

# **Draconian Labour Codes must be thwarted**

When the Union government notified the rules for the Labour Codes in November 2025—six years after their parliamentary passage—it marked the most sweeping overhaul of labour legal architecture in post-independence India.

The four codes—Wages (2019), Industrial Relations (2020), Social Security (2020), and Occupational Safety and Working Conditions (2020)—consolidate 29 laws into a leaner, investor-friendly framework. But beneath the talk of “simplicity” and “compliance ease” lies a deep capitalist conspiracy: remove whatever little vestiges of hard-earned rights including trade union rights.

## **Passage of wantonly anti-labour codes passed in parliament without debate**

The passage itself was opportunistic—not debated, not consulted, and certainly not consented to. The three bills, Industrial Relations (IR) code bill, 2020, the Occupational Safety, Health and Working conditions code bill, 2020, and the Code on Social Security bill, 2020 were hurriedly passed in the midst of rising covid-19 pandemic and at a time when the opposition had boycotted Parliament to oppose anti-peasant farm Bills. One more legislation that is ‘Code on wages’ was passed in 2019 which makes it four Labour Codes. It was then argued by the BJP government that the erstwhile central labour laws including some of the laws of the colonial period were consolidated and simplified into 4 Labour codes to enhance workers’ welfare and align the labour ecosystem.

The government also claimed that *“with the evolving world of work, this landmark move lays the foundation for a future-ready workforce and stronger, resilient industries driving labour reforms for Aatmanirbhar Bharat (Self-reliant India).”* But in actuality the new labour codes far from being just a simplified versions actually include several new provisions utterly detrimental to, if not virtual ruination of, the cause of the working class.

## **Why the “Codes”?**

The naming shift from Acts to Codes signals something structural: a move away from stable legislative rights toward flexible regulatory power concentrated in the Executive hands. Unlike Acts, which state specific standards, Codes outline general frameworks—leaving critical details to be defined later through “Rules.” These Rules can be rewritten by government notification, bypassing the parliament.

Moreover, this ‘Code architecture’ also nullifies federalism as enshrined in the Constitution. Because labour sits on the Concurrent List and hence states are authorized to draft their own rules. Facts would bear eloquent testimony to that.

## **The Industrial Relations Code Bill, 2020**

The Industrial Relations code, 2020, has given absolute right for industries hiring up to 300 workers to unilaterally terminate services of any worker without any need of government’s approval. Earlier, following an amendment in 1982, industries hiring more than 100 workers were barred from unilaterally terminating any worker or declaring layoff. This offered some protection for the workers from the whimsical decisions of the owners. But the new enactment has done away with this safeguard and thrown the workers at the mercy of the management. This is applicable to more than 90% of the total work force who will be left without protection. According to Annual Survey of Industries 2014-15, if one looked at the organized sector, the number of industries appointing 100 or more workers was just 7.2%. The number of industries appointing 300 or more workers was only 1.2%. With the promulgation of new Industrial Relations Bill, the applicability of Industrial Disputes Act is drastically reduced.

Further the new Code has totally freed the managements from furnishing a standing order. The earlier existing Industrial Employment (Standing Orders) Act, 1946, made it mandatory for the employers of an industrial establishment where 100 or more workers are employed to clearly define the conditions of employment and rules of conduct for the workmen and make them known to the workmen employed. Now it has been abandoned. Standing order was enacted in 1946 in order to standardize the terms and conditions of service across various occupations so that the employer cannot arbitrarily change or determine the terms and conditions of service. It also provides for employment security against arbitrary dismissal by the employers by framing any kinds of allegations. It is to be noted that upto now the existing legal norm has been that no standing orders signed between the management and the workers' representative could violate the model standing orders put out by the labour ministry. This acted as a great protection against unbridled exploitation by the owners. Now the standing order which mandates strict adherence to all these provisions are totally removed. So in this new situation what will be the fate of employees is anybody's guess.

### **The Biggest Onslaught on the Right to Strike**

The right to association and the right to strike which is an inalienable right of the working class has been restricted and diluted. More serious is the condition imposed on carrying out strikes. The time period of arbitration proceedings has been included in the conditions for workers before going on a strike as against only the time for conciliation at present. This means if the conciliation is on they cannot go on strike. After 7 days of conclusion of conciliation, they cannot go on strike.

