

GLOBAL ECONOMIC CRISIS AND LABOUR: NEED FOR BROADENING THE BOUNDARIES AND FRONTIERS OF LABOUR LAWS*

Binoy Joseph

Abstract

This paper makes an attempt to assess the impact of the global financial crisis on both the Indian economy and the Indian labour force. Recession set off with the collapse of the US investment bank, Lehman Brothers leading to heavy losses in Asian stock markets. The turmoil in the US credit markets has affected other countries too, including India. There have been major job losses in the banking, financial, insurance segment and the IT–BPO sector. On the whole about 1.5 million job losses have been recorded for the year 2009. The global financial crisis has caused obvious issues in the private sector as to discharge, retrenchment, redundancy, closure, the rights of workers against insolvent companies and programmes dealing with unemployment. The labour laws in India, enacted to protect the interests of the labour, have been ineffective as illustrated by their implementation in the BPOs and SEZs in India. In the context of the global financial crisis, a comprehensive view on labour market reforms is required, one that addresses the need of both employers and workers, and includes the unorganised sector as well.

Introduction

The world economy was guided by neo-liberal economic policies such as openness to trade, foreign direct investment and financial capital flows, and the removal of government regulations in financial markets, goods

Binoy Joseph, Lecturer (Selection Grade), Department of Human Resource Management, Rajagiri College of Social Sciences, Rajagiri P.O., Kalamassery, Kochi – 683 104, India. Email: binoyjoseph@rajagiri.edu.

and labour markets. These policies reduce the role of macroeconomic policy interventions with the claim that free market capitalism would increase efficiency and growth, and provide a fair distribution. Increase in the mobility of capital and stagnation in aggregate demand have been the central powers behind this synchronised development. Stagnation in demand led to higher unemployment and eroded the bargaining power of labour. In the meantime, increase in the mobility of capital has not only contributed to this erosion in the bargaining power of labour, but also increased the fragility built in the capitalist system by increased financialisation and speculation. This, coupled with the tight fiscal and monetary policies, and decrease in the labour share in income, set the conditions for the vicious cycle of deficient aggregate demand, low growth, low employment, and a crisis prone global economy. Financial fragility in a deregulated global economy and this vicious cycle have been the structural causes of the current global financial crisis (Onaran 2009).

Till now, management of the financial crisis has been placed primarily in the hands of those who allowed the crisis to happen. Investors and financial institutions have received government support at tax payers' expense while the needs and interests of other victims of the crisis have been, for the most part, neglected. Political forces have allowed the crisis managers to shift the burden of the crisis to workers and tax payers (Scherrer 2009).

The objectives of this paper are (i) to assess the impact of the global financial crisis on the Indian economy, (ii) to analyse whether the present labour laws in India are sufficient to meet the new challenges effected by the financial crises on employment, especially layoffs and retrenchments in Indian business process outsourcing (BPO) and information technology enabled service (ITES) industry which is a highly unorganised sector, (iii) to draw illustrations on the implementation of the labour laws in the BPOs and Special Economic Zones (SEZs) in India and (iv) to look into some practical solutions to the problems and give suggestions with regard to the need for extending the boundaries of inclusion of labour in the unorganised sector, especially in the BPO and ITES industry in India under the gamut of the various labour laws in the country.

Global Financial Crisis and its Impact on Indian Economy

The collapse of the US investment bank, Lehman Brothers led to heavy losses in Asian stock markets. Over a thousand staff employed in Lehman Brothers' office in India lost their jobs. Many information technology companies which had their employees working in Lehman Brothers' projects were either redeployed or retrenched. The turmoil in the US credit markets has had devastating effect globally. The banking, financial services and insurance (BFSI) segment's meltdown was severe even in India (Hans 2009). India's realty has also suffered although its impact has been less compared to that in the US and Europe. In cities like Bangalore and Chennai the demand in this sector has fallen by about 25 per cent from the pre-meltdown level. Apart from housing sector, a few other sectors that have been hit are the travel, tourism and hotel industries. They have in fact been double hit: by the 26/11(Mumbai terrorist attack) incident and by economic slowdown. India's tourism industry accounts for nearly 8 per cent of the country's annual national income. The target of doubling that figure through fiscal 2010 looks quite difficult (Mishra 2009).

Then there is the human angle in job losses. Job losses and wage-cuts have already set in. Job loss due to the current crisis could be anywhere between 35,000 and 50,000 people in the Indian IT industry alone over the first six months of the financial year 2009. An estimated 1.5 million jobs have been lost through 2009, with financial services, BPO and knowledge process outsourcing (KPO) outfits, textile garments, exports and automobiles being the worst hit. Domestic slowdown and global meltdown combine to hit output, incomes, and investments forcing companies to shed for survival (Mishra 2009).

