

## **Abstracts for panel 24 : Contemporary and Historical Aspects of Labour Regulations and Labour Standards**

### ***1. Labour Law, Trade Unions and Working-Class Culture in Indore (1890- 1948)***

**Praveen Verma, University of Delhi**

In this paper, I will look at the relationship between the formation of labour law and responses to it by the working class in the industrial town/ princely state of Indore in India. This paper will be tracing the historical contexts of labour regulations under the shadow of labour politics in Indore and its linkages, not only internal (with the Holkar state) but external (with the British State) as well. It will focus on the dialectical relationship between labour law and labour politics to map and understand better their impact upon the shape of industrial relations.

The setting up of the textile industry in the princely state of Indore has historical linkages with the profit from the opium trade, from 1890. Profits from the opium trade helped start investment in the textile industry of Indore and labour politics started to crystallise during and after the Indian Factory Act of 1911. Later, labour law and its effect on labour politics became quite visible. Labour union organisation first appeared in the princely state of Indore in the post-war business boom in early 1920`s, but this movement was fragmented. Major changes started from the intervention from the Congress-backed trade union the Indore Mill Mazdoor Sangh and the Communist-led trade union the Indore Mill Mazdoor Sabha. This not only changed the politics of the working class sphere in mills but also re-shaped the politics of urban space, visible up to the post-1947 era. This also enabled important linkages with the big industrial towns of Ahmedabad and Bombay mainly in two ways: (a) linkages between labour unions in these big cities and labour unions in Indore (b) labour laws in these big industrial towns influenced law-making/adopting in Indore (for example, the Bombay Industrial Relations Act of 1947 was replicated in Indore as the Madhya Pradesh Industrial Relations Act of 1948).

### ***2. The Tie That Snapped: Millworkers and the Plague in Bombay, 1896- 98***

**Aditya Sarkar, University of Goettingen, Germany**

The closing years of the nineteenth century in colonial Bombay were a time of crisis-driven transformation within the social relations and political equilibrium that the city's industrial capitalism had fostered. The crisis in question had several roots and dimensions, but was most immediately experienced as a dramatic diminution of the labour market for Bombay's cotton mills, which furnished the city's industrial base, accounting for nearly an eighth of its population and a substantial proportion of its wealth. The panic induced by the coming of plague in 1896 drove thousands of

industrial workers and other labourers out of the city, and this exodus, though temporary, produced an unprecedentedly tight labour market in Bombay. The years between 1896 and 1898, which witnessed the plague crisis in its most intense form, also witnessed a series of confrontations between employers, workers, and the colonial administration – over labour *regulation*: over the limits of employers' power at the workplace, over the control of the working day, and, in their most sustained form, over modes of wage and bonus-payments. These conflicts expressed a shifting balance of forces within a temporarily upended labour market, but more than that they also expressed a new politics of industrial dispute, which a Factory Inspector of the time described as 'a Labour Question comparable to those of Europe'. Industrial disputes were in themselves not new to Bombay's mills, but what marked out the late nineteenth century was a new apprehension, expressed by employers, city elites and administrators, that the particular conflicts of the late nineteenth century embodied a new political challenge, both to the smooth functioning of urban administration and to the stability of 'relations of forces' within industry. Three narratives – at least – can be disentangled by considering the plague years as an extended moment in the history of labour relations in Bombay. First, a prior history of factory regulation initiated by the colonial state, which represented, till the early twentieth century, the only form of legislative control over relations at the factory-floor. Second, a story of 'regulation from below', which can be deciphered by paying attention to the content of the industrial disputes and mass strikes that dominated the landscape of Bombay's industrial capitalism during the plague years. Finally, the narrative of the reconstitution of employer power through new strategies of labour control and mobilization, forged in response to the plague crisis but with consequences that extended beyond it. These narratives, and their intersections, are the subject of my paper.