Then the dispute will go to the industrial tribunal which takes still more time during which time they cannot go on strike. Only after 60 days of completion of all proceedings is legal strike allowed. Therefore by imposing such conditions the Code attempts to muzzle the voice of dissent of the workers and the unions.

Fixed term employment has been introduced under which the employers are given the absolute right to hire workers for a fixed term by denying them continued service even when the job is perennial in nature. Further under this Act the managements are not mandated to provide any social security benefits. This is nothing but legalization of hire and fire regime! Hitherto, the percentage of number of contract workers in organized sector was 35%. Moreover, appointment of contract workers for performing basic activities in the organized sector was banned. But now, any industry with 300 or more workers would be able to engage workers on contract for doing basic jobs and thereby keeping them out of the purview of Industrial Disputes Act. Moreover, in 2014-15, the average wage paid to a worker on contract in organized sector was Rs 8,500 was only 70% of what was paid to a regular worker. The new Code would empower the employers to appoint more and more workers on contract, thereby widening the gap between wage and labour.

### **Wage Code**

By redefining what constitutes an industry the new Code simply excludes all institutions owned or managed by organizations substantially engaged in any "charitable, social or philanthropic service", and such other services thereby denies protection and benefits to huge number of workers working in these establishments. Even "wage" has been redefined to deny wages to a worker as per the earlier provisions. It excludes a large proportion of the emoluments paid to a worker under the Industrial Disputes Act, 1947 like house rent allowance, the value of any house-accommodation, travelling allowance, overtime allowance and remuneration among others.

The Wage Code's promise—uniformity, transparency, reduced fragmentation—masks its core flaw: the floor wage has no statutory link to living costs. A wage floor without inflation-proofing or nutrition benchmarks becomes a policy tool to institutionalize poverty wages.

### **The Code on Occupational Safety, Health and Working Conditions**

Certain existing provisions offering protection to the workers have been removed and new specifications are prescribed. The legal workday remains eight hours—but the introduction of “spread-over” enables twelve-hour shifts. The Code has also proposed employing women in all establishments for all types of works between 7 PM and 6 AM, brushing aside the widespread concern for women’s safety.

Further the protections for contract workers have been removed in establishments hiring more than 20 workers by increasing the threshold limit to 50 workers, which means two-thirds of the industrial establishments which hire more than 20 workers, but less than 50, will be left out of the purview of any legal benefits.

In a country where heatwaves kill workers on construction sites and industrial accidents are routine, longer workdays are not productivity reforms. They are a death sentence written into law.

### **Code on Social Security Bill, 2020**

Under Social Security Code only organized workers are taken into consideration. Unorganized sector workers working in establishments having 10 or less workers are considered as a separate category. This means the new Code provides two types of social security for two categories of workers, organized workers and unorganized workers. Further the new Code has recommended constitution of a National Social Security Board which in turn will recommend to the central government suitable social security schemes for different sectors of organized workers. For GIG workers (workers engaged in non-traditional works consisting of income-earning activities outside the traditional, long-term employer-employee relationships), social security fund will be raised by both the aggregators and GIG workers. GIG workers will have to shell out up to 5% of their salary amount while the aggregators will contribute just 1-2 % of their turnover.

The replacement of labour inspectors with “Inspector-cum-Facilitators” represents another ideological shift: from enforcement to persuasion. Employers can “compound” wage violations—paying fines instead of facing prosecution. Wage theft becomes a business expense—not a crime.

### **Great Marx’s analysis Vindicated**

Thus it can be seen that these legislations give a free hand for hiring and firing workers, snatch away existing labour protections and infringe upon their right to strike. On the other hand it rolls out red carpet to the profit-hungry corporate sharks under the garb of ‘ease of doing business’. Great Marx had shown that the labour contract under capitalism is never neutral: it is a formal legal fiction that hides an economic reality—workers must sell their labour to survive, while capital buys labour to dominate.