Labour Law Reforms on the Anvil

India is known for its stringent labour laws. The current global financial crisis seems to have forced policy makers to take another look at these laws and their impact on employment. India's Ministry of Finance presented the report of the economic survey (2008-09) for the year to the Parliament in July 2009. The survey is an annual exercise taking stock of

the economy and suggesting the way forward. What caught everyone's attention this year was the discussion on labour issues: labour laws and the emerging skill shortage. Taking note of the global crisis and its impact on the Indian economy, the survey highlights the urgent need to create more employment by reviewing labour laws. It notes that "there is an imperative need to facilitate the growth of labour-intensive industries, especially by reviewing labour laws and labour market regulations. This is particularly important in reversing the current, not-so-encouraging manufacturing employment trends" (Government of India 2009: 223).

India's labour regulatory structure does not have the flexibility to commensurate with a buoyant, growing economy. For firms in the organised sector having more than a certain critical number of labourers it is extremely hard to retrench workers or downsize the labour force. At first sight this looks like a pro-labour legislation, one that protects the interests of workers. But on closer scrutiny, it can be argued that most potential firms are far-sighted enough to realise that, once they become sufficiently large in terms of employment, if they later need to retrench workers because the demand for their product slacks off, they will not be able to do so easily. This is likely to prompt them to remain small or not to go into business at all, since all laws also play an expressionist role whereby they affect behaviour beyond the actual ambit of the law. Hence it is arguable that our labour laws, such as the Industrial Dispute Act of 1947 (IDA), if appropriately reformed, can lead to a greater demand for labour, and thereby improve economic well-being of workers (Government of India 2010: 31). As a counter argument to this it has been suggested that, since most of these laws apply to the organised sector and India's organised sector is miniscule, changes in this law are likely to have negligible effect one way or the other. However, it can be argued that the causality goes the other way around. India's organised sector would grow if, in keeping with the times, we could amend the labour regulatory system, which would also influence the culture and custom of the labour market and encourage employment in the organised sector.

There are two different ways in which workers can gain power. One is through the conferring of rights to them and the other is by creating market conditions that result in more demand for labour and thereby increase

the ability of workers to ask for more and realistically expect the demands to be satisfied. In India, while there has been appreciation of the former, justice has not been done to the latter. The need is to bring these laws into the public space for open discussion and the weighing of the available scientific evidence, and then take decisions based on what emerges from such an exercise (Government of India 2010: 31).

Employment opportunities were affected by the global financial crisis and economic slowdown in India. While comprehensive employment data for the current financial year are not available, some sample surveys conducted by the Labour Bureau, Ministry of Labour and Employment, indicated employment losses in the wake of the global financial crisis and economic slowdown. The government was concerned about the possible impact of the global financial crisis on the Indian economy, including employment, and several measures, financial and fiscal, were taken (Government of India 2010: 276). The major specific measures recommended in the economic survey report (2008-09) are on the issues of retrenchment of workers, contract labour law and working hours (Government of India 2009: 34).

Retrenchment of Workers: At present prior permission of the government as per chapter V of the IDA is needed for retrenchment of workers. The survey recommends abolishing this procedure with simultaneous increase in compensation from the present 15 days' wages for every year of service. According to chapter V of the IDA "the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay (for every completed year of continuous service) or any part thereof in excess of six months" (Mathew and Johnson 1999: 262).

Contract Labour Law: The survey recommends amendment of the Contract Labour (Abolition and Regulation) Act, 1970, section 10 (1), which prohibits employment of contract labour. Section 10 (1) states: "Notwithstanding anything contained in this Act, the appropriate government may, after consultation with the Central Board, or as the case may be, a state Board, prohibit, by notification in the official Gazette employment of

contract labour in any process, operation or other work in any establishment” (Mathew and Johnson 1999: 136). The amendment suggested by the economic survey report allows use of contract labour in non-core activities or when the activity is of intermittent nature during the year.

Working Hours: Amendment of the Factories Act, 1948 on the working hours is another recommendation of the survey report. As per chapter VI, section 51 of Factories Act, 1948: “No adult worker shall be required or allowed to work in a factory for more than forty-eight hours in any week”. Section 54 states about the daily hours: “Subject to the provisions of section 51, no adult worker shall be required or allowed to work in a factory for more than nine hours in any day.” Section 55 states: “Intervals for rest, the periods of work of adult workers in a factory each day shall be so fixed that no period shall exceed five hours and that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour.” Section 56 states that “the periods of work of an adult worker in a factory shall be so arranged that inclusive of his intervals for rest under section 55, they shall not spread over more than ten-and-a-half hours in any day” (Malik 1999). In the proposed amendment to the above provisions of the Factories Act the economic survey report recommends increase of workweek from 48 to 60 hours and daily limit from nine to 12 hours in order to meet seasonal demand through overtime.

