministry of Overseas Indian Affairs conduct public hearings in centres of concentration of migration.

Atul Kumar Tiwari, Joint Secretary, Financial Services and Emigration Policy, informed that the Emigration Management Act had been discussed with recruiting agencies and in inter-ministerial consultations. He, however, said that nothing beyond that could be shared. Assuring that the welfare provisions of the Act would not be compromised, the Joint Secretary informed that the draft policy document would be ready in six months. He agreed with the delegation members that public consultations could be organised to get feedback from CSOs, trade unions and migrant rights organisations. KC Badhok, Director, Emigration Services, Shiv Rattan, Director, Financial Services and Budget, and Sunil Chauhan, Section Officer, Financial Services and Budget, were also present during the meeting.

GFMD 2010, Mexico

The 4th edition of Global Forum on Migration and Development (GFMD) concluded on November 12, 2010, in Mexico, after a three-day deliberation on 'Partnerships for migration and human development: Shared prosperity – shared responsibility'. The

significance of the Mexican GFMD was the attempt to redefine 'development' as human development, as opposed to the established notion of a remittance-driven understanding, and the inclusion of the concerns of 'undocumented migration' in the official agenda.

J John, Executive Director of CEC, attended the Civil Society Days (CSD), marking CEC's participation in GFMD 2010. He was an official invitee to the CSD of GFMD Mexico. CSD was a space provided by GFMD for civil society interactions, which has the same agenda as that of the formal GFMD. The CSD of the fourth GFMD was held in Puerto Vallarta on November 8-9, 2010. The Mexican process also provided for an additional space for interaction between civil society and the state by arranging a 'Common Space' on the day in-between the CSD and the GFMD, held on November 9, 2010.

For two days, CSD discussed different facets of migration and development. J John participated in four round tables of the CSD, besides all plenary sessions. Participating in the round table session – 3.1 Assessing Impact of Migration on Economic and Social Development and Its Cause-Effect Relationship – J John suggested that an



artificial distinction was made between economic rights and social, cultural and political rights of migrants, with emphasis on the migrant as an economic agent. Though the social, cultural and political agencies of migrants are not recognised, these rights are violated with impunity. He said that 'development' should therefore be conceptually understood as 'rights' and those should include not only the economic rights but also the social, cultural and political rights of migrants. He was the official rapporteur for the next round table, 3.2 Impact of Climate Change on Migration and Development.

Coinciding with GFMD, Migrant Forum in Asia (MFA) and Migrants Rights International (MRI) in cooperation with Red Internacional de Migración y Desarrollo (RIMD) and Instituto de Estudios y Divulgación sobre Migración (INEDIM) organised People's Global Action on Migration Development and Human Rights (PGA) in Mexico City, on November 2-5, 2010. Every year, PGA provides space for migrant rights organisations from all over the world to discuss the issues of migration, considering the restricted invitation by the host government to the CSD of the GFMD and the limited scope for discussions.

Meanwhile, migrant rights organisations and trade unions in India issued separate statements on GFMD with pointed demands to the Government of India. This was in continuation of CEC's earlier efforts, in collaboration with Migrant Forum in Asia (MFA), to evolve a CSO and trade union position on the GFMD. The memorandum urged the Government of India to move away from a remittance-driven approach to development and advocated holistic development of migrant workers and their families, ensuring that economic developments were translated into improved quality of living for migrant families and communities; meaningful engagement with migrant workers, trade unions and civil society organisations in evolving its short-term and long-term policies and perspectives on migration; strengthening of counselling services; and respecting and observance of the provisions in the international instruments regarding the rights of migrant workers, and ensuring through bilateral and multilateral agreements that these were respected in the places of work of the migrants. The memorandum is given as Annexure 2.

As per the decision in the national meeting on November 23, 2010, CEC along with partner organisations in key migrant-sending states – Kerala, Tamil Nadu, Andhra Pradesh, Uttar Pradesh, Punjab and Delhi – initiated a process of approaching MPs with possible questions that could be raised by them during the next parliament session. In Kerala, migrant groups had discussions with A Sampat, CPI(M), and gave them the questions. In Uttar Pradesh, questions were sent to Rewati Raman Singh, SP, and a meeting was fixed with her for sometime in January. Reeta Bahuguna Joshi and Pramod Tiwari (both from Congress) will be approached for meetings. In Punjab, migrant groups will meet Navjot Singh Sidhu, BJP. In Tamil Nadu, M Thambidurai, AIADMK, has been approached.

Nepali Domestic Workers in India: A Case of Institutionalised Discrimination and Segmentation

The study intends to capture the labour market dynamics of Nepali domestic workers in India and understand their vulnerabilities. It will serve as an input into the campaign for a rights-based migration policy.

Scope of the study: Understand the factors that compel Nepalese workers to take up domestic work in India, look at how the demand and supply is organised, why do they come, where do they come from, what were they doing before they came, the process of migration, the method of finding work, the plight of those who 'live in' and those who return to their shelter, the role of contractors and placement agencies, are there any elements of trafficking, how the wages are determined, who receives payment, who the employers are, are they bonded, is any advance taken And if yes, by whom and from where, is there hidden discrimination against Nepali workers so that they are forced to take to domestic work, how is this discrimination institutionalised. Understand the nature of employment, conditions of work, method of remittances. Capture the perceptions of Nepali workers with regard to employment in domestic work in India.

The study will be based on case studies of Nepali workers in Delhi and NCR. The case studies will be decided based on location, gender and nature of employment. Secondary research and fieldwork for the study are in progress.

CEC along with Migrant Nepalese Association in India (MINA) organised a meeting on migrant Nepalese domestic workers in India on December 5, 2010. Testimonials of Nepalese workers were presented largely focussing on three themes: issues in transit, issues at work, and issues relating to civic rights. About six testimonies were presented elaborating on these themes.

National Meeting on Alternative Emigration Welfare Bill

A national-level meeting of trade unions on proposed changes in India's emigration law and possible non-negotiable from a rights perspective was held on December 29, 2010, at India International Centre, New Delhi. The first session was chaired by CP Singh, National Secretary, Indian National Trade Union Congress (INTUC). J John, Executive Director, Centre for Education and Communication (CEC), explained that the context of the meeting was to deliberate on a law to protect Indian citizens when

they go out for work, and ensure that they have all the rights. The 1983 Act created a protector of emigrants and regulated the agents. The Government of India is now proposing changes in this Act in keeping with the international trend of managing migration and making it temporary.

The domain of trade unions is not only workspace and rights, but much beyond it. They work for the rights of workers when they are members of a union. Trade unions are working for skill development and education. How the rights of those who move out of the country for work should be protected can be best articulated by the unions. Ashok Ghosh, National Secretary, United Trades Union Congress (UTUC), who was a member of the drafting committee of an alternate bill on migration, shared points from the draft bill and explained the process by which it has been prepared. He explained that the bill articulated a rights-based position. While preparing the bill, how it would benefit the undocumented migrant workers was a major concern. Refugees, victims of trafficking and immigrants have not been covered. It was felt that rights of migrants should not be defined as the citizen's rights. Ashok Ghosh assured that after incorporating the inputs of the trade unions, the bill would be put up on the website for wider circulation and comments. RA Mital, National Secretary, Hind Mazdoor Sabha (HMS), said that while representations were given by trade unions and CSOs in the past on the migration policy as well as the bill, the MOIA did not consider any of them. Then, when they announced that they were going to change the Emigration Act, 1983, trade unions approached CEC and requested that there be a trade union process, and before the government introduced the bill, trade unions needed to consolidate their inputs and give it to the government. CEC and trade unions organised a series of meetings and this national meeting was to consolidate all inputs. The next session discussed concerns on the draft bill clause by clause. RA Mital, SP Tiwari, General Secretary, Trade Union Coordination Committee (TUCC), and SN Thakur, National Secretary, All-India Trade Union Congress (AITUC) chaired the session. Important issues discussed during the day included whether ECRN and ECR should be maintained; how should the fund be created and managed; how to integrate councillor support and ensure that the officer have the rights to give all welfare support; separate tribunal for speedy clearance; special court and its powers including the power to summon people; and whether the government should have the power to deny permission to go to certain countries.

Regional Meetings on Migration

A regional meeting of labour organisations from Delhi was held on December 28, 2010. The meeting deliberated on the draft bill prepared by the drafting committee in a process led by Centre for Education and Communication. The meeting was attended by representatives from the Delhi state offices of the trade unions AITUC, UTUC and INTUC. Discussions were held on how to organise the funds and how the same should be collected; whether there should be a separate emigration fee; the role of the emigration welfare officer; whether the power to exempt should be there or not; how to integrate provisions that do not discriminate against women but ensure their protection – such as having women labour attaché to address complaints of women; and so on.

Another regional meeting on migration was held in Jalandhar on December 30, 2010. Jai Singh from Dalit Dasta Virodhi Abhiyaan convened the meeting. Trade unions, lawyers, academics and activists attended the meeting. They discussed various issues in the draft bill including whether India's emigration law should address only emigrant workers or also emigrant students, and the issue of creating two categories of citizens through ECR and ECNR. It was also noted that while there was a provision for welfare funds, it remained to be seen how this would be integrated into the new law in such a way that it was implementable.

