

Journal of Social and Economic Development

Vol. 14

July-December 2012

No. 2

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Labour Market Regulations and the Prospects of Social Partnership in India

Vidu Badigannavar

Abstract

The economic reforms in India which began in the early 1990s have created a rather polarized debate over labour market reforms. The proponents of labour market de-regulation have argued that the existing regulatory framework disproportionately favours organised sector workers and their trade unions and thus perpetuates labour militancy and industrial conflict. However, the critics of such legislative reforms point out the limited coverage and protection offered by the existing labour laws to workers and unions, which makes labour vulnerable to employer excesses. The National Commission for Labour (2002) appointed by the Government of India comes favourably on the side of advocates of labour market reforms. In doing so, the Commission proposes labour-management partnership as a route to industrial harmony and economic prosperity. Using data from a union survey and a review of judicial interpretations of key labour laws in India, this paper critically examines two key issues. First, whether the labour law framework in India is indeed biased in favour of workers and unions at the expense of employers? Secondly, what are the prospects of labour-management partnership to take roots in the current regulatory framework? Findings indicate that the existing labour regulatory framework in the country is in fact biased in favour of employers rather than workers or unions. There is growing evidence of employer militancy and not labour militancy since the launch of economic reforms and, overall, the prospects of labour-management partnership in India are bleak.

In the Margins: Environment, Resources and Livelihoods in the *Appiko Chaluvalli*

Manisha Rao

Abstract

This paper is an attempt to understand an environmental movement, specifically the Appiko Chaluvalli of Uttara Kannada district of Karnataka, India. This movement played an important role in saving the forests of the Western Ghats, one of the biodiversity hotspots of the country in the 1980s. The Appiko Chaluvalli was a spontaneous movement started by the local communities who struggled collectively against all odds to regain control over productive natural resources and to defend their livelihoods and lifestyles. Some of the larger questions that are raised through this paper are: Is this movement different from other environmental movements? What does this movement tell us about environmental movements in general?

Financing Elementary Education in Himachal Pradesh: Lessons other States can Learn

Anugula N Reddy

Abstract

Himachal Pradesh has been appreciated for its achievements in universalisation of elementary education in defiance of conventional labelling common to North India. The latest Public Report on Basic Education (PROBE) survey describes the persistence of its achievements as an ongoing schooling revolution. Many explanations like gender parity, community participation, etc. have been offered for its superior achievements in school education. This paper looks at financing of elementary education and the priority accorded to education and elementary education in comparison with a few select north Indian states. From the comparison, the paper brings out the high priority accorded to education in Himachal Pradesh to the fore and argues that it is this priority that enabled other factors to contribute to the achievement of universal elementary education. The paper asserts that the lessons to be learned from the experience of Himachal Pradesh precisely lie in this.

People's Responses to the State Policies of Resettlement: The Case of Ultra Mega Power Plant in Orissa

Anand Akundy and Sujit Kumar Mishra

Abstract

This article presents a glimpse of the intense agitation against the proposed Ultra Mega Power Plant in Sundargarh District of Orissa. It discusses the root causes of agitation in the three subsequent Gram Sabhas conducted in the district. The findings of this paper are based on the authors' personal observations followed by interviews conducted with different categories of people in these areas. The paper eventually concludes that consensual decision by the planner and the affected people regarding adequate and just compensation is the only remedy to any kind of resettlement plan.

Constraints and Capability Achievement

Shankaran Nambiar

Abstract

Amartya Sen's capability approach emphasises the importance of freedom and choice in leading the life that one values. This paper seeks to argue that, nonetheless, the capability approach is fully cognisant of the constraints that restrict individuals from achieving capabilities. The fundamental concepts upon which the capability approach is built do take into account the different constraints that limit the flowering of capabilities. It is useful for the capability approach to draw upon institutions because the achievement of capabilities is set within a social context. Also the constraints to the attainment of capabilities are often of a social nature. An account of the capability approach that places adequate stress on the constraints that confront individuals and the institutional context in which they operate will not only describe their situation more accurately, but will also be of more use for policy purposes.

Moral Responsibilities of Business

M V Nadkarni

Will Indians Stop Eating Pulses?

Gurushri Swamy

Abstract

Protein is an important component of good nutrition. Per capita consumption of protein in India has declined in rural areas and stagnated in urban areas, and there are wide differences between expenditure groups. The main sources of protein in the Indian diet remain cereals and pulses; the per capita consumption of both has declined stagnated. The consumption of other protein rich foods i.e. milk, eggs and meats has increased somewhat, but remains low, and skewed towards the higher expenditure classes. Pulses therefore remain a critical source of protein for the lower expenditure groups and vegetarians. The area, production and yields of pulses have, at best, stagnated for decades. Imports have increased sharply but domestic prices continue to rise. The government's recent efforts to increase the area and production through the Food Security Mission and "Pulses Villages" programmes do not seem to be producing consistent results. What are the issues and options?