The above recommendations suggest a modest and cautious start towards the contentious and politically sensitive issue of labour reforms in India. Amendments to chapter V of the IDA and the Contract Labour Act, 1970 are an attempt to introduce two kinds of changes in the laws governing the labour market. The first is giving greater freedom to the employers to retrench or lay-off permanent workers by diluting the provisions under chapter V of the IDA (i.e., to introduce hire-and-fire practice) and the second is expanding the scope of employing contractual or casual labour in greater number of jobs as well as industries. Enhancement of weekly work-time envisages the labour flexibility with regard to duration of daily work. These measures, it is argued, would impart the required “flexibility” to the Indian labour market, which would enable higher growth and employment generation.

Flouting of Labour Laws in BPOs and SEZs in India

Even though the labour laws in India are considered to be of pro-labour approach, the spirit of it is watered down through poor implementation and enforcement. This is illustrated with examples from BPOs and SEZs in India.

Restructuring, cost-cutting and other associated trends in Indian industry in recent years have had a major impact on workers in India. The channels of cost-cutting adjustments across industries mainly aim at flexible labour by recruiting more labour on contractual basis. With increased casualisation under labour market flexibility, there appears to be steady deterioration in the wellbeing of labour in the age of competitive capitalism. Clearly it is labour which bears the brunt of structural adjustments under economic reforms in order to make room for capital especially in the areas of outsourcing like SEZ and BPO centres, and Export Processing Zones (EPZs).¹ EPZ is where imported raw materials and components are processed for export without paying duties and with a minimum of customs regulations. The study by Murayama and Yokota (2009) calls for an immediate and comprehensive review of the labour and gender conditions in Indian SEZs where workers are in a disadvantageous position not only against capital but also in comparison with workers in South Korean and Bangladeshi EPZs/SEZs.

India was the first country in Asia to set up an EPZ in the form of the Kandla (Gujarat) EPZ, established in 1965. Despite its early engagement with the EPZ concept, India, unlike South Korea and Taiwan, has not been seen as a notable proponent of 'successful' cases of EPZ in Asia. It is often argued that India failed to attract foreign investment as a result of strict government controls, although the situation improved slightly with the establishment of the Santacruz Electronics EPZ (Maharashtra) in 1974, which has contributed to the country's exports of electronics products (Wong and Chu 1984: 5-7; Rondinelli 1987: 94).

The SEZ Act 2005 sets creation of employment opportunities as one of the guidelines for notifying SEZs along with (1) generation of additional

economic activity, (2) promotion of exports, (3) promotion of domestic and foreign investment, (4) development of infrastructure facilities, and (5) maintenance of the sovereignty, integrity and security of India, and friendly relations with foreign states. Earlier, and in contrast to EPZ policy in countries with smaller economies, employment generation was not a key EPZ objective in India, as the impact of the additional employment created by the EPZs was not very significant (Currie 1979: 14; Kundra 2000: 78). The shift in focus is very likely a reflection of the state's concern with "jobless growth." The actual potential of the SEZs for employment generation is another matter, and that needs thorough examination. At present, it is still too early to investigate the employment creation capacity of the newly created SEZs which are assumed to be distinctively different from the earlier EPZs. The proportion of women workers in the Indian EPZs/SEZs is markedly lower than that in the EPZs of Bangladesh and many other countries. The low concentration of female workers in Indian SEZs is attributable to the availability of male workers willing to work under the conditions offered by investors and also reflects regional socio-cultural gender norms which discourage female employment (Mazumdar 2001: 165; Neetha and Varma 2004: 26).

According to Mazumdar (2001), incidence of industrial sickness is rather high in the Indian EPZs/SEZs. Along with fluctuations in export markets, this has resulted in job losses, especially of women. Mazumdar (2001) asserts that 80 per cent of the Noida EPZ workers receive less than the minimum wage. Another study, of Madras EPZ, concludes that young women who constitute the bulk of the workforce receive pay that is far below the minimum wage (PRIA 1999: 18). In the absence of a comprehensive survey of wages in the Indian EPZs, it is impossible to come to firm conclusions about levels of pay. Nevertheless, it is clear that by contrast with South Korea and Bangladesh, the wage levels of the workers in the Indian EPZs are not much higher than those outside the EPZs and that breaches of the minimum wage laws are not uncommon.