Universal Social Security

Social Security Now (SSN) is a national campaign demanding non-targeted, non-discriminatory universal social security as a right for all people living and working in India. Over 500 organisations from all over India, comprising people's movements, trade unions, civil society organisations, farmers' associations and other groups are part of this campaign. Centre for Education and Communication (CEC) is the national secretariat for this campaign.

Chintan Shivir on Universal Social Security

A Chintan Shivir was organised by Social Security Now at the YUVA Centre, Mumbai, on September 29-30, 2010. The purpose of the Chintan Shivir as envisaged during the last meeting of the national working group held in Bhopal (August 6, 2010) was to debate, understand the nuances and work out a concept note on universal social security. Earlier, during the national convention of the SSN held at Patna (January 8-11, 2010), SSN had given a call for non-targeted, non-discriminatory universal social security. The Chintan Shivir concluded with a draft text of affirmations on universal social security. It is given as Annexure 3.

Several issues related to universal social security were discussed including universal social security from a labour rights perspective and from a human rights perspective, universality and particularity, universality and affirmative action, universality in the context of traditional vulnerabilities, scope of social security in terms of the various tenets of the right to life – right to health, right to education, etc., the subject of rights versus entitlements, and social security as a right of workers in India according to national and international law and in developed countries.

Signature Campaign on Non-Targeted, Non-Discriminatory Universal Social Security

SSN launched a signature campaign on non-targeted, non-discriminatory universal social security on September 30, 2010, in a public meeting held at Dadar, Mumbai. The meeting was addressed by Shati Patel, freedom fighter and ex-mayor of Mumbai; Ulka Mahajan, eminent social activist and convenor, NAPM; Raju Bhise, YUVA; Vinay Kumar, NCDHR-NFDLRM; and J John, CEC. On a day when India, especially Mumbai,

came to a standstill due to the Ayodhya verdict, over 400 people participated in the meeting, the majority of whom were women.

The signature campaign demands comprehensive amendments to be made to the Unorganised Workers' Social Security Act (UWSSA) 2008; non-targeted, non-discriminatory universal social security to be provided by the state for all people living or working in India as a basic right; social security to ensure healthcare, protection of child rights, disability

benefits, maternity benefits, accident and medical care, unemployment benefits, old-age pension and livelihood loss compensation; social security to address, among other things, the social inclusion of dalits, non-displacement of adivasis, housing and land rights of dalits, adivasis and women, vulnerabilities of migrants and recognition of unpaid

work of women; 6 per cent of the GDP for non-targeted, non-discriminatory universal social security as all people living and working in India have a right over the wealth collectively produced; halting of privatisation of social security benefits; ensuring of economic justice by providing living wage to all which is need-based and not less than the wage of the lowest paid employee of the central government as defined by the Pay Commission and the Indian Labour Conference (ILC), with periodic revision; and core labour rights for all workers in all work situations, including defined and regulated employment, at the same time ensuring that identification of recipients is simple and friendly, and not obstructive and exclusionary. The signature campaign document is given as Annexure 4.



Dr. Shanti Patel, Former Mayor of Mumbai and former Member of Parliament inaugurating the SSN campaign, Mumbai September 30, 2010

SSN Appeal to the Commerce Minister

Social Security Now strongly condemns the brutal police action on October 6, 2010, against the health groups' protest in front of Udyog Bhavan, New Delhi. SSN also holds that the inclusion of IP provision in the EU-India FTA will affect the right to life of the people of India. SSN joins hands with the mass movements against free trade

agreements, particularly the HIV positive people's network, and demands a halt in the present EU-India negotiations until IP provisions are removed. In this regard, an appeal was sent to the minister of commerce.

Appreciating the effort, Dr MC George, advocate and national trustee, Infam (Indian Farmers Movement), has commented that it is a very relevant point in light of the constitutional framework and socio-political set-up prevailing in the country. The centre-state relationship and the logic and scope thereof under the Constitution need to be scrutinised and appropriate action taken to keep up the spirit of the constitutional framework.

National Working Group Meetings

A meeting of the national working group of Social Security Now was held on August 6, 2010, at ICUF Ashram, Bhopal. In addition to future campaign strategies, the meeting discussed the issue of universal social security from various perspectives (gender, dalit and worker), and also how the articulation of SSN is different from the social protection framework of the UN. The meeting concluded with a decision to hold a Chintan Shivar followed by the launch of a signature campaign in the next month.

Another national working group (NWG) meeting of Social Security Now was held at Shramik Sewa Kendra, Lucknow, on February 26, 2011. Sandeep Khare of Vigyan Foundation and Sanjai Rai of FIAN were the local hosts for the meeting. Almost 20 participants representing the national working group were present. The meeting discussed the present status of the implementation of UWSSA in various states. All the NWG members reiterated that the state boards had not been formed and the registration of workers had not started. The members asserted firmly the need to resist any move by the government to promote private insurance companies as a solution to social security. They reiterated that social security had to be the responsibility of the state; it had to be universal; and it had to be a right for all.

The second half of the meeting discussed social security in the context of Uttar Pradesh. Participants stated that the UWSSA was nowhere close to being implemented in the state. Towards social security for unorganised workers, the only instrument was the Act for building and construction workers. Participants then gave their views on how this was being implemented. They informed that instead of being

tripartite in composition, as was assured in the law, it was a single-body board, with the labour commissioner as the only overall in-charge. For drafting the rules, an expert committee had been constituted but there was no scope for participation by NGOs and TUs in this.

The key issue raised in the NWG meeting was that the labour department was insensitive and did not understand the unorganised sector. Acts like the one for building workers were viewed from an organised labour perspective and workers were asked for things like proof for 90 days' work. The subject of employer-employee relation remained a prominent question mark.

The meeting also discussed in a separate session the linkage between taxation and social security in terms of a campaign. The need to highlight tax evasion and avoidance and the need to correct these so that the government had resources for socially productive expenditure was discussed.

It was decided that a national meeting would be held in Delhi. In the first half of the meeting, a study conducted by CEC on taxation would be released and discussed. This would be followed by a session that would be a parallel labour parliament (samanantar mazdoor sansad). In this session, a budget for social security will be presented. This meeting would coincide with one of the parliament sessions in Delhi.

PSAARC Panel Discussion on Non-Targeted, Non-Discriminatory Universal Social Security in South Asia

Social Security Now organised a panel discussion on 'Non-Targeted, Non-Discriminatory Universal Social Security in South Asia' as a part of the People's SAARC, on April 20, 2010, at ISI, Lodhi Road, New Delhi. The panellists for the discussion consisted of eminent academicians and social activists from South Asian countries.

There were presentations from different countries which looked into the respective national legislations on social security, the adequacy of these policy measures, their effectiveness in addressing poverty, and the emerging need for a universal non-targeted framework for social security. The discussion also focused on the portability of social security of workers working in South Asian countries and portability of social security of workers from South Asian countries working in other countries. The declaration adopted during the meeting is given as Annexure 6.

Free Trade Agreements

Representatives from trade unions, people's movements and civil society organisations have come together to understand the critical issues involved in the EU-India free trade agreements (FTA), and work against its negative repercussions for the people of India.

Letter to the Prime Minister on EU-India FTA

In the wake of the 11th EU-India Summit, beginning on December 10, 2010, in Brussels, Belgium, a group in India comprising civil society organisations, trade unions and people's movements, under the banner of 'Forum against FTAs', submitted a letter to the Prime Minister of India calling for greater transparency in EU-India FTA negotiations.

The letter was sent along with the following attachments: Joint open letter from European and Indian Civil Society, 230+ signatures; Indian Coordination Committee of Farmers Movements, 28th April 2010; Access to medicines campaign letter, 28th September 2010; North East Dialogue Forum, 27th November 2010; Retailers' memorandum, dated 8th December 2010 (by email); Fish workers' letter, 8th December 2010 (by email) and Initial statement from Indian groups, dated 21st September 2008

The letter to the PM was also copied to Sonia Gandhi, Hon'ble Chairperson, National Advisory Council; Anand Sharma, Hon'ble Minister, Ministry of Commerce and Industry, GOI; Ghulam Nabi Azad, Hon'ble Minister, Ministry of Health and Family Welfare, GOI; Sharad Pawar, Hon'ble Minister, Ministry of Agriculture, GOI; Mallikarjun Kharge, Hon'ble Minister, Ministry of Labour and Employment, GOI; Montek Singh Ahluwalia, Deputy Chairman, Planning Commission

As secretariat of the forum, CEC was a part of this initiative. CEC also issued the press note.

Meeting with Members of European Parliament (MEP)

The Forum against FTAs held a meeting with Members of European Parliament (MEP) on November 13, 2010, at Constitution Club, New Delhi, in order to voice concerns

and discuss issues pertaining to the proposed EU-India bilateral trade and investment agreement. The negotiations had gone through 13 rounds and could pick up pace in the context of the new EU trade strategy for 2020 announced last week.

The meeting called for coordinated lobbying at both ends. The fact that neither MPs nor MEPs had access to the texts or processes was a matter of grave concern. There was also need to build South-South solidarity on the issue of trade. Lastly, there was a clear need to broadbase local struggles and magnify people's concerns. In this context, it was hoped that the media would be an ally in not only helping to retrieve more information and texts from concerned government departments but to also amplify voices from diverse movements from the ground.