The newly notified Labour Codes deepen this contradiction by:

- Weakening collective bargaining.
- Expanding employer prerogative.
- Increasing the reserve army of precarious workers.
- Legalizing flexibility as the organizing principle of production.

### **Fascist Autocratic Onslaught Must be Thwarted**

As we know, more crisis-ridden is imperialism-capitalism because of its inherent law of operation, more fascistic becomes its rule with a view to saving the crisis-ridden, chaos-discredited capitalist order from collapse in the face of mounting dissatisfaction of the people against the existing system, as well as to stave off revolution by an anticipatory move. This analysis was provided by Comrade Shibdas Ghosh, founder General Secretary, SUCI(C) and an outstanding Marxist thinker of the era way back in 1962. And the brunt of the capitalist crisis is squarely passed on to the toiling masses the oppressed working class included. And if the labour movement is not conducted along the right track under correct revolutionary leadership, the intensity of oppression mounts.

These labour Code Bills, it must be understood, are a part of anti-people capitalist globalization and liberalization policies which have cast dark shadows on all the category of the workers, whether organized, or unorganized, whether contract workers or construction workers or GIG workers.

So, at the first opportune moment, particularly if the labour movement is not in its desired ferment and the social democrats, the compromising force between labour and capital, whom great Lenin called labour-aristocrats, have their sway on the working class movement—the capitalist rulers seizing that opportunity, seek to nullify in one stroke the hard won rights and protections of the workers won over decades of struggle.

But the capitalist rulers and their servitors like the BJP, Congress etc., forget the inherent irreconcilable contradiction: when workers are stripped of rights, they gain something more dangerous—clarity which spurs them on to launch higher forms of struggle to protect their rights.

## **SKM and AIKKMS movement against Jindal-Posco Project in Odisha**

*Comrade Satyawan, President of AIKKMS addressing at Mass gathering at Jamunaposi village, Keonjhar, Odisha, Immediately after that he alongwith other leaders were abducted and detained in Police Station. (Report on p-6)*

## **Higher education is on the verge of annihilation**

The Octopus, a marine creature, tightly holds its prey with eight arms. The National Education Policy–2020 (NEP 20) can be compared to this mollusk metaphorically, as this policy is unleashing attacks across all spheres of education to convert education into a marketable commodity. In the previous issues of the *Proletarian Era*, we have dealt with its dire consequences at the school level and also with the ominous effect of vocationalization of education. After striking the hardest blow at the elementary level, the architects of the NEP-2020 didn't spare higher education either. Rather, they invented newer methods to annihilate it. Let's begin with the National Credit Framework (NCrF).

### **What is NCrF?**

The National Credit Framework (NCrF) is proposed by the NEP-2020, which will encompass all elementary, secondary, higher, and vocational education & training institutions. All central and state school boards, central and state open school boards, universities, and autonomous colleges have to follow this NCrF. It will completely change the time-tested scientific method of education. Previously, there were academic learning and vocational learning (in a limited sphere). Again, there was no way to combine these two types of education, nor is it scientific to exist. But according to the NCrF, the students can earn credit points from academic, vocational, and experiential courses. The Vocational Education System will provide long-term and short-term professional or vocational courses. The students can earn extra credit points from these vocational courses. A student can easily transfer her credits to academic courses without any previous knowledge in those subjects. Even if a student completes a two-year ITI course and earns 80 credit points (40+40), she can get direct admission to the UG-2, bypassing the UG-1. This is nothing but admixing of academic and vocational education, and a boost for vocationalization of education. The NCrF has also introduced an Experiential Education System. The Framework has said that a student can earn credit points from her experience and ability at four levels (Trained, Proficient, Expert, and Master) working in a commercial company. The educational institutions collaborating with such companies will provide the credit points. For example, a motor mechanic can earn credit points after completing the four levels working in a workshop. A student can achieve credit points from experiential learning through informal learning, non-formal learning, and even NGO

activities. Those credit points can be transferred to academic or vocational streams also. Hence, it is easily understandable that the aim of education will be totally replaced by the target to train up a generation who will serve the corporates.

