

This year, don't speed dial the Army (Disaster management ,Hindu ,GS 3)

In the 2013 Uttarakhand deluge, when the Army was single-handedly tackling relief work, some one on Facebook said he was irritated by the constant praise being heaped on the Army's heroic efforts. Enough, he said, the Army is just doing a job it is supposed to do.

And that is exactly what most people assume – that it's a first-line duty of the armed forces to swim into any disaster and rescue everybody. Whether it was Uttarakhand, the fire in Kolkata's Burrabazar, or the Chennai floods, each time it's been the armed forces that have stepped in. Whether an explosion in a bazaar or a child falling into a well, the armed forces are called in.

What, in principle, was laid down as a "last in, first out" policy has been turned on its head. Instead, the forces are the first to be called in and they are the last to leave, reinforcing the impression that they are only "doing their duty".

The reality is rather different. Not only does the Disaster Management (DM) Act, 2005 not indicate any primacy for the role of the armed forces, it does not even formalise their role; merely stating that the management of disasters could include the "deployment of naval, military and air forces, other armed forces of the Union or any other civilian personnel as may be required for the purposes of this Act".

It is not that the forces grudge it; in fact, they think it their duty to pitch in. Unfortunately, however, being called out so frequently has a negative impact. Each time it happens, their cutting edge is reduced. They pay a heavy price by way

of training time, deployment and equipment losses.

Men for the job

To prevent just this, the 2005 Act established the NDMA or National Disaster Management Authority, and the NDRF or National Disaster Response Force. While the NDMA is the planning and coordinating body, the NDRF has the manpower, equipment and training to handle relief work. The NDRF, launched in 2006, today has 12 battalions stationed across the country, with men drawn on five-year deputations from the Border Security Force, the Central Reserve Police Force, the Central Industrial Security Force (CISF), etc. The men undergo specialised training in relief work for quakes, landslides, biochemical mishaps, mountain rescue, and more.

So, where are they when we need them? Actually, they are very much there and, in fact, 11 teams (45 men per team) from the NDRF's Arakkonam unit in Tamil Nadu were mobilised for the Chennai floods, followed by seven more teams from Andhra Pradesh, Odisha and Karnataka. We also saw those orange life jackets in Nepal, where India sent relief teams within five hours of the quake.

Hobbled by the system

If, despite this, the armed forces end up being the most visible force at hand, there are a few reasons. First is the sheer shortfall of personnel. As Indian Police Service officer O.P. Singh, Director-General, NDRF, points out, "We have just around 13,000 men compared to 13 lakh in the Army." For India's size and population, these numbers are too few, but the NDRF is expanding slowly; it started with eight battalions and now has 12.

Second, who holds the NDMA and, in turn, the NDRF accountable when they fall short? With an annual budget of over Rs.350 crore, why is it so difficult to produce quicker responses, better trained staff and high-end equipment on the ground?

Nobody is asking.

Finally, the bigger reason why NDRF is not as effective as it could be is because of, as always in India, bureaucratic failure. The mandarins in Delhi have not empowered NDMA, made it functionally independent or accountable. Talking to me after Uttarakhand, J.K. Sinha, who was then serving his second term at NDMA, spoke of how the organisation is plagued by politics and apathy. For instance, in theory the NDMA must ensure that States have response units across districts and blocks. In practice, it can shout itself hoarse but State governments are not obliged to respond.

States need to step up

To be truly effective, one national force is not enough; each State must build and maintain its own State- and district-level response units. NDMA guidelines say that States must have a contingency plan that ranges from making vulnerability studies to preparing lists of sources that can be tapped for trucks, food or blankets; lists of doctors who can be called for trauma duty or post-mortems; and even firewood suppliers for mass cremations. Such plans are not made and if made, nobody hears of them.

More important, do bureaucracies have the will and intelligence to use available resources optimally? For instance, shutting down Chennai airport freed up hundreds of CISF personnel, but they were not rushed into relief work. In fact, even much of the State's police was kept idle.

On paper, States are expected to train personnel from the fire, police, and home guards departments and keep them disaster-ready. In reality, said Mr. Sinha, "we have to cajole them to attend training." According to him, 90 per cent of State governments do not even use the disaster management funds released to them.

A few States like Bihar, Gujarat, Assam and Odisha now have

impressive response units. But Tamil Nadu does not figure on this list. Despite the tsunami, only around 90 personnel have received relief training so far.

Rules of engagement

One solution could be to lay out a clear process under which the armed forces will be deployed. First, the Home Ministry must be asked to define just what its arms can deliver. For instance, trained personnel from the police, fire services, civil defence, and home guards must be available on call along with equipment. If such local teams had been available from Day 1, Chennai would not have had to depend on ill-equipped citizens to bail each other out.

Second, threshold levels must be set for when the armed forces will be called in and pulled out. And last, we must define what a national calamity is, and reserve the armed forces only for those occasions. Even the 13th Finance Commission report says: "Although the DM Act uses terms like 'substantial loss of life, or human suffering', 'damage to and destruction of property'... it does not quantify these terms."

When such a process is laid out, the magnitude of a disaster will determine when the armed forces are called in rather than their being used as a default solution. And this process will also ensure that the NDRF functions the way it was designed to.

Source: xaam.in

Labour's love lost (Labour reforms ,GS 3 The Hindu)

At a public event during his recent visit to India, French economist Thomas Piketty drew attention to the “hypocrisy” of the Indian elite in the way it wanted to pursue capitalist development – obsessed with growth, but indifferent to welfare. Nowhere is this hypocrisy more evident than in the debate over labour reforms.