As India resumed negotiations with the European Union (EU) in New Delhi on October 6, 2010, over a free trade and investment agreement (FTA), a mass 'die in' protest was held in front of Udyog Bhawan (Ministry of Commerce) against the inclusion of intellectual property (IP) provisions in the EU-India FTA. As protesters, most of whom were Delhi Network of Positive People (DNP+) members, were proceeding towards the final 'die in', the Delhi police lathi-charged (hit them with sticks) the HIV+ people and finally picked up five of the protestors.

As secretariat of the forum, CEC was a part of this initiative. CEC also sent out the press note.

Tax Justice

The study 'Tax Evasion, Tax Avoidance and Tax Revenue Loss in India' has been undertaken by Centre for Education and Communication (CEC), New Delhi, in the context of increasing global awareness about tax justice, taxation as a legitimate means of income distribution and repricing, and as the most sustainable means to meet the developmental needs of countries. Particularly for India, unprecedented economic growth in recent years has not been equitable and inclusive. The present study examines the rampant tax evasion and tax avoidance practices by domestic and global corporates, and the resultant revenue losses to the government of India. It also highlights how the state's apathy in mobilising resources and its redistribution have contributed to a situation of over-concentration of wealth in the hands of a few and widespread socio-economic insecurity for the majority. The study explores the scope for plugging tax evasion and tax avoidance as a means to raise revenue to be used for the developmental objectives of India. Christian Aid has financially supported this study as part of its global campaign for tax justice and corporate accountability in the war on poverty.

Prof. D Narasimha Reddy is the lead researcher and he is assisted by Avanti Pinto, Navneet Sharma and Pallavi Mansingh. The study has been completed and presented by Prof. Reddy in a meeting called by Christian Aid and Tax Justice Network in Delhi in November 2010.

The SSN national working group meeting held on February 26, 2011, in Lucknow in a separate session discussed the linkage between taxation and social security in terms of a campaign. The need to highlight tax evasion and avoidance and the need to correct these so that the government has resources for socially productive expenditure was discussed. Based on this discussion, the meeting decided that a national meeting would be held in Delhi. An interesting idea mooted was convening of a parallel labour parliament (samanantar mazdoor sansad) where a budget for social security would be presented. The meeting would coincide with one of the parliament sessions in Delhi.

Sustainable Livelihood for Small Tea Growers

Small tea growers contribute around 30 per cent of the tea produced in India but are not organised, struggling with land ownership issues, issues of registration with Tea Board, lack of awareness about scientific practices and provisions by Tea Board, resulting in low quality and high cost of production. In this context, Centre for Education and Communication is intervening to provide sustainable livelihood means for small tea growers.

Project with the Support from NABARD

Between 2006 and present, CEC, in collaboration with Traidcraft, UK, helped STG in Kerala, Tamilnadu, Assam and West Bengal establish village level STG Primary Producer Societies to help tea growers gain better returns for their leaf as well as provide meaningful production inputs. The experiences of these STG Primary Producer Societies have shown that for the first time, STGs have got organised into organisations, to meet the challenges they face. Collective efforts at selling green leaf



through societies has helped STGs increase incomes from tea cultivation. Average price realisation for green leaf has risen. Collective efforts by Regional / State Federations have succeeded in getting the Government of India to frame policies favouring the STG sector.

From April 2010, CEC continued the work for sustainable livelihood development for Small Tea Growers in Nilgiris District of Tamil Nadu and Wyanad and Idukki Districts of Kerala with financial support from NABARD under Rural Innovation Fund. This project

targeted 7,500 new STGs and their families out of about 60,000 STGs in Tamilnadu and Kerala. The strategy involved the following elements:

Mobilizing small tea growers and helping them form collective organizations to manage the tea based livelihoods

Capacity building of STG Primary Producer Societies to be effective and efficient platforms for improving production systems, getting better returns, and increasing access of small tea growers to public schemes

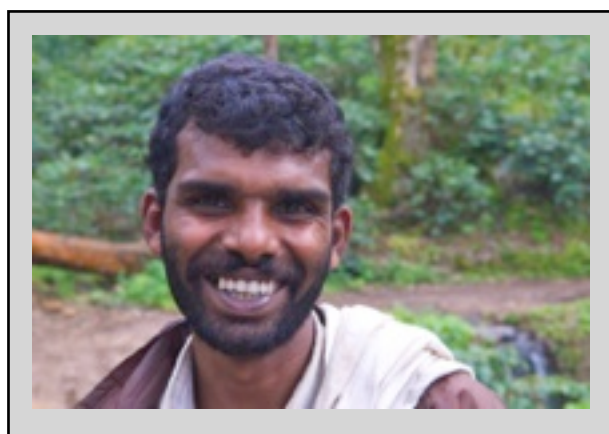
Establishing feasibility of tea processing (tea factory) facilities owned by STG Primary Producer Societies

The activities envisaged a 3-tier structure to organise STGs i.e. STGs societies in villages, regional/district /state associations and a national association.

During the year 30 societies have been formed in Nilgiris district of Tamilnadu and 27 societies in Idukki and Wayanadu districts of Kerala. A number of technical and organisational development trainings were conducted and exposure visits arranged during the period.

Small Tea Growers Observes ITD; Launch Signature Campaign

Highlighting the message of 'Save Farmers, Protect Nature', International Tea Day was observed on December 15, 2010, in Gudalur, Tamil Nadu, by small tea growers. K



Ramachandran, Minister, Khadi Board, Government of Tamil Nadu, inaugurated the meeting. Speaking on the occasion, the minister stressed that small tea growers should produce good-quality tea to get a good price.

On the occasion of ITD 2010, demanding a separate directorate for STGs and proportionate

representation in the Tea Board and other decision-making bodies, Confederation of Indian Small Tea Growers' Associations (CISTA) launched a signature campaign. The Gudalur call/signature campaign document is given as Annexure 5.

The meeting stressed that though small tea growers are fast emerging as an alternate model for tea production, they are extremely insecure and face vulnerable situations, having no control over green leaf prices, input costs, manufacturing process as well as national and international trade in made tea.

The meeting was hosted by Federation of Small Tea Growers' Association-Gudalur Range (FESTA-GR), an apex body of 14 small tea grower/producer societies in the Gudalur region. Representatives of small tea growers from the states of Tamil Nadu, Kerala, Assam, Bihar, Mizoram, Tripura, Himachal Pradesh and Arunachal Pradesh participated in the meeting.

Governing Board

Duarte Barreto (President)
Bullu Sarin (Secretary)
Dominic D'Souza (Treasurer)
Ashim Kumar Roy (Member)
Philip Jadhav (Member)
E Deenadayalan (Member)
J John (Executive Director)

CEC Staff Team

J John
Pallavi Mansingh
S Gunasekaran
Urvashi Tilak
Ramya Raveendran
Divya Devan
Kirti Pathak
Meena Sharma
R Prasad
S Subhash
Ramasamy

Financials 2010-11

R.K. TULI & ASSOCIATES CHARTERED ACCOUNTANTS

Address: FF-8, 7A/41, W.E.A, Karol Bagh,
New Delhi -110 005,
Email: rktu2007@yahoo.com

Landline: Audit: 011 - 4578 8909
Tax: 011 - 2573 4493
Legal: 011 - 2576 3830
Fax: 011 - 4510 4493

AUDITOR'S REPORT

We have examined the annexed Balance Sheet as on 31.03.2011 and the annexed Income & Expenditure account for the year ended on 31.03.2011 of CEC EDUCATION AND COMMUNICATION, New Delhi. These financial Statements are the responsibility of the Organization's management; our responsibility is to express an opinion on these Financial Statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in India. We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit.

In our opinion and to the best of our information and according to the explanations given to us, the said accounts give the information in the manner so required and give a true and fair view in conformity with the accounting principles generally accepted in India:

- (i) In the case of the balance sheet, of the state of affairs of the Company as at **31st March, 2011** and
- (ii) In the case of the Income & Expenditure Accounts, of the Income for the year ended on that date.