### ***3. Housing Policy in Bombay in the 1920s: resolving the social question?***

**Vanessa Caru, Paris-East University, France**

In 1920, the British authorities in Bombay decided on the launch of a construction programme aimed at workers of the city. It projected a provision of 50,000 housing units to these workers. This decision was taken just after the main industry of the city – the cotton industry – had just been through its first general strikes, in January 1919 and January 1920. This ambitious policy was however rapidly aborted. In 1926, when only 16,534 units had been built, the building process was abandoned.

Whilst it is undeniable that the upsurge in workers' protest profoundly marked the colonial administrators, can we go on to conclude that the policy was initiated with the sole aim of resolving the social question? Must the interruption in the building process be interpreted as a failure in carrying out this function?

As we shall see, in the first instance the genesis of the housing programme went back to 1917 and emerged as a response to the pressures exerted by the representatives of the English cotton industry, who were concerned by the competition from the Indian factories. The question is thus to evaluate the process of weighing up the home based economic interests and the political imperatives of

colonial management (vis à vis the preservation of social order, but also the industrial elites) that went into the final decision.

The second part of the talk will aim to analyse how the colonial administrative priorities acted as a barrier to drawing all the social benefits of the housing programme. The concern was to limit public spending so as not to attract criticism from the defenders of the taxpayers' interests and particularly from the nationalists, a concern which pushed the administrators into putting in place a minimalist policy which would no longer have any possibility of benefiting the working class population of the city. We will examine thus how the budgetary constraints and the concern not to alienate certain groups brought the British authorities to end up completely mortgaging their social policy.

#### ***4. Reflections on globalisation and labour standards in the Indian garment industry: codes of conduct versus codes of practice imposed by the firm***

**Alessandra Mezzadri, SOAS, UK**

The 'globalisation' of the garment industry has taken place in a context of increasing flexibilisation and informalisation of labour. Since the 1990s, the rise of corporate social responsibility concerns, especially in the form of codes of conduct, has been presented as a potential way to address this 'race to the bottom' for labour. Focusing on the experience of two garment producing areas in India- Delhi and Bangalore- this paper shows that these codes have a very limited impact in improving working standards for labour. This limited impact, it is argued here, is due to a sharp mismatch between codes of conduct and the effective 'codes of practice' imposed by firms to deploy labour and organise the labour process. In this sense, the firm becomes a fundamental prism through which the study of labour standards can be crucially informed.

#### ***5. Improving labour standards through the tightening of the labour market: is this an alternative that can be the subject of policy?***

**Judith Heyer, University of Oxford, UK**

The paper documents substantial improvements in labour standards in villages in the vicinity of Tiruppur, a dynamic centre of garment production in western Tamil Nadu. These improvements in labour standards have been associated with state programmes and policies relating to education, subsidised food, transport and communications, et al., and the growth of rural industrialisation centred on garment production both for export and for domestic markets. The paper suggests that in some contexts indirect rather than direct measures targeted at improving labour standards may be successful. There is some evidence to suggest that in contexts like these direct measures can have effects that are perverse.

## ***6. Changing Employment Conditions of the Indian Workforce and Implications for Decent Work***

**Ravi Srivastava, Jawaharlal Nehru University, India**

For a long time, an important debate on changes in the Indian workforce have revolved around trends towards increasing “casualisation” of the workforce and its implications for the quality of work. More recent data on employment in India challenges the notion that casualisation is the only, or even the dominant way in which flexibilisation of labour is occurring. Moreover, it further establishes that the lack of decent work is not restricted to casual work (although casual/contract work does encompass the poorest conditions of work). This paper will focus on what these recent employment trends reveal viz. that self-employment and regular work occupy an important niche in changing employment relations in India – the former because it incorporates growing trend towards putting-out, and the latter because it incorporates an ever growing proportion of flexible work at different skill levels required by the changing needs of the growing economy. These changes also have important gender dimensions as women form a large component of the most vulnerable lowest paid sub- contracted and regular workers. Thus, the paper argues, the concern with decent work has to be based on analysis of labour conditions in all major forms of employment.