Under India's labour laws, trade unions can be formed and registered inside the EPZs. However, in practice attempts to organise the workers are discouraged by investors as well as by the zone authorities (PRIA 1999: 21). Companies in EPZs in India have been granted public

utility status by the respective state governments under the IDA, which prohibits recourse to strikes without conciliation. Moreover, other rights available to workers are often subject to a series of restrictive practices. It has been pointed out that responsibility for industrial dispute resolution within the zones now rests with the Development Commissioner, an executive chief of each EPZ who is appointed by the central government's Ministry of Commerce, and that this arrangement tends to function unfavourably to workers' interests (Mazumdar 2001).

India follows the global trend of feminisation of labour, although it is not as strong as it could be. The data in the matter reveal that the percentage of women workers in SEZ enclaves is significantly higher than in the organised sector and also slightly higher than in the unorganised sector. However, the percentage of female workers in SEZs/EPZs declined particularly after 1996. It is also revealed by the studies that there is very high level of casualisation and contractualisation of workforce in SEZ enclaves and therefore the workers are very easily hired and fired as and when required. This practice has created a pool of experienced workers in the labour market, who are available to labour contractors as reserve army of workers for these industries (PRIA 2000; Mazumdar 2001; Neetha and Varma 2004).

The labour is even more expropriated when industries are generally trade oriented, especially in terms of export orientation. A further relaxation in labour laws in India must be seen as detrimental to workers who are already in a more disadvantageous position vis-à-vis management and state agencies compared to South Korean and Bangladeshi EPZ workers. Although the central government stipulates that all labour laws are applicable to SEZs, several state governments have made amendments with respect to the applicability of labour laws. For instance, the Uttar Pradesh government exempted SEZs from the Contract Labour (Regulation and Abolition) Act, 1970 (Uttar Pradesh Government 2002). Therefore, the contract workers in SEZs in Uttar Pradesh will have no status in labour law. Most of the other states are also seeking to limit the application of the said act in terms of making the prohibition of contract labour applicable to only "core activities." The states are also seeking to limit the application of the act by

tinkering with section 31 of the act to allow the state government to declare SEZs as exempt from this act (Pratap 2009). Similarly, in Andhra Pradesh, SEZs are exempted from section 18 of the Minimum Wages Act and therefore employers in SEZs are not required to maintain registers and records giving the particulars of the persons employed, the work performed, wages paid and receipts given. SEZs are also exempt from section 11 of the act. Madhya Pradesh has proposed to exempt SEZs from the operation of the Minimum Wages Act, under section 26 (Pratap 2009). As labour is in the concurrent list of the Indian Constitution more such proposals are being tabled in various state legislative bodies for diluting the various labour enactments in order to lure more corporates to their territorial jurisdiction.

The study conducted by the V.V. Giri National Institute of Labour (an autonomous institution working under the Indian Labour Ministry) on the work life of BPO employees highlights that “the degree of surveillance required at work is even comparable with situations of nineteenth century prisons or Roman slave ships”. It also points out that the human resource managers “camouflage work as fun”. The institute’s study further says that workers at BPO centres are monitored round-the-clock with specially designed software and closed circuit cameras. “Even the time taken on attending each call is scrutinised and the employees are expected to take a certain number of calls on an hourly basis in some companies. In some companies, the person attending the call asks whether the client is satisfied with the response and asks for his feedback, which is again used to rate the employee’s performance (Babu 2004b).

The report by the labour institute has created a furore for bringing out the appalling working conditions in India’s hi-tech business process outsourcing companies. With several states in India exempting call centres from labour laws including the IDA there is a great concern over flouting of labour laws in these call centres. According to the Giri labour institute report, though the BPOs project good work environment, higher salaries and ample growth prospects, this is far from reality. Young graduates are made to believe that they have the best offer on earth, but once they are hired, their performance is constantly monitored and several warnings are issued if targets are not met. They are also asked to quit if they don’t meet the

company's high expectations. The institute had labelled the Indian BPOs as "sweatshops" (Babu 2004a: 492).

The Giri labour institute report draws parallels to popular model of work organisations followed in 1980's saying that the organisational structure of call centres is basically 'dualistic' with one set each of permanent and non-permanent workers. While the top managers form the core group, the young graduates form an easily replaceable group. Ingrid Christensen (2002), occupational health and safety specialist of the International Labour Organisation (ILO) said that the ILO "was looking at problems of internal environment in sectors, which provide high employment but take little care of environmental conditions. Criticising the design pattern of premises in which most IT and IT-enabled services are being carried out, ILO observed that the premises do not have features to prevent noise and air pollution." These charges from the ILO are in sharp contrast to the IT industry's claim that it has the best working conditions.