### **Academic Bank of Credit**

According to the NEP-2020, the credits achieved by a student from the school level to the PhD level will be preserved in the 'Academic Bank of Credit' (ABC) and will be valid throughout her career. Every student in this country will have to open this account. It will be like a bank account. The difference is that no credit will be deleted or withdrawn from the ABC. A student can change her stream or discipline as well as her institution at any time in her educational career. The credits achieved there will be deposited in the ABC. The advanced capitalist countries like the USA or the European countries have already introduced this credit-bank system. It's complementary to the market economy, which treats education as a profitable commodity. The credits earned by a student can be used at any 'education market' just like a customer uses her credit card at a departmental store anywhere in the world. So, this ABC is to help with the sale and purchase of education. A student can transfer her credit points to any foreign institution, paying millions of rupees.

When this method has not been completely introduced yet in a country like the USA, how is it possible to apply it in a big country like India, where there are numerous boards, inconsistent schedules, delays in the publication of results, overlapping semesters, and in many cases, corrupted administrations? How can we expect that the credits of crores of students will be properly recorded in the ABC decades after decades?

Secondly, according to the NEP-2020, the sole objective of a student will be to earn credits. Our ancestors taught us that education is the means to acquire knowledge. The Renaissance upheld that man-making, character-building should be the aim of education. But capitalism, like all other human creativities, degraded it to a method of achieving some credits.

Thirdly, we have all forgotten our school results. In some examinations, we performed well. In some others, we couldn't score satisfactorily. But the ABC will record every detail of our performance from the elementary to the highest tier of education. How many of us desired such an engraving of our entire educational career?

### **Credit based on teaching hours**

The new policy is entirely based on a credit system. But what is the definition of 'credit'? How will it be evaluated? The credit points will not be determined by the theoretical and practical knowledge of a student acquired in a certain time period. Rather, it will be calculated depending on the educational hours a student spent at different levels of education. For example, a student from pre-primary level to Class II (a total of 5 years) has to complete 800 learning hours/year and get 27 credits in each. Similarly, from Class III to Class V, 1000 learning hours/year and will get 33 credits, and from Class VI to PhD level, 40 credits/year for completing 1200 learning hours every year.

So, it's a tale of learning hours. Go to the institutions, join classes, do some laboratory work, participate in field surveys, attend seminars, and sit in the examinations, you will get credit points. Your performance has no value. The credit points are equivalent to learning hours, and not an evaluation of the student's knowledge.

### **Multiple Entry and Exit Gate**

The NEP-2020 has suggested as well as introduced a 'multiple entry and exit system' in all levels of education. It means that a student can change her institution at any level of education. In the existing system, there is a provision for migration if required. Then what is the purpose of such multiple entry and exit gates? Its purpose is to make the student a customer of multiple education sellers. The system encourages the students to change their institutions. This approach may flourish the education business, but destroy the age-old teacher-student relationship, replacing it with a customer-provider relation. Is it at all desirable?

## Multi-disciplinary CBCS

Long before the introduction of the NEP-2020, the education ministry had been advocating the Choice-Based Credit System (CBCS). It is a multi-disciplinary system. When the modern education system developed after the Renaissance, both in Europe and in India, certain disciplines or streams were followed. These are: Science, Commerce, Humanities, Visual Arts, Engineering & technical education, Law, and medical sciences. A particular discipline is made up of a combination of a few correlating subjects. They are not only interdependent, but also provide a comprehensive knowledge. For example, the discipline of science is formed with physics, chemistry, mathematics, etc. Humanities are made up of history, political science, philosophy, etc. If the multi-disciplinary system is introduced, a student can earn credit points by taking subjects from any discipline. But what is its necessity? Will the knowledge in political science help a student of physics? Or, will the study of chemistry help a student of history? Certainly not. An educational institution is not a grocer's shop.

### Online or Blending mode encouraged

The NEP-2020 has given the option to change the mode of education. A student who is presently studying in Offline Mode (classroom education) can continue her studies in Online Mode or ODL (Open & Distance Learning), or Blending Mode (both Offline and Online Mode) next year. It's detrimental for proper understanding of a subject.