Dated: 16.09.2011
Place: New Delhi

For R.K. Tuli & Associates
Chartered Accountants



R.K. Tuli
(Partner)
M.No.081019
F.No: 00124724

CENTRE FOR EDUCATION AND COMMUNICATION:: NEW DELHI
CONSOLIDATED
BALANCE SHEET AS ON 31st MARCH 2011

	31.03.2010	LIABILITIES	SCH	31.03.2011	31.03.2010	ASSETS	SCH	31.03.2011	AMOUNT(RS)
Capital Fund					1,58,85,993.00	Fixed Assets			
1,58,87,376.00 (To The extent of Fixed Assets)	A	1,33,76,662.00			(As per schedule)	B	1,33,75,275.00		
14,595.81	1	-			Investments				
5,00,000.00	2	-			2,46,998.13 FDR Kaveri Vysya Bank		5,83,074.49		
4,38,103.23	3	6,27,831.18			5,80,394.00 FDR SBI		6,14,261.00		
2,03,792.00	4	-			13,84,472.85 FDR Canara Bank		-		
5,00,000.00	5	-			20,00,000.00 FDR Federal Bank		-		
57,31,184.43	6	11,89,187.78							
7,47,702.62	7	3,12,655.01							
					Closing Balances				
					23,428.80 Cash In Hand		77,231.40		
					28,91,662.93 State Bank of India		2,54,413.63		
					2,19,108.00 The Federal Bank Ltd		1,45,241.00		
					35,278.50 Corporation Bank		2,28,299.79		
					7,000.53 Punjab National Bank		-		
					9,28,451.23 Canara Bank		-		
					14,074.06 HDFC Bank		14,074.06		
					5,05,343.15 Advances / Deposits/TS	9	2,14,503.60		
2,40,14,748.09	TOTAL	1,55,06,433.97		2,40,14,748.09	Total		1,55,06,433.97		0

Secretary / Treasurer
 Place : Noida - P 80111
 Date : 18-04-2011

Executive Director

FOR R.K. ELLI & ASSOCIATES
 CHARTERED ACCOUNTANTS
 PARTNER
 M.No. 081019
 P.No. 00184921

CENTRE FOR EDUCATION AND COMMUNICATION: NEW DELHI					
Consolidated Statement Receipts & Payments Account					
For the year ended 31st March 2011					
Receipts	Total	Amount (Rs.)	Payments	Amount (Rs.)	
Opening Balance		23,478.86			
Cash		49,88,073.15			
Bank		35,11,865.99			
Investments		(7,47,703.82)			
Surplus/Deficit/Carry Forward		5,05,243.15			
General Receipts					
Less: Excess (Short)		88,38,879.14			
Grant In Aid		77,214.84			
Bank Interest		4,55,450.20			
Other Receipts		24,87,487.88			
Grant In Aid		8,72,997.80			
M. & D. Fund		96,42,698.84			
Payments					
Salary and the Production Grants of 1st-8		21,22,868.67			
A study on fiscal economy of Education in India		7,22,305.65			
Policy and Advisory Intervention to Protect the Rights of Migrant Workers		16,33,489.61			
Socio Economic Mapping and Need Assessment Exercise-Sangrur, Uttar		2,96,479.83			
10th Programme Coordinator South Asia School for Child Workers in Jharkhand		15,503.49			
Consultants on Strengthening Vocational of Women		5,28,638.09			
Stipendium Granted for Social Fee Growth		83,380.00			
Trade Union Workshop - MPWA		6,24,387.00			
Factory Audit		26,497.00			
Travel Expenses & S. 20		3,581.00			
Deliverable Fee in the Revision Utkar		22,633.00			
Education Programme for Women		1,64,613.00			
Workshop Programme		11,66,376.88			
Social Security for Unemployed Workers		89,195.00			
Research & Development Fund (R&D)		31,146.00			
General Fund - 1%		7,85,497.00			
Stipendium Granted for Social Fee Growth		1,26,137.12			
R&D		18,24,319.00			
Cost Studies of Informal Sector		2,82,206.00			
Research & Development Fund (R&D)		15,28,001.00			
General Fund - 1%		6,33,957.29			
Sub Total		1,30,25,526.79			
Less: Over contribution/Shortfall Transfer		22,29,421.86			
Less: O&C Contribution		74,727.29			
Current Operations		1,07,263.04			
Other Balances					
Cash		27,232.43			
Bank		6,46,238.49			
Investment		11,87,235.49			
Advance / Deposit/Carry Forward		2,14,563.60			
Surplus/Deficit/Carry Forward		61,82,831.61			
TOTAL		1,78,18,205.96			

Secretary / Treasurer

Phone : 92210-06411
 Fax : 16-89-2011



For S.K. TILAK & ASSOCIATES
 Chartered Accountants

Partner
 M. M. 051919
 F. No. 901849M

CENTRE FOR EDUCATION AND COMMUNICATION::NEW DELHI
Consolidated Statement of Income & Expenditure Account
 For the year Ended 31st March 2011

<u>Expenditure</u>	<u>Amount (Rs)</u>	<u>Income</u>	<u>Amount</u>
General Expenses	2,81,786.73	Bank Interest	70,544.00
		FDR Interest	391.14
		Membership Fees	700.00
		Misc Receipt / Publications	25,404.00
		Sale Of Assets	2,600.00
		Consultancy Fees	90,000.00
		Excess Of Expenditure Over Income (Transfer to General Fund)	92,147.59

TOTAL 281786.73 **TOTAL**

2,81,786.73

Secretary / Treasurer
 Place : JNB 10 - 08/111
 Date : 14.09.2011



Executive Director

For R.K.TULLI & ASSOCIATES
 ARTERED ACCOUNTANTS
 PARTNER
 M.No. 081019
 F.R.No. 0018471N



Call to Observe Sixth International Tea day (ITD) 2010

“In May 2010, 25-year-old pesticide sprayer Gopal Tanti dropped dead suddenly while at work. Mr Tanti was working at a tea plantation in Assam, controlled by Tata Global Beverages (TGB, formerly Tata Tea) through their company, Amalgamated Plantations Private Limited. TGB are owners of Tetley, one of the world’s highest selling tea brands.... Mr Tanti’s death became an even greater tragedy with the killing of two workers and the serious injuring of 15 when police opened fire on a workers’ protest the same day. Workers had gathered at the factory in anger over the lack of safety in their workplace and the disrespect shown by management for the worker who died.”

...In Cold Blood: Death by Poison, Death By Bullets, Fact Finding Report, IUF July 2010

Horror deaths in tea plantations continue unabated. The above incident in one of India’s premier corporate for its global brand is just an indicator of the human and labour rights violations happening inside tea plantations in India and probably, elsewhere in the world.

It is important to understand that the horror stories from the plantations are closely linked to the second wave of globalisation, the tea economies of the world are going through, a over and above its status as among the most traded commodities from its very inception. The key components of the second wave of globalisation are the effort is to achieve price integration by removing import tariffs and export taxes through WTO and FTA negotiations, the reorganisation of the tea industry by the increasing separation of production and marketing of tea and allowing for the growth of small tea growers as an alternative business model in tea production. In this process, the global leaders of tea industry, are redefining the global value chain of tea by re-marking components of value chains and assigning roles and responsibilities at each level. Consequently, few brands and retailers like Tata-Tetley and Unilever have assumed unassailable control over the tea value chain and are dictating the terms of tea trade.

In many parts of the world, this reorganisation is threatening the dominance of system of estate production in the tea industry, though it provides employment to millions of workers directly and indirectly. In India the planters are themselves arguing that tea production in plantations in the present form is becoming unviable; the Plantations Labour Act, 1951 is ineffective and should be overhauled; and that the government should share a part of the social costs of productions. Even as the international prices of tea stabilise, and the government of India offers sops and bails out management of the tea plantations taking on the burden of the social costs, the crisis remains unresolved. Gardens where revival is attempted are retrieving back into crisis and more and more gardens are on the verge of closure. The Supreme Court of India’s order dated August 6, 2010 instructing the Central Government to take over the closed tea gardens within a period of six months also remains unimplemented. All over the world, except probably China and Vietnam, reports indicates

Annex I: ITD Call

that productivity has gone down due to the systematic and deliberate failure of the tea planters investment in the tea gardens. Meanwhile, the separation of the production and marketing components of the tea value chain is also an indirect attack on the bargaining capacity of tea workers and in many countries the wages of tea workers are less than the wages of agricultural workers in the same locality. A key aspect of disempowerment of tea workers is the refusal of the planters and the States to provide land and housing rights to the tea workers, who are displaced and immigrant communities. Social security and welfare benefits are increasingly being undermined. On the other hand, the small tea growers are kept at a perpetual uncertainty by simultaneously offering the promise of self-employment and denial of right to decide on the prices of their produce in the primary market.

While the government and the industry is harping on the need to bring about structural changes in the plantations, trade unions have not been consulted on these matters. There is a non involvement of the labour to address pricing, trade or productivity issues.

We propose to the international community that this International tea day (ITD) 2010 be about reaffirming that workers should be at the centre stage of any discussion on reorganising the tea industry. ITD 2010 should also raise that governments should not pay a mere lip service and should take concrete steps to regulate global trade and prices; that all tea garden workers must be guaranteed right to housing and land in the tea plantations; that governments should not venture into futures trading in tea and that employment and livelihood should be the key concern while government of tea producing countries enters into trade agreements

Trade unions and workers' organisers and activists in all tea producing countries need to take a lead and be proactive in demanding rights of the workers in tea plantations. Long term strategy and action programmes need to be planned towards ensuring participation of workers in decision making on policy issues. Cadres organising tea workers need to make strategic plans on how they will facilitate this.

Join in this call....Observe International Tea Day on December 15, 2010.

In Solidarity

Ashok Ghosh

Vazhur Soman

S Manikam

UTUC

AITUC

HMS

Notes

Please find attached the background note and programme schedule for the events in India.

If further clarifications are required do feel free to contact us.

International Tea Day (ITD) 2010



December 14-15, 2010

Tea industry occupies a prominent position in the national economy. India is the world's second largest producer of tea (908 M kgs in 2008) after China and fourth largest exporter (203.12 M Kgs in 2008) after Kenya, Sri Lanka and China. It employs over one million people directly of which over half are women and has an area of over 5.8 million hectares under cultivation. India is also one of the world's largest consumers of tea, the demand growing at an annual rate of three per cent. In the recent years it has been argued by the industry associations that the survival of Indian tea industry is under threat due to its high cost of production.