## ***7. Decent work, vulnerable employment and the working poor in India: concepts, policies and struggles***

**Jens Lerche, SOAS, UK**

This paper discusses the decent work agenda and its application to the Indian context. It deals with a) the analysis of globalisation and decent work in general, b) the analytical strength of the categories of workers developed by the decent work agenda, and c) its policy recommendations. This is discussed in the context of labour market and policy developments in India during the last 20 years. Conceptually, the main focus will be on the categories ‘vulnerable employment’ and ‘the working poor’ and their usefulness in the Indian context, compared to other approaches such as ‘classes of labour’ and ‘petty commodity producers’. This will be discussed in relation to policy initiatives and approaches to struggles of relevance for such groups.

## ***8. Bonded labour: setting and policy in South Asia***

**Jan Breman, University of Amsterdam, The Netherlands**

On an extensive tour of South Asia, conducted between August and October 2009, I have endeavoured to upgrade my expertise concerning the nature, magnitude and

spread of labour bondage in Pakistan, India and Nepal. My main aim was to understand the social, economic and political setting in which labour bondage continues to figure and why international conventions on ending these practices have such a low policy priority in the region.

## ***9. Brick kiln migrants in Tamil Nadu***

**Isabelle Guérin and Venkatasubramanian, French Institute of Pondicherry, India**

This paper explores the evolution of debt bondage in the brick kilns located in the area of Chennai (Tamil Nadu), with a focus on labourers native from Villipuram District (Tamil Nadu). Field work done in 2004-2007 had shown that these labourers formed the major part of the labour force and that all of them were bonded and increasingly bonded. Recent data (July 2009) indicates that debt bondage is still increasing: the advance represents a growing part of the wages and an increasing number of labourers come back at the end of the season not only empty hands but indebted for the next season. Such trends should be located in a broader analysis which take into account 1) the situation of the construction sector in Tamil Nadu (uneven growth over the last decade followed by a recent slowdown) 2) local labour markets, and especially an increasing competition from labour migrants from Orissa and Bihar) 3) agrarian and rural evolutions in the native places of the migrants. On the one hand, brick kiln continue to absorb surplus from agriculture labour (historically, agriculture labour from dry areas; more recently agriculture labour from irrigated areas converted to new crops which are less labour intensive, or where landowners have shifted to urban-based activities). On the other hand, we also observe that brick kiln income is partly used to sustain a certain form of agriculture in the native place of the migrants (especially with the deregulation of the market for vegetable oil). We will also look at the effects of labour regulations. Except a significant reduction in child labor, labour standards are still very poorly implemented.

## ***10. Informal Sector Institutional Change in Rural and Urban Development Contexts***

**Wendy Olsen and Jamie Morgan, University of Manchester, UK**

The main aim of this paper is to extend a realist theory of institutional change by applying the elements of the theory to several concrete examples in a rural context. The theory we begin with has become known as 'old institutional economics' but has also several contributions from fellow travellers in sociology and social policy as well as the development literature. Section 1 spells out how that theory would describe institutional change in the informal sector. The concrete examples are rooted in unfree labour and rural casual labouring in India, a place which in development terms is problematically beset by structural inequality, a high degree of informality alongside frequent instances of coercion and violence, and difficulties with formal