### Four-year Undergraduate Programme (FYUGP)

The NEP-2020 has introduced the Four-Year Undergraduate Programme (FYUGP), replacing the traditional three-year degree course. But neither the NEP-2020 nor the education ministry has clarified the necessity of the four-year degree course. This policy is implemented hurriedly throughout the country without any infrastructural development. The colleges and universities are already suffering from a shortage of regular teachers, insufficient classrooms, inadequate libraries and laboratory facilities. Therefore, an additional year at the undergraduate level has become an overburden in most institutions.

From UG-1 to UG-4, a student has to complete 40 credits (plus 4 credits from vocational courses) each year. If a student leaves after UG-1, she will get an *Undergraduate Certificate*. After UG-2, an *Undergraduate Diploma* will be given. If the student leaves education after this level, she can take readmission within 3 years at any college/institution, and she has to complete the four-year degree course within a maximum span of 7 years. Similarly, after UG-3 a student will get the '*Bachelor's Degree*'. And finally, after UG-4, the '*Bachelor's Degree with Hons./Research*' will be awarded if a student achieves 160-176 credits in total. If a student performs research work at UG-4, she will get 12 credit points. But Honours students not undertaking research will do 3 courses for 12 credits in lieu of a research project /dissertation. Therefore, a student taking a research project will skip those theory papers. So, it's evident that a student receiving a *Bachelor's Degree with Honours/Research* will be provided less theoretical knowledge! What a system!

Moreover, if a student gets the Bachelor's degree with Honours/Research and scores 75% marks, she will be directly eligible for her PhD. The one-year master's course will not be needed for him/her. Unless he/she has to complete the one-year master's course to be eligible for PhD.

What a peculiar policy! So, a student is eligible for the PhD course without doing a master's! The advocates of NEP-2020 will say: They are qualified. They have done research projects during UG-4. But, how many colleges have proper infrastructure, research guides, and other necessary arrangements to conduct research work in all subjects? Certainly, very few. And the private institutions are waiting for this grand opportunity. They will welcome the students with a grand fee structure.

## **Truth of semester system**

Following the guidelines of NEP-2020, the education department has introduced a 90-day semester system. An educational year is divided into two semesters. Hence, there will be a total of 8 semesters in the four-year degree course. But, instead of 180 days, each semester will get only 90 days! It is very tough to complete the syllabus in such a short time. Besides this, there will be a compulsory eight-week (around two months) internship or vocational education or training during summer vacation.

So, the total education period is shortened from 12 months to only 8 months (among which there is a two-month compulsory vocational education)! Naturally, it raises the question: what is the plan for the rest four months? The semester system was projected as a new method of pedagogy.

Dividing the syllabus into short modules may initially be helpful for a student, but it is often noticed that the student in the fifth semester has forgotten the topics of the first semester. The semester system has practically become a 'study and forget' method. The semester system has increased fees, reduced educational hours, complicated the examination process, and hindered the process of acquiring comprehensive knowledge.

### **NEP-2020 —a blueprint for privatization and commercialization of education**

The NEP-2020 is a blueprint for the privatization and commercialization of education. What the NEP-1986 started four decades ago, NEP-2020 is completing the task on a wide scale. The BJP-led central government, an obedient servant of the Indian capitalist class, is making all changes to ease its implementation. The heads of the UGC, AICTE, NEET, NCrf, CBSE, NCERT, and other governing bodies are their stooges. All chancellors, vice-chancellors must either follow the policies; otherwise, their institutions will not get the grant or government funding. The government-aided colleges are now vacant. The government will soon argue why people's money will be wasted by paying salaries to teachers and professors in colleges and universities that are without students. As a result, they will be closed. Teachers will be removed. Those posts will be obliterated forever. And the private education business will boom.

## **What is to be done?**

The question is, will we accept it? Or will we resist this onslaught? There are protests all over the country. Students, teachers, intellectuals, educationists, and social activists are on the streets. The parliamentary political parties are silent. However, the Save Education Movement is developing in the country.

The All India Save Education Committee has prepared a draft of 'People's Alternative Education Policy-2025'. Opinions are being collected across the country. With these views, the People's Parliament will be held in Bangalore on January 24, 2026. This movement is a ray of hope. This is a silver-line in darkness.