Avoidable tragedy

Responsibility must be fixed for the Amritsar disaster. Political spats won’t help

The ghastly Dasara disaster at Amritsar that has left 59 people dead is a harsh reminder, if any were needed, that government departments have not yet taken official protocols for safety at mass gatherings seriously. In the aftermath of the entirely preventable carnage, in which spectators crowding a railway track to watch burning of effigies were mowed down by a train, there is a frantic effort to pin responsibility on agencies and individuals, and, deplorably, to exploit public anger for political ends. What happened at Joda Phatak in Amritsar points to the basic failure of the district administration and the police, which should have ensured law and order. If the organisers of the event had obtained a no-objection certificate from the police, as reports suggest, what role did the law enforcement machinery play in crowd control? On the other hand, the Municipal Corporation in Amritsar has tried to distance itself, claiming that its permission was not sought, although almost everyone in the city knew it was taking place. The magisterial inquiry ordered by the Punjab government should examine the actions of the revenue authorities and the police in organising the event, and whether rules were ignored to favour the organisers who claimed proximity to some politicians.

Major religious festivals in India are often overshadowed by deadly incidents such as stampedes and fires, ranging from the terrible toll of 249 deaths at the Chamunda Devi temple stampede in Jodhpur in 2008, to the railway station stampede during the Kumbh Mela at Allahabad five years later in which 36 people died. The National Disaster Management Authority has responded to these horrors by creating a guide for State governments and local bodies, laying down a clear protocol to be followed for mass gatherings and festivals. Whether this was followed by the Amritsar authorities in the planning of the Dasara celebrations is one of the questions that must be addressed. There should be a transformation of the way such events are organised, with a lead agency in each State and district empowered to issue instructions, and in turn be accountable for public safety. More broadly, there is a serious deficit of common spaces in cities, towns and villages to conduct spectacular events safely. This is incongruous in a populous country with a tradition of festivals and cultural gatherings. The Punjab government, wiser after the fact, says it will draw up guidelines for the future. At Amritsar, trespass on the track was the prime reason for the accident. A campaign to educate the public that railway tracks cannot be treated as commons, and vigorous enforcement, will reduce the probability of such incidents. The Railways must identify hazard spots for train movement in heavily built-up areas and prevent trespass by barricading them. A culture of safety can take root if governments imbibe it first.
The comeback ‘kid’

Malaysia looks all set for a remarkable transition from Mahathir Mohamad

The by-election victory of Anwar Ibrahim, the de facto leader of Malaysia’s ruling coalition, marks another milestone in his dramatic comeback, putting him within touching distance of the prime ministership. During a chequered career, as Prime Minister Mahathir Mohamad’s deputy in the 1990s and later as leader of the People’s Justice Party (PKR), he served jail sentences on charges of corruption and sodomy. But he seems determined to put the past behind him. In the May general election, the man who has symbolised democratic resistance for years helped break the 60-year political monopoly of his former party, the United Malays National Organisation. The defeat in that election of the scandal-tainted Najib Razak, a UMNO veteran, was scripted by an unlikely alliance between the nonagenarian Mr. Mohamad and his former nemesis, Mr. Ibrahim. That collaboration came with an assurance of a handover of power by Mr. Mohamad to his protégé at an appropriate time. This was an extraordinary story of reconciliation: Mr. Ibrahim had been sacked in the 1990s by his mentor and imprisoned on allegedly trumped-up charges. In a first step, Mr. Ibrahim was granted a royal pardon and released from prison within days of the election victory of the Pakatan Harapan, the alliance formed by the two leaders.

Underpinning the new bonhomie is a deep reformist instinct to consolidate Malaysia’s status as a middle-income economy. Revelations of controversial investments at Malaysia’s 1MDB state fund that led to the ouster of Mr. Razak provided the impetus to set aside past personal and political differences. For instance, the rhetoric on the incompatibility between Western democratic norms and Asian values had been a distinguishing feature of Mr. Mohamad’s previous tenure of nearly two decades. Conversely, the complementarity between Islam and democracy underlies Mr. Ibrahim’s outlook; a man who draws liberally from the Koran and Shakespeare, depending on his audiences. The response to the 1997 Asian financial crisis had also highlighted serious differences between Mr. Mohamad and Mr. Ibrahim. Curiously, the issue has acquired currency during the recent stock market turmoil. The Malaysian central bank governor has pointed to a potential need to impose capital controls to address the market volatility in recent months. Concerns are also bound to arise over Mr. Mohamad’s strongman past. But the Prime Minister has assured the four-party governing coalition that he will be guided by the norms of majority rule and accord due weightage to the largest partner, the PKR. Underlying the unfolding political transition in Malaysia is the emergence of change with continuity. Such a gradualist course is sustainable over the long term.
Lip service to labour rights

The exodus of migrant labour from Gujarat highlights the indifference of States to their well being and rights

Gujarat is one of the top States in India that receive migrant workers, largely temporary and seasonal, on a large scale. In Gujarat, they work in unskilled or semi-skilled jobs in a wide range of activities such as in agriculture, brick kilns and construction work, salt pans and domestic work, petty services and trades (food and street vending) as well as in textiles and garments, embroidery and diamond cutting and polishing, small engineering and electronics and also small and big factories.