regulation. We see the problem from an inter-disciplinary viewpoint, focusing mainly on contributions from economics, political economy and sociology. The setting is described in Section 2 along with a brief reference to the main institutionalist contributions that we can find with regard to south India. In section 3 three examples are explored: (1) the supply and payment of girl child bonded labour; (2) the impulse to accumulation of different social classes, and how it has become institutionalised (alongside other impulses) in certain tendencies in the credit, land-lease and labour markets; and (3) payment of casual and unfree labour in urban settings. Throughout, we try to maintain balanced attention to underlying structural realities of gender, social class, caste and patriarchy. In section 4 some conclusions are developed. These include firstly that the fluidity of institutional rules demands a recognition of the supra-economic nature of the context within which economic-institutional change occurs. Secondly that the personal agency that matters is filtered through emulation and experience into collective, corporate and infamous behaviours which gradually get taken up into the regulated sphere either if they are constructively helpful to major actors, or if they are demonstrably harmful and suitable targets for offsetting action by major agents such as the state. In this way the paper does link up with the formal sector and its development issues in the interface with the informal sector. Thirdly, we conclude, in the history of institutional change it is critical to give attention to resistance and struggle, including institutionalised modes of collective resistance, because these form part of the seedbed of solutions at the local and regional level to problems of development. Ignoring this concrete local reality can cause problems of inappropriate attempts at institutional transfer. In the microcredit area we can illustrate this because of the use of (1) assumptions that no one suffers from coercion in their labouring, (2) assumptions that women can simply begin an accumulation process regardless of their social class; and (3) enhancing class inequality can even irresponsibly increase social inequality through the microfinance measures when in reality they depend on the class structure for their “successful” operation. In concluding, we distinguish a helpful transformative approach from a transplantation of development policies that presume too much an unproblematised capitalistic social structure. In this way the paper has ambitions to help re-focus development policy (on/for/with the informal sector) in new ways.

## ***11. From Field to Factory: Tracing bonded labour in the Coimbatore powerloom industry, Tamil Nadu***

**Grace Carswell and Geert De Neve, University of Sussex, UK**

Taking a historical perspective this paper will explore the phasing out of ‘bonded’ labour in agriculture and its reappearance in the village-based powerloom industry in the Coimbatore region of Tamil Nadu, India. Focussing on a village outside Tiruppur, we trace the gradual transformation, and ultimate disappearance of forms of labour bondage in agriculture. In this region bondedness in agriculture changed in a number of significant ways, before giving way by about the 1960s to primarily casual and contract-based labour arrangements. We then describe the presence of forms of debt bondage in the powerloom units found throughout the village. The small-scale powerloom industry is highly labour intensive and dependent on migrant labour, and we explore how debt bondage is experienced by both migrants and non- migrants.

The paper examines the differences and similarities between past agricultural and current industrial labour bondage; how it is experienced and talked about by both employers and workers; and the new politics of resistance that have emerged.

## ***12. Capitalist organization of agriculture in Indian Punjab: acceptance and resistance by rural labourers and farmers***

**Pritam Singh, Oxford Brookes University, Oxford, UK Sukhpal Singh, Punjab Agriculture University, Ludhiana, Punjab, India**

Punjab agriculture was incorporated into global capitalist economy with the British colonial annexation of Punjab in 1849. The decolonization of India in 1947 brought new pressures to bear on the Punjab economy. The newly independent nation state of India felt the pressing need to be self-sufficient in food output and availability for politico-economic reasons. This acted as the external imperative to introduce Green Revolution in Punjab which speeded up the capitalist penetration of Punjab agriculture. The onset of the neo-liberal economic policy regime by the Indian state in 1991 has further deepened the process of capitalist organization of Punjab agriculture. The depeasantisation process that had started in 1980s has accelerated with the neo-liberal design of capitalist transformation of agriculture.

Out of 500,000 small peasant families with land holdings of up to 2 hectares, nearly 200,000 have been pushed out of farming between 1991 and 2001. Their land holdings have been bought up by the middle and large size farmers. Similarly large scale mechanization has pushed rural laborers into unemployment, underemployment or disguised unemployment.

Our paper studies the strategic responses of the farmers and agricultural workers organizations to this large scale disruption of their livelihoods. The study will be based on empirical data collected by field visits to the sites of protest by farmers against the acquisition of their lands by big farmers and agro-businesses supported by the state apparatus. It will also examine the cooperation or lack of it between the semi-proletarian farmers and the landless workers being made redundant by the converging processes of large scale mechanization of agriculture and the sale of land to expanding industrial capital.

The paper concludes by suggesting a perspective for farmers' and rural labor organizations to be pro-active in shaping the agenda for the transformation of Punjab economy to a sustainable future.