The prevailing wisdom is as follows: India has too many antiquated labour laws which hamper growth and investment. The need of the hour is a brisk pruning of this unruly thicket of pieces of legislation into a handful of elegant laws that make it easy for companies to hire and fire as they wish, and pay whatever salaries they can get away with. Once such laws are in place, foreign investment will flood into India, manufacturing will shoot up, and millions of Indians will find employment and “make in India” happily ever after.

From an industrial relations perspective, turning this corporate dream into reality requires two things: one, trade unions must be neutralised; two, contractualisation (temping/casual labour) must become the legal norm rather than illegal supplement for regular work.

Both these are effectively a reality in today's India. But our legislative framework militates against it, leaving the capitalist class vulnerable to being challenged by the working classes on legal grounds. It is in this context that the incident of July 18, 2012 at Maruti's Manesar plant assumes historic significance, for India's working class as well as for the investor class.

The context

Since Independence, trade unions in India have mostly fought modest and pragmatic battles for outcomes such as higher wages and better working conditions. But this changed in the 1990s. Gurgaon-based labour activist Shyambir points out that after liberalisation, most strikes by workers have been not for wage hikes but for the right to form a union.

The right to collective bargaining is enshrined in our Constitution. Article 19(1)(c) grants all citizens the right to form a union. On top of it, we also have a Contract Labour (Regulation and Abolition) Act, 1970 that prohibits employment of contract workers for core industrial work. And yet, the Indian state has either stood by or actively colluded while employers tried every tactic, including illegal termination, to prevent union formation, and kept hiring temporary workers for regular jobs.

In the National Capital Region's Okhla-Faridabad-Noida-Gurgaon-Manesar industrial belt, it is common to find workers toiling on 12- to 16-hour shifts for as little as Rs.9,000 a month, for years together. It raises a

fundamental question: whose interests have the labour laws served all these years? Evidence suggests that it is not the labouring classes.

And yet, oddly enough, the clarion call for labour reforms is coming not from the working classes but from the corporate class. One reason for this could be that with global capitalism yet to recover from the shock delivered in 2008, the only way out of the crisis is to tighten the screws on labour to extract more value.

In such a scenario, who wants a labour class feeling empowered to fight for its entitlements? From this perspective, the Manesar conflagration was a decisive event that has, at least for now, beaten back labour and put capital firmly in control in an age-old conflict.

The background

To quickly summarise the incident of July 18, 2012: an outbreak of rioting at the Manesar plant left one HR executive dead and 40 others injured. The police arrested 147 Maruti workers and slapped murder charges on all of them. The dominant narrative about this event is one of labour militancy gone wild, holding it responsible for the loss of life and property.

What has not attracted critical scrutiny is the final outcome of the larger conflict between labour and management of which this incident was the culmination: the termination, in one go, of 546 permanent workers and 1,800 temporary workers. Such a mass retrenchment would be unthinkable in the normal run of things. Were we to ask who gained the most from this sorry episode, the answer is definitely not the worker.

The provenance of this incident goes back more than a year, to June 2011. That's when Maruti workers began agitating for their right to an independent union. After several months of struggle, the Maruti Suzuki Workers' Union (MSWU) was formed in early 2012. Now, the MSWU in early 2012 was a different animal from the kind of unions Indian managements were used to dealing with. It derived its power from something unprecedented in the short history of labour struggles in post-liberalisation India: a strategic unity between permanent and temporary workers. It was too dangerous a threat, one that no management would brook.

According to Shyambir, "After its formation in March 2012, right up to the incident of July 18, the main agenda of MSWU was regularisation of temporary workers. They wanted pay parity for permanent and temporary workers. Their slogan of 'Same Work, Same Pay' made them hugely popular."

Given that around 80 per cent of industrial workers in the Gurgaon-Manesar belt are hyper-exploited contract labour, this union may have made a big impact on labour mobilisations had it been allowed to flourish. With the purge of 2,300 workers that followed July 18, 2012, the threat was snuffed out.

The present scenario

By October 2012, within three months of the July clash, Maruti had set up a new system of "company temps" in place of the earlier system of hiring

temporary workers through contractors. Under this regime, the temporary worker will work for six months. Then he is laid off for five months, after which he may be recalled for another six months.

Both corporate commentators and labour activists have termed this a master stroke. While the former see in this a replicable model to pre-empt labour unrest, the latter consider it a move designed to prevent unity between permanent and temporary workers by regularly churning the latter.

In September 2015, Maruti announced a salary hike of Rs.16,800, spread over three years, for permanent workers. When temporary workers agitated for a similar revision, unlike in early 2012, the permanent workers did not back them. If breaking the unity between permanent and temporary workers was the mission, it had been accomplished.

Maruti, for its part, has presented its system of “company temps” as a superior alternative. When contacted by *The Hindu*, a management source said that “the new system is superior to the contract system since it is a direct recruitment by the company. No contractor is involved, and company temps enjoy all benefits like canteen food, uniform, PF, ESI bonus, etc.”

Not surprisingly, there has been a persistent corporate chorus demanding a labour regime that allows companies to freely hire temporary workers even for core operations. And the Modi government is eager to deliver.

The labour reforms on the anvil essentially boil down to two things: make it impossible to form a truly independent trade union; make it legal to keep temporary workers permanently temporary, while paying them a subsistence wage.

With the central trade unions seemingly uninterested in putting up a fight on core labour issues, independent trade unions nipped in the bud, and contract labour effectively legal, the only potential challenge that labour now poses to capital is mobilisation based on unity between permanent and contract workers. This was the weapon Maruti workers had assembled at the Manesar factory in 2012. It’s the reason why they needed to be made an example of, so that India’s working classes won’t dare to attempt such experiments in the future.

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