Planters are now themselves arguing, that tea plantations in the present form are becoming unviable and that the Plantations Labour Act, 1951 is ineffective and should be overhauled to make India competitive in a global market. Alongside they are demanding that the government should share a part of the social costs of production. Indian Tea Association has been working on ways to adopt central government's welfare measure to reduce burden. According to newspaper reports tea board has asked the industry to work out modalities to reduce its social cost estimated at Rs 7 for every kg of tea produced. According to the Indian Tea Association (ITA) the four heads for rationalisation of the social cost are: medical, education, water supply (including sanitation) and housing. While the government has existing schemes on each of these, establishing a linkage is not simple and it requires a major reorganisation within the plantations. The demand of the planters reflects how they want to transfer the burden of social cost on to the government exchequer and abscond from the responsibility of the upkeep of the plantations, at the same time retain the estates as their private property.

Meanwhile, the Plantation Labour Amendment Act, 2010 has been passed by the Parliament in May 2010 and PLA plus provisions have been introduced. The amendments to the act bring within the fold of the PLA contract workers who have worked for a period of over 6 months; make the state governments liable for providing adequate medical facilities for the workers and their families in case of default by employers and recover the cost from them; a new Section 32-C is also inserted according to which compensation in case of accident shall be registered by the employer with the Commissioner in terms of the Workmen's Compensation Act, 1923.

Another critical issue raised by government is that the industry had entered in a situation of crisis due to lack of investment in the tea gardens along with other factors like rising cost of inputs, low yield and fall in prices. It is argued that the capital generated from the tea gardens has not been ploughed back by the planters. Now the prices have stabilised and the government is trying to bail out the plantations by bearing the cost of this crisis. Rehabilitation package has been announced which include restructuring of the outstanding bank dues, provision of fresh working capital with interest subsidy from Government, waiver of outstanding loan dues to Tea Board and settlement of Provident Fund dues in instalments, loan for replanting under the Special Purpose Tea Fund, and upfront subsidy for the machinery items under the Quality Upgradation Scheme of Tea Board. It is to be kept in mind that neither the increase in domestic and international prices of tea nor the sops offered by the Government to the tea plantations has addressed the problems of closed and abandoned tea gardens. Those gardens where revival was attempted have reverted back into situations of crisis and more and more gardens are on the verge of close down. The Supreme Court of India in an order dated August 6, 2010 instructed the Central Government take over the closed tea gardens within a period of six months. However, there is no report or statement on the progress on this account. But the crucial question here is that why has there been a lack of investment in the tea gardens? Why have the planters not been able to maintain the health of the tea gardens?

The past few years have also witnessed the emergence of small tea growers as an importance force in the plantation economy. Small tea growers now account for almost 28 per cent of the tea produced from India. The phenomenon is more pronounced in the South where 44 per cent of the produce is from this segment while in North India 24 per cent comes from STG. There is also the phenomenon of mushrooming of Bought Leaf Factories (BLFs) with increasing number of corporate sourcing from them. In Assam and North Bengal currently, the share of BLF in total tea production is about 23 per cent against 10 per cent in 2001.

Rather than attacking the small tea growers for this situation, the figures should direct at the failure of the big plantations to keep the gardens healthy and viable. Disinvestment by big companies shows a probable corporate strategy behind these developments. While the government and the industry is harping on the need to bring about structural changes in the plantations, trade unions have not been consulted on these matters. There is a non involvement of the labour to address pricing, trade or productivity issues. Though there are reports that the government has asked the inputs of some experts and agencies into this, no documents/news has come in the public domain so far.

Given this context, seminar and Public meeting on Proposed Structural Changes in Tea Industry in India: Implications for Workers will be held on December 14-15, 2010 in Jalpaigudi, West Bengal and will discuss on: restructuring of tea plantations and the demand for housing and land rights for all tea workers, redefining wage determining basis, assure living wages for all workers, strengthen Panchayat in tea areas and applicability of court orders. The seminar was planned in a meeting of tea trade unions held on September 19, 2010. The seminar will coincide with the national observance of the sixth International Tea Day on December 15, 2010.

Seminar: Proposed Structural Changes in Tea Industry in India: Implications for Workers

December 14, 2010

Session 1: Supreme Court Order, constraints and implications

Based on the present status of the closed and abandoned tea plantations in India, how far the supreme court order of August 6, 2010 has been effective?; what are the constraints in the implementation of this order?; what are seemingly the possibilities of implementation?; how can the applicability of this order be ensured in functioning gardens? need for trade unions to prioritise this issue organisationally and in terms of policy intervention at joint platforms.

Session 2: Tea Act, Plantation Labour Act – Existing Condition and the Issue of Social Cost

What is the present status of the implementation of the Plantation Labour Act and Tea Act? How far have these laws contributed in protecting and ensuring the wellbeing of workers? Have they empowered workers? Or have they structured deprivation and bondage in the plantations? What is the politics of these legislations? How can the institution of panchayati raj be strengthened in the estates? How can panchayats be given power to access and develop roads, water and sanitation, electricity etc?

Session 3: Wage Reform in Tea Gardens – Necessity and Feasibility

In the context of the recent developments, can the present system of wage determination be of tea plantations be retained? What is the need based wage in tea plantations? How can the need based level be attained?

Session 4: How to concretise demand for housing and land rights

How will land be redistributed in the plantations? How to determine the availability of land for redistribution – excess land or fallow land? how will the eligible workers be identified? Who all will be included (dalit, non-dalit, tribals, adivasis, displaced etc)?

Public Meeting: December 15, 2010

CSO Submission to the MOIA on GFMD

To

November 4, 2010

Shri Vayalar Ravi
Minister of Overseas Indian Affairs, Government of India
Akbar Bhawan, Chanakyapuri
New Delhi-110021
Tel No.: +91-11-24197900
Fax No.: +91-11-24197919

Respected Sir,

Subject: Concerns from Civil Society Organisations and Trade unions on the Global Forum on Migration and Development to be held in Mexico from November 8-11, 2010

We the representative of trade unions, networks, migrants' associations, advocates and civil society groups wish to draw your attention towards our concerns on the Global Forum on Migration and Development to be held in Mexico from November 8-11, 2010. Progressing over the last three years, this year the theme "Partnerships for migration and human development: shared prosperity – shared responsibility" appears to be linking migration and 'human development'.

Migration is of immense importance to India and India is one of the world's largest migrant sending countries (20 million migrants according to World Migration Report 2005) and also hosts migrants from various countries (placed eighth in the world in 2005). India is the largest recipient of workers' remittances at US\$ 52 billion in 2009 according to World Bank estimates. Most of these remittances come from the millions of unskilled and semi-skilled migrants who comprise bulk of the labour migrating out of India.

Experience of the CSOs and trade unions over the past three years (Belgium, 10-11 July 2007; Manila, 27-30 October 2008 and Athens, 2-5 November 2009) shows that while the GFMD gives a window to the CSOs to engage with the State, the process lacks transparency and accountability and the issues of migrants' rights, equity and justice have so far remained neglected. The discussion has remained confined to linking migration with economic development and remittances. This year, as the GFMD is being hosted by a migrant sending country, Mexico, there are possibilities of integrating concerns of migrants in this state led process. We are concerned that the government of India is moving in line with the international discourse on 'migration management' and the retreat of the state, which carries with it a danger of increased restrictions on the mobility of people, in particular of low- and unskilled workers.

Therefore, in the context of the fourth Global Forum on Migration and Development (GFMD), scheduled to be held in Mexico on November 8-11, 2010, we urge Government of India to take into consideration our concerns given below:

Given the focus of the Mexico GFMD on 'human development', the Government of India must move away from a remittance driven approach to development and advocate holistic

development of migrant workers and their families and ensuring that economic developments are transferred into improved quality of living of migrant families and communities

As the Mexico GFMD emphasizes on partnership, we take strong exception to the fact that the Government of India did not bother to engage in a dialogue with the migrant workers, trade unions or civil society organizations in formulating its position with respect to the Mexico GFMD. We strongly demand that the Government of India should get out of this unilateral approach and engage meaningfully with migrant workers, trade unions and civil society organizations in evolving its short term and long term policies and perspectives on migration.

While acknowledging the fact that safe and legal migration is imperative, the government of India should have a human and rights based approach towards instances of irregular migration considering the fact that there exists a demand for a wide spectrum of skills in migrant receiving countries and in most cases irregularity is not a responsibility of the migrant workers. Counselor services should be strengthened.

The government of India must respect and observe the provisions in the international instruments regarding the rights of migrant workers and ensure through bilateral and multilateral agreements that these are respected in the places of work of the migrants.

The Government of India must enact a national legislation for the welfare of migrant workers and support the ILO Convention on Domestic Work.

All restrictions on the mobility of women workers should be removed and government of India should not have a paternalistic approach towards the migration of women acknowledging the right of mobility of women on their own volition.

Only by following these steps could the GFMD make a positive and meaningful impact on the real nexus between migration and development.