## ***13. When Manual Labourers Go Back to Their Village: Labour Migration and Protection in Rural South India***

**David Picherit, IEDES-Paris 1, France**

Transformations of labour relationships in contemporary India have been largely debated, either through the decline of patronage or the neoliberal policies effects, stressing informalisation of economy and casualisation of labour force. In Andhra

Pradesh, those policies conducted by T.D.P and Congress since the 1980s were accompanied by a multiplication of development schemes (undertaken by government, NGOs, State and/or international agencies), and by campaigns for “self-help” (for the poor). Since few years, the question of protection for labour has taken place in the political agenda, through different programs, such as “100 days-work” and “social security for unorganised sector”.

Beyond the assessments about labour worlds often expressed in terms of loss, lack or shortage of, I intend here to explore the changing and various dimensions of protection for labourers in informal economy, through the case of seasonal migrant labourers, bonded and daily wages, from a village of Mahabubnagar district in Andhra Pradesh.

Based on 24 months ethnographical fieldwork among labourers conducted both in the village and migration places, this paper examines the social and political dimensions of their return in their village, through the study of their everyday negotiation for multiple and temporary protections. Far from an opposition between state and traditional patronage, I will show how their quests for protections lead to reformulations of social relationships.

In a context of refusal of personalized attachment and of politicisation of low caste, I will detail the different and contrasted ways labourers come back into village power relationships in order to secure an access to local resources (state, schemes and development programs, NGOs...), cornered by dominant groups through political leadership.

#### ***14. Labour Regulation and Labour Standards. A case from the Construction Industry in Delhi***

**Valentina Prospero, University of Rome La Sapienza, Italy**

The scope of this analysis is to take a close look at the labour regulation that should regulate the construction industry in India and at the labour standards that actually prevail in the construction sites, with a focus on Delhi. The analysis is developed with the neo-liberal policies implemented by the Indian government in the background, together with its dubious political will to enforce its own labour laws and the complete vulnerability of the workers, who most of the times are not in a position to fight for their rights – in the rare cases when they are aware of them.

There are two main aims of this paper: firstly, illustrate and analyze the labour regulation framework that govern the construction industry in India and specifically in Delhi; and, secondly, investigate the actual labour standards applied in selected work sites. For this purpose, the present attitude of international organisations and of the Indian state will be considered and first hand data will be illustrated and discussed.

The paper considers the impact of liberalisation on the Indian labour market, specifically the consequent flexibilization and informalisation of the economy. It, then, focuses on the construction industry and its dynamics, specifically on the labour regulation. Finally, it illustrates and analyzes the labour standards observed in selected construction sites, the ways to keep them low found by the management and the labour conditions imposed on workers.

The information presented have been gathered during repeated visits to local labour markets and to work sites, through participatory observation, focus group and

in depth structured interviews (questionnaires). The principal locations of the case study are two work sites in two main Universities in Delhi, where public institutions have contracted construction work to private companies who employ largely migrant labour. An analysis of the available state-level data will be presented, and compared with the findings of the case study.

The paper shows that the attitude of the Indian state towards workers changed consistently since the starting of the liberalisation era and that even when the state has the capacity to devise laws for the protection of workers, it hardly has the capacity to implement them.

### ***15. Reconstructing Exploitation: A Comparative Analysis of in-state and out-of-state Migrant Labourers in Bangalore's Construction Sector***

**Jonathan Pattenden, University of East Anglia, UK**

This paper looks beyond the high growth rates of one of India's most globalised cities to analyse how relations of exploitation are being constituted amongst migrant labourers in Bangalore's construction sector. It compares in-state migrant labourers from Hyderabad Karnataka, who work on smaller, less dangerous construction projects and rent rooms in slums, and out-of-state workers from Uttar Pradesh who work and live at larger construction sites. The comparison focuses on i) labour and credit relations in source villages, ii) relations with job brokers (or 'maistries'), iii) working conditions, and iv) material outcomes (the impacts of advances and final payments on the economic and political position of labourers' households). In addition, preliminary evidence will be presented with regard to state and non-state interventions to improve the conditions of migrant construction workers.