Scant data

These workers are from Rajasthan, Madhya Pradesh, Maharashtra and even from as far as Bihar, Uttar Pradesh, Andhra Pradesh, Odisha, Jharkhand, Chhattisgarh, Assam and Karnataka. Employers send contractors to distant unexplored places to gather labour at the lowest possible wage rate. For example, a new township in Gujarat being promoted by a large industrialist is to be built with workers from Assam. Surprisingly, the Gujarat government has no data on/estimates of migrant workers coming to Gujarat. Informally, the figures are estimated to be between 40 lakh to one crore.

Segmenting the labour market and creating a separate labour market for migrant workers — who are easy to exploit — has been a common strategy of employers across India. The pathetic conditions migrant workers face have been widely documented. They earn low wages, work very long hours without any overtime benefits, and are almost without any leave or social protection. Lakhs of unskilled and migrant workers live on worksites in makeshift huts (usually made of tin sheets) or on roads, slums and in illegal settlements not served by municipalities. They are neither able to save much to improve their conditions back in their home States nor save enough to live comfortably in Gujarat. They go back home only once or twice to celebrate festivals. Semi-skilled workers with some education and skills (such as those in diamond cutting and polishing units, power looms and factories) get slightly higher wages and earn some leave. However, these workers are also exploited in multiple ways and are mostly unprotected. Factory owners, employers and traders are only too happy with such a situation as they earn huge profits from wage labour exploitation.

Embers of resentment

Local workers resent the presence of migrant workers who they feel take away their jobs in factories and other places on account of being cheap labour. The recent attacks on migrant labour after an incident in Gujarat late last month, involving the sexual assault of a 14-month-old girl, allegedly by a migrant labourer from Bihar, appears to be have been a consequence of this resentment. Many migrant workers have now rushed out to their home States out of fear despite several local people having been taken into custody on the charge of inciting violence against migrant workers. There have been reports of an estimated 60,000 to more than a lakh workers leaving the State. Those who have stayed back now live under constant fear.
22\textsuperscript{th} October

The exodus is cause for concern as it is bound to impact Gujarat’s growth and create resentment among factory owners and other employers, especially at a time when the general election is drawing close.

Gujarat Chief Minister Vijay Rupani has blamed the Opposition for inciting locals to push out migrants while the latter have accused him of not stopping the migration. Some have even demanded his resignation. The anger on both the sides is essentially more out of fear that losing cheap labour will be at the cost of Gujarat’s prosperity than out of genuine concern for the welfare of migrant workers. The signals from the top leadership of the Chief Minister’s party are “to bring the situation back to normal”. This would also avert a crisis in the migrants’ home States which would have to cope with an army of the unemployed.

All this shows the utter indifference of States to the well being of migrant workers and their rights. The Gujarat government wants normalcy to return so that migrant workers can toil for the prosperity of Gujarat, while the Bihar government, which is at its wit’s end trying to manage the sudden inflow of returning migrants, wants migration to Gujarat to continue as before. It is not surprising that Uttar Pradesh has lauded the Gujarat government “for handling the situation well”.

**Only on paper**

Under the Inter-State Migrant Workmen Act and other labour laws (for unorganised workers), migrant workers in Gujarat are legally entitled to all their basic labour rights. These include minimum wages, regular wage payment, regular working hours and overtime payment, and decent working and living conditions which include taking care of the health and education of their children.

Under the same Act, the governments of the States from where migrant workforce originate are expected to issue licences to contractors who take workers away, register such workers and also monitor their working and living conditions in other States. But most State governments remain indifferent to these laws. Gujarat has taken a few steps but these are far from adequate. In the political sphere, there has been hardly any mention about protecting the legal rights of migrant workers in India. The political impulse has been to maintain status quo — the continuation of the situation where migrant workers are exploited.

The Gujarat government passed a rule in the 1990s making it mandatory for industries and employers in Gujarat to give 85\% of jobs to local people. This rule was never really implemented in reality, but watered down by the State government in its subsequent industrial policies, as new and large investors coming to the State did not like any such restrictions. Now there is a move in the State to introduce a law for industries and investors in Gujarat which reserves 80\% of labour jobs for State domiciles and at least 25\% for local workers. But those behind the idea are perhaps fully aware of the futility of such a move. As long as there are huge surpluses from the labour of migrant workers, employers will have no incentive in hiring local workers. The objective of such a move is to perhaps contain the anger of local workers — at least till the 2019 election.

**A way out**

In the end, the real solution to this issue would be to enforce all relevant labour laws for migrant workers so that segmentation of the labour market becomes weak, and workers (local and migrant) get a fair and equal deal in the labour market. This will also weaken unfair competition between local and migrant labour and enable migrant workers either to settle down in the place of destination or to go back home and make a good living there. But are State and Central governments genuinely interested in improving the conditions of workers in the economy?