Thanking you,

Date: November 4, 2010; Place: New Delhi

Sincerely,

Catholic Bishops Conference of India (CBCI); Centre for Education and Communication (CEC); Dalit Dastan Virodhi Abhiyan (DDVA); Delhi Asangathit Nirman Mazdoor Union (DAMU); Fedina; Kerala Pravasi Sangham; Laya; Manav Seva Sansthan; Manitham; Migrant Forum in India (MFI); National Centre for Labour (NCL); National Domestic Workers' Movement (NDWM); Pravasee Malayalee Welfare Association; Pravasilokam; Youth for Unity and Voluntary Action (YUVA)



Draft Text of Affirmations by Social Security Now (SSN)

September 30, 2010

Recognising that Social Security is a right for all the people as recognized by the ILO conventions, the Social Security (Minimum Standards) Convention, 1952 (No. 102), Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, CEDAW, the UN Convention on the Rights of Child and other international conventions, commitments and treaties;

Recognising that social protection including right to education and child rights, right to health, right to housing, right to food and right to work is not just a necessity but a basic right of all people and ensuring this is the responsibility of the state;

Acknowledging that right to education and child rights, right to health, right to housing, right to food and right to work are indivisible elements of right to life as guaranteed by the Constitution of India (Article 21);

Realizing that today more than 80 per cent of world's population, most of whom are from South Asia, are denied any form of social protection;

Recalling that social protection including social security is a powerful tool for alleviating poverty and inequality;

Understanding that sustainable resolution to the recurring global economic crisis can only be sought through ensuring minimum social protection including social security as articulated in the United Nation's Social Protection Floor Initiative and ILO's Suggestions on Global Jobs Pact;

Recalling that the Indian legislative provisions on social security exclude majority of workers from enjoying any form of social security and the Indian planning process has given them only arbitrary schemes;

Recalling that the Unorganised Workers' Social Security Act (UWSSA) in December 2008 enacted by the UPA government failed to provide 42 crore unorganised workers their right as promised, did not incorporate the recommendations of the Parliamentary Standing Committee on Labour nor was it debated in public domain, enlisted some schemes which have restricted coverage, applicable only to targeted BPL categories of population, did not define social security; did not include social security schemes in the body of the Act denying

the workers the benefit of consistency and justiceability, did not cover unemployment and livelihood rights, did not universalize social security and did not have enabling provisions to empower those who have traditionally faced difficulty in exercising their rights such as the dalits, adivasis and women;

Understanding that in the age of neo-liberal globalization, the dynamics of labour and labour relations is acquiring new dimensions, that economies are getting closely integrated into global value chains radically altering the existing occupational structure, that occupations (such as farm workers, fish workers and forest workers) traditionally not a part of the market economy are fast becoming integrated into the global market and becoming prone to its vagaries, that small peasants and marginal farmers are being forced to work as un-skilled and casual labour, that organized employment is getting transformed into casual employment, contract employment and self employment and that the process of informalization is hence altering the composition and structure of workforce and it is a method of capital accumulation and it magnifies the existing vulnerabilities, insecurities, increases poverty and deprivation;

Recognizing that most women are engaged in unpaid and unrecognized work within the household (productive and reproductive) and workplaces and yet remain invisible in national statistics and their contribution unaccounted in the GDP;

Recognising that the targeted approach has not helped in addressing particularity or vulnerability as the process of identification is time taking, arbitrary and involves huge administration cost, means test expensive and faulty and its implementation insufficient, that it exclude rather than include vulnerable population in the process of targeting and that the targeted benefit is never a right, although targeting could be a useful tool if premised on the universality of these rights;

Recognising that as the Constitution of India bestows special rights to the traditionally vulnerable and marginalised communities, we hold that that targeting without universality is a charity and universality without particularity will deny social justice and is an affront to dignity and therefore the principle of social justice is a non-negotiable in delivering universality;

We, the members of Social Security Now (SSN) abiding by the principles of inclusive social and economic justice, economic rights, gender justice, dignity and security of labour and vulnerable communities, democracy and participation in decision making

Affirm non-targeted, non-discriminatory universal social security for all people living or working in India is a basic right.

Affirm that it is the government's responsibility to provide and fulfil this basic right for all people regardless of the status of economic development of the country.

Affirm that the government cannot abdicate its responsibility and accountability by privatising social security.

Affirm that social security will be tokenism if adequacy and sustainability are not guaranteed

Annex IV: Draft SSN Affirmation

Affirm that social security should ensure health care, protection of child rights, disability benefits, maternity benefits, accident and medical care, unemployment benefits, old age pension and livelihood loss compensation and the benefit of pension and provident fund.

Affirm that social security should address among other things the social inclusion of dalits, non-displacement of adivasis, housing and land rights of dalits, adivasis and women, vulnerabilities of migrants and recognition of unpaid work of women.

Affirm that state should provide 6 per cent of the GDP for non-targeted, non-discriminatory universal social security as all people living and working in India have the right over the wealth collectively produced in India.

Affirm that economic justice be ensured by ensuring living wage to all which is need based not less than the wage of the lowest paid employee of the central government as defined by the Pay Commission and the ILC with periodic revision.

Affirm that all workers in all work situations must enjoy core labour rights.

Believe that assuring basic income to all living and working in India will be a genuine step towards economic justice and a means to prevent poor from extreme vulnerabilities.

Affirm that identification of recipients should be simple and friendly and not obstructive and exclusionary.



Signature Campaign of SSN on non-targeted, non-discriminatory, universal social security

To
The Prime Minister of India

A Call for non-targeted, non-discriminatory, universal social security

We, the members of Social Security Now (SSN), representing workers organisations, people's movements, organizations campaigning for social security, organisations of dalits, adivasis and other socially disadvantaged groups abiding by the principles of inclusive social and economic justice, gender justice, dignity and security of labour and vulnerable communities, democracy and participation in decision-making,

demand the following:

Make comprehensive amendments to the Unorganised Workers' Social Security Act (UWSSA) 2008 - including the definition of social security; inclusion of social security benefits in the body of the Act; extension of social security to all people living and working in India irrespective of status or nature of employment, quantum of wages, gender, race or caste; provision for dispute settlement and creation of adequate social security fund

Provide non-targeted, non-discriminatory universal social security by the state for all people living or working in India as a basic right

Social security should ensure health care, protection of child rights, disability benefits, maternity benefits, accident and medical care, unemployment benefits, old age pension and livelihood loss compensation

Social security should address among other things the social inclusion of dalits, non-displacement of adivasis, housing and land rights of dalits, adivasis and women, vulnerabilities of migrants and recognition of unpaid work of women

Provide 6 per cent of the GDP for non-targeted, non-discriminatory universal social security as all people living and working in India have the right over the wealth collectively produced

Stop privatization of social security benefits

Ensure economic justice by ensuring living wage to all which is need-based not less than the wage of the lowest paid employee of the central government as defined by the Pay Commission and the Indian Labour Conference (ILC), with periodic revision

Annex V: SSN Signature Campaign

Ensure that all workers in all work situations must enjoy core labour rights with defined and regulated employment

Ensure that identification of recipients should be simple and friendly and not obstructive and exclusionary

Date:

Place:

NB: Social Security Now (SSN) is a national campaign in India demanding social security as a right for all people living and working in India. SSN comprises of about 500 civil society organisations, people's movements, trade unions, farmers' associations, dalit movements and other groups. The uniqueness of this campaign is the active involvement of dalits, adivasis and other socially disadvantaged groups, asserting that social security is the legitimate right of all 'social classes' in India.

Signatories

Shanti Patel, Veteran Freedom Fighter and Former Mayor of Mumbai
Ulka Mahajan, National Alliance for Peoples' Movements (NAPM)
Bindrai Institute for Research Study and Action (BIRSA)
CBCI Commission for Labour
Centre for Community Economics and Development Consultants Society (CECOEDECON)
Centre for Education and Communication (CEC)
Cornerstone Trust
Delhi Forum
Delhi Shramik Sangathan (DSS)
Foundation of Educational Innovations in Asia (FEDINA)
Human Rights Law Network (HRLN)
Indian Social Institute (ISI)
Jan Sangarsh Manch
Laya
Lok Sangharsh Morcha
National Campaign Committee for Unorganised Sector Workers (NCC-USW)
National Campaign on Dalit Human Rights (NCDHR)
National Domestic Workers' Movement (NDWM)
National Federation of Dalit Land Rights Movements (NFDLRM)
National Forum on Forest People and Forest Workers (NFFPFW)
National Institute of Women Child and Youth Development (NIWCYD)
Nidan
Nirmala Niketan
Pragatishila Shramik Manch (PSM)
Programme on Women's Economic Social and Cultural Rights (PWESCR)
UDWMSM
Uttar Pradesh Gramin Mazdoor Sangathan (UPGMS)
Vigyan Foundation, Waste Collectors' Workers' Union (WCWU)
Women's Voice
Youth for Unity and Voluntary Action (YUVA)

Representation to Ministry of Overseas Indian Affairs on the Proposed Changes in India's Emigration Law

Dr. A Didar Singh
Secretary, Ministry of Overseas Indian Affairs (MOIA)
Government of India
Akbar Bhawan
Chanakya Puri
New Delhi – 110021

November 24, 2010

Dear Sir,

Subject: Representation from Migrants Rights Organisations, Civil Society Organisations, Trade Unions, Academics, Advocates and Media on proposed changes in India's Emigration Law

Trade Unions, migrant rights organisations, organisations of migrant workers and civil society organisations having focus on human rights and labour rights, lawyers, media, academics and other concerned organisations and individuals have been engaged in consultative process on emerging concerns of migration in India. The exercise has been in the context of Government of India announcing its intention to formulate a policy on migration and the proposal to replace the current Emigration Act, 1983 with Emigration Management Bill. Besides various newspaper reports on the statements by the Minister of Overseas Indian Affairs on this subject, we have also noted that the Emigration Management Bill has been listed among the Bills to be introduced in the Parliament.

Representatives of the above mentioned organisations from Kerala, Tamilnadu, Andhra Pradesh, Punjab, UP, West Bengal, Delhi and Maharashtra, the key migrant sending States in India, who met in Delhi on November 22-24, 2010 reviewed the situation and would like to bring to your notice our grave concerns on the process and the orientation of the the proposed Emigration Management Bill.

Government of India has neither acknowledged nor taken into consideration a document titled 'Towards a Comprehensive Migration Policy for India', a document prepared and submitted by the representatives of the above mentioned organisations to the MOIA on May 14, 2009. It has called for the recognition of India as a labour sending, receiving and transit state while formulating migration policy and advocated a rights perspective rather than 'development' and 'management' perspectives.

We are also concerned by the repeated references in newspapers that Government intends to do away with the 'protective' and 'welfare' orientations of the Emigration Act and presses for deregulation of recruitment services. In the context of increasing instances of migration of vulnerable sections of Indian society, growing demand for labour in a demographically skewed and globalised world, unethical practices of the recruiting agents etc, we believe that

Annex VI: Proposed Changes in Emigration Law

such a move will grossly undermine the capacities of Indian citizens working overseas to defend their basic human rights and labour rights.

We express our deep concern that Government of India has not initiated any serious dialogue with the relevant stakeholders on this matter bringing unwarranted secrecy to a process, which otherwise should have been debated and accepted by the public in an informed manner. We oppose the secrecy and arbitrariness implied in the process so far.

We demand that in the true spirit of transparency and democracy, Government of India make public the proposed Migration Policy and the Emigration Management Bill.

We further urge the Ministry of Overseas Indian Affairs conduct public hearings in centres of concentration of migration in India keeping in mind that migrants and their families have the primary right to understand and respond to a law affecting them.

New Delhi; November 24, 2010

Thanking You

Regards,

Ashok Ghosh

United Trades Union Congress

Amjad Hasan (Delhi Asangathit Nirman Mazdoor Union (DAMU))

J John (Centre for Education and Communication)

Subramaniam G (Manitham)

Jeevanand (National Centre for Labour (NCL))

Rafeeq Ravuther (Pravasalokam, Kairali TV)

Raju Bhise (Youth for Unity and Voluntary Action (YUVA))

Advocate C K Karunakaran (High Court of Kerala)

K N Bhat (GB Pant Social Science Institute)

Paramjit Singh Judge (Guru Nanak Dev University)

P Narayanswami (Migrants Rights Council)

Ankush (Vigyan Foundation)

Babu P Remesh (IGNOU)



Text of Affirmations by Social Security Now (SSN)

February 26, 2011

Recognising that Social Security is a right for all the people as recognized by the ILO conventions, the Social Security (Minimum Standards) Convention, 1952 (No. 102), Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, CEDAW, the UN Convention on the Rights of Child and other international conventions, commitments and treaties

Recognising that social protection including right to education and child rights, right to health, right to housing, right to food and right to work is not just a necessity but a basic right of all people and ensuring this is the responsibility of the state

Acknowledging that right to education and child rights, right to health, right to housing, right to food and right to work are indivisible elements of right to life as guaranteed by the Constitution of India (Article 21)

Realizing that today more than 80 per cent of world's population, most of whom are from South Asia, are denied any form of social protection

Recalling that social protection including social security is a powerful tool for alleviating poverty and inequality

Understanding that sustainable resolution to the recurring global economic crisis can only be sought through ensuring minimum social protection including social security as articulated in the United Nation's Social Protection Floor Initiative and ILO's Suggestions on Global Jobs Pact

Recalling that the Indian legislative provisions on social security exclude majority of workers from enjoying any form of social security and the Indian planning process has given them only arbitrary schemes

Recalling that the Unorganised Workers' Social Security Act (UWSSA) in December 2008 enacted by the UPA government failed to provide 42 crore unorganised workers their right as promised, did not incorporate the recommendations of the Parliamentary Standing Committee on Labour nor was it debated in public domain, enlisted some schemes which have restricted coverage, applicable only to targeted BPL categories of population, did not define social security; did not include social security schemes in the body of the Act denying the workers the benefit of consistency and justiceability, did not cover unemployment and

Annex VII: SSN Text of Affirmation

livelihood rights, did not universalize social security and did not have enabling provisions to empower those who have traditionally faced difficulty in exercising their rights such as the dalits, adivasis and women

Understanding that in the age of neo-liberal globalization, the dynamics of labour and labour relations is acquiring new dimensions, that economies are getting closely integrated into global value chains radically altering the existing occupational structure, that occupations (such as farm workers, fish workers and forest workers) traditionally not a part of the market economy are fast becoming integrated into the global market and becoming prone to its vagaries, that small peasants and marginal farmers are being forced to work as un-skilled and casual labour, that organized employment is getting transformed into casual employment, contract employment and self employment and that the process of informalization is hence altering the composition and structure of workforce and it is a method of capital accumulation and it magnifies the existing vulnerabilities, insecurities, increases poverty and deprivation

Recognizing that most women are engaged in unpaid and unrecognized work within the household (productive and reproductive) and workplaces and yet remain invisible in national statistics and their contribution unaccounted in the GDP

Recognising that the targeted approach has not helped in addressing particularity or vulnerability as the process of identification is time taking, arbitrary and involves huge administration cost, means test expensive and faulty and its implementation insufficient, that it exclude rather than include vulnerable population in the process of targeting and that the targeted benefit is never a right, although targeting could be a useful tool if premised on the universality of these rights

Recognising that as the Constitution of India bestows special rights to the traditionally vulnerable and marginalised communities, we hold that that targeting without universality is a charity and universality without particularity will deny social justice and is an affront to dignity and therefore the principle of social justice is a non-negotiable in delivering universality

We, the members of Social Security Now (SSN) abiding by the principles of inclusive social and economic justice, economic rights, gender justice, dignity and security of labour and vulnerable communities, democracy and participation in decision making

Affirm non-targeted, non-discriminatory universal social security for all people living or working in India is a basic right;

Affirm that it is the government's responsibility to provide and fulfil this basic right for all people regardless of the status of economic development of the country;

Affirm that the government cannot abdicate its responsibility and accountability by privatising social security;

Affirm that social security will be tokenism if adequacy and sustainability are not guaranteed;

Annex VII: SSN Text of Affirmation

Affirm that health care, protection of child rights, disability benefits, maternity benefits, accident and medical care, unemployment benefits, old age pension and livelihood loss compensation and the benefit of pension and provident fund etc are components, but social security not limited by these;

Affirm that social security should address among other things the social inclusion of dalits, non-displacement of adivasis, housing and land rights of dalits, adivasis and women, vulnerabilities of migrants and recognition of unpaid work of women;

Affirm that state should provide 6 per cent of the GDP for non-targeted, non-discriminatory universal social security as all people living and working in India have the right over the wealth collectively produced in India;

Affirm that economic justice be ensured by ensuring living wage to all which is need based not less than the wage of the lowest paid employee of the central government as defined by the Pay Commission and the ILC with periodic revision;

Affirm that all workers in all work situations must enjoy core labour rights;

Believe that assuring basic income to all living and working in India will be a genuine step towards economic justice and a means to prevent poor from extreme vulnerabilities;

Affirm that identification of recipients should be simple and friendly and not obstructive and exclusionary

NB: Social Security Now (SSN), is a national campaign demanding universal social security as a right for all people living and working in India. Over 500 organisations from all over India, comprising people's movements, trade unions, civil society organisations, farmers' associations and other groups are part of this campaign. The uniqueness of this campaign is the active involvement of dalits, adivasis and other socially disadvantaged groups, asserting that social security is the legitimate right of all 'social classes' in India.

SSN National Working Group Members:

Bindrai Institute for Research Study and Action (BIRSA), CBCI Commission for Labour, Centre for Community Economics and Development Consultants Society (CECOEDECON), Centre for Education and Communication (CEC), Cornerstone Trust, Delhi Forum, Delhi Shramik Sangathan (DSS), Foundation of Educational Innovations in Asia (FEDINA), Harit Recyclers Association (HRA), Human Rights Law Network (HRLN), Indian Social Institute (ISI), Jan Sangarsh Manch, Laya, Lok Sangharsh Morcha, Migrant Nepalese Association (MINA), National Campaign Committee for Unorganised Sector Workers (NCC-USW), National Campaign on Dalit Human Rights (NCDHR), National Federation of Dalit Land Rights Movements (NFDLRM), National Forum on Forest People and Forest Workers (NFFPFW), National Institute of Women Child and Youth Development (NIWCYD), NIDAN, Nirmala Niketan, Pragatishila Shramik Manch (PSM), Programme on Women's Economic Social and Cultural Rights (PWESCR), Uttar Pradesh Gramin Mazdoor Sangathan (UPGMS), Vigyan Foundation, Volunteers for Social Justice (VSJ), Women's Voice, Youth for Unity and Voluntary Action (YUVA)

The Gudalur Call by Small Tea Growers

Confederation of Small Tea Grower Associations in India (CISTA)

Annual General Body Meeting

Dharmagiri Chalivayal STG Office, Gudalur, Tamilnadu

December 14, 2010

(This call was adopted by the Annual General Body meeting of the Confederation of Small Tea Grower Associations in India (CISTA) on December 14, 2010 at Gudalur, Tamilnadu. CISTA represents small tea growers from the states of Assam, West Bengal, Mizoram, Arunachal Pradesh, Bihar, Tripura, Himachal Pradesh, Tamilnadu and Kerala. On December 15th, more than one thousand small tea growers signed on this document in a public function at Gudalur marking the International Tea Day (ITD) 2010. The document will be submitted to the Minister of Commerce, Government of India after obtaining one hundred thousand signatures)

The Gudalur Call

Considering that tea industry occupies a prominent position in the national economy and India is the world's second largest producer of tea (908m kgs in 2008) after China and fourth largest exporter (203.12m Kgs in 2008) after Kenya, Sri Lanka and China;

Considering that small tea growers are producing almost 30 per cent of the total tea produced in India, thereby contributing to Indian economy, agricultural development and employment generation;

Realising that the Indian and global tea industry is undergoing a systematic restructuring led by a few profit seeking multinationals brands who are investing in marketing and sales but disinvesting from direct ownership and management of production of tea and thereby redefining the global tea value chain;

Realising that the governments of the tea producing countries are facilitating a second wave of globalisation of tea industry by decontrol of pricing mechanisms, removal of tariffs and establishing it through WTO and Free Trade Agreement negotiations;

Realising that there is a shift in production of tea in India and globally from colonial plantations to small tea growers, without having in place any system or institutions to safeguard the interests of small tea growers, who are the recipients of risks and costs transferred by the brands and retailers who control the value chain;

Realising that though the small tea growers are fast emerging as an alternate model for tea production they are under extremely insecure and vulnerable situations having no control over green leaf prices, input costs, manufacturing process as well as national and international trade in made tea;

Annex VIII: Gudalur STG Call

Realising that despite their unambiguous presence in Indian tea production and an identifiable national representative body in the name of Confederation of Indian Small Tea Growers Associations (CISTA), the small tea growers have so far not been adequately consulted by the Government of India on important policy decisions and not being incorporated in any of the decision making bodies of the Ministry of Commerce or the Tea Board;

We, the members of the Confederation of Indian Small Tea Growers' Associations (CISTA) demand that the government must:

Constitute a separate directorate for small tea growers at the national level

Recognise CISTA as the representative body of the Indian small tea growers and ensure CISTA's representation in the Tea Board and other decision-making bodies at the national and state levels based on the principle of proportional representation, ie., proportionate to its contribution to the tea industry

Approve and facilitate establishment of mini tea factories, which will be managed by small tea growers

Play an active role in regulating price of tea at the national and international level and ensure that the price benefits are transferred to small tea producers

Ensure that the benefits of the Special Purpose Tea Fund get proportionately extended to small tea growers

Provide fertilizer and other agricultural subsidies for small tea growers and ensure that subsidies meant for small tea growers reach them without fail

Provide technical training to small tea growers with the assistance of TRA, UPASI, KVK and other similar institutions

Special crop insurance scheme be instituted for the small tea growers

Social Welfare schemes be instituted for the workers of small tea growers

Resolution Passed at the Madurai Sumangali Meet

RESOLUTIONS OF FIRST STATE CONFERENCE AGAINST SUMANGALI SCHEME

At Justice V.R.Krishna Iyer Community Hall, Madurai on 28th May 2010

1. Thousands of young girls and women employed under forced labour scheme known as Sumangali Scheme in Textile Mills and garment industries, face extreme physical and mental hardship. They are recruited from various districts of Tamil Nadu and other states with false promises. The lives of young girls and women are under threat and several cases of deaths and physical abuses are reported regularly over the past few years. This conference demands a total ban on forced labour schemes known as Sumangali Scheme, Mankalya Thittam, Thirumagal Thirumana Thittam or in any other names or forms by the Government of Tamil Nadu, as this is a clear violation of Constitutional provisions, labour laws, UN and ILO Conventions.

2. Thousands of girls below the age of 18 years are employed under these nefarious schemes. The conference recalls that the age prescribed for the definition of children is below 18 years as per United Nations Child Rights Convention should be age criteria for defining young girls as child labourers irrespective of National laws such as Child Labour (Prohibition and Regulation) Act, 1986 or Juvenile Justice Act or any other law which defines the age of children. Therefore, this conference demands that girls employed below the age of 18 years should be treated as child labour considering hard labour and hazardous nature of work and other physically demanding aspects of their nature of work. The Government of Tamil Nadu should issue an immediate order on banning the recruitment of girls below the age of 18 years under any scheme.

3. Young women workers above 18 years, who have completed 6 months of work under the scheme, should be considered as permanent workers as per the Conferment of Permanent Workers Status Act 1981. The conference demands that they should be paid Rs 143 for 8 hours of work as the minimum wages as per the existing Government order No.26 dated 16.05.2008 for textile industry.

4. Hundreds of women workers after completing 3 years or even 4 years in some cases have not received the promised sum from the textile mills. Government of Tamil Nadu should order that the industry should pay the sum based on minimum wages as stated above (deducting the already paid monthly wages) with bank interest. 5. Women workers and girl children are recruited from tribal and dalit families and they are trafficked by agents / brokers for Sumangali Scheme. This is a violation of SC/ST (Prevention of Atrocities) Act, 1989. Therefore, the State Government has constitutional obligation to protect the children of vulnerable communities. This conference demands that the Government should protect

the children of vulnerable communities and ensure social justice by issuing an order in this regard with severe punishment for such fraudulent recruitments.

6. The conference demands that the Government of Tamilnadu should not allow any such Attractive Schemes devised to exploit the existing dowry and income related socio-economic conditions of the most vulnerable rural communities.

7. The conference draws the attention of the Government about the violations of labour laws taking place under Sumangali Scheme in textile and spinning mills, and garment industries like the Minimum Wages Act, 1948, violations of the Weekly Holidays Act, 1942, the Employees State Insurance Act, 1948, the Employees Provident Fund Act, 1952, the Payment of Bonus Act, 1965, the Factories Act 1948, the Bonded Labour System (Abolition) Act, 1976, the Apprenticeship Act 1961, the Contract Labour (abolition and regulation) Act 1970, the Child labour Prohibition Act 1986 etc. Women workers are not allowed to go out on holidays, are forced to work for 12 hours (one and half shift) and 16 hours (double shifts) per day, they are not provided nutritious food, also denied basic medical facilities, girls complains about sexual abuses and verbal abuse, they are housed in small rooms and not allowed to contact their family members. All these conditions are modern forms of slavery. Therefore, the conference demands that the National Human Rights Commission (NHRC) and National Commission on Protection of Child Rights (NCPDR) should take cognizance of human rights violations faced by Sumangali Scheme victims to ensure justice to them.

8. Hundreds of women workers have faced workplace accidents and suffer from grievous injuries. Textile Mills have not paid any compensation for these injured victims. Therefore, the Government should order Textile mills to pay the compensation as per the Factories Act 1948, the Workman Compensation Act for all injured victims of Sumangali Scheme.

9. Women workers are kept in jail like confinement in factories and denied freedom of movement. The Government should take immediate step to provide adequate housing/ hostel facilities for all workers outside the factories and to ensure freedom of mobility and equality of women workers. Government may seek financial support from the industry for this programme.

10. The Government of Tamil Nadu should constitute district level committees under the chairmanship of District collectors with the participation of civil society organizations working for labour rights, child rights and women empowerment. These committees should inspect all the textile mills to ascertain the facts like number of girls and young women workers engaged under Sumangali Scheme, and human rights and labour rights violations faced by them and the facilities available at the workplace.

11. This conference urge the Government of Tamil Nadu should launch special certified educational and vocational training programmes for women in the vulnerable areas. So that the trained women workers can be absorbed as skilled regular workers in industry.

12. This conference demands the victims of Sumangali Scheme should organize themselves as organization to carry out sustained campaign for their rehabilitation and justice.

13. This conference urge that the Judiciary, National Human Rights Commission, State Women Commission to take cognizance of the seriousness of the issue and carry out remedial action. Acknowledging the strategic role of the electronic and print media, the

Annex VII: Madurai Sumangali Meet Statement

conference sought their continued support and cooperation in ending the Sumangali system and defending the rights of garment workers.

Adopted at the Conference on "Sumangalis: The Contemporary Faces of Bonded Labourers" on 28.05.2010, at Justice V. R. Krishana Iyer Community Hall, K. K. Nagar, Madurai-20.

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