The major issues that arose in the employment relationships in SEZs and BPOs were the lack of clarity on the rights and obligations of the parties concerned, increased incidence of disguised employment relationships, and inadequacies or gaps in the legal framework. The legal framework needed to be fortified so that the gaps and inadequacies in it were filled. These gaps existed because some of the current transformations in the employment relationship, such as off-shoring and outsourcing had not been anticipated at the time of enactment of the legislations.

Labour Law and Unorganised Sector in India

The term 'unorganised' is often used interchangeably with the term 'informal', or employment in the informal sector. Strictly speaking, 'informal' is used to denote those forms of enterprise that are not governed by any legal framework like registration under Company Laws. Although it is quite logical that an 'informal' enterprise will employ 'informal'/'unorganised' labour, it must be remembered that 'formal' enterprises also have 'unorganised' employees, and in fact there is an increasing tendency to informalise employment relationships in the formal sector (Moghe 2007).

Labour laws in the country are not universally applied and exclude several groups of workers or groups of establishments from their scope. It is generally the formal or organised sector (typically the large scale manufacturing and service sector) that is covered by labour laws. For instance, the judicial interpretation of an “industry” as defined in section 2(j) of the IDA covers only factories, mines, plantations or certain specific sectors. There are also other laws that exclude certain categories of workers from the provision of laws. The labour laws variously determine the minimum level of employment as condition for their applicability and so exclude vast numbers of smaller establishments. For instance, most establishments in India employ less than 10 workers and are thus below the threshold limit to be recognised under law. This aspect coupled with definitions of workers based on *functional* or *remunerative* criteria excludes certain categories of workers such as those in domestic work, those in managerial or supervisory levels, teachers and doctors whose work does not fall within the description of workmen or those earning above a certain ceiling, which results in limiting the coverage of labour laws. Casual workers and workers engaged by contractors are often excluded from the definition of ‘worker’ or ‘workman’ in these laws on the ground that they have not put in the requisite minimum eligibility period (in the case of social security benefits) or are not ‘employed’ (in the sense of being under direct control and supervision), and are thus not deemed to be within the scope of a ‘contract of service’ vis-à-vis the principal employer. As a result many labour laws, that provide various worker benefits, apply only to a small proportion of the workforce (Sankaran 2007: 3).

The informal sector, which is excluded from the labour laws, normally covers workers in agriculture and small-scale establishments, self-employed persons, and casual and temporary workers in the formal sector who are not covered because they do not have the minimum required period of employment in a given year to be eligible for benefits. Persons engaged on contract in running canteens, housekeeping, gardening, teaching on a clock-hour basis, and ‘outsourcing’ jobs such as data entry are other examples of employment in the unorganised/informal sector. They all belong to the category of the disadvantaged section of workers in India as far as the legal benefits are concerned. More than 50 per cent of workers in the unorganised/informal sector are self-employed and this is a factor to keep in mind while

formulating policies for this sector. The percentage of women is higher in the unorganised workforce than in the organised sector (Sankaran 2007: 4). In terms of overall employment, the report of the National Commission for Enterprises in the Unorganised Sector (NCEUS), also known as the Arjun Sengupta Committee, estimates that over 93 per cent of the country's working population is engaged in the unorganised sector. Yet, in spite of their vast numbers and their substantial contribution to the national economy, they are amongst the poorest sections of our population. It is therefore imperative that urgent steps are taken to improve their condition – this is the constitutional obligation of those who govern the country (Moghe 2007).

The low wage level in the unorganised sector is not the only problem with the conditions of work in this sector. The Arjun Sengupta Committee documents in some detail the poor working conditions in the unorganised sector. While the committee notes that “some of the attributes of the working conditions may not be easily measurable, and data on them may be speculative and subjective (such as ‘good, very good, bad and poor’)”, there are others (e. g., space, ventilation, temperature, humidity etc.), which can be measured and norms set. In India, the Factories Act (1948) has provided standards for some of these variables for the formal sector. There is ample evidence from case studies in the unorganised sector showing that not only are these standards not met, but generally conditions are deplorable in the place of work in terms of the variables that are not immediately measurable (Mazumdar 2008: 28-29).

Two national labour commissions, along with several other international and national commissions, committees and conferences in the last 50 years have documented the socio-economic conditions of workers in the unorganised sector in India. The first, the NCEUS (Arjun Sengupta Committee) submitted its report to the government of India in 2006 (Moghe 2007). The commission's report estimated that there are approximately 34 to 37 crore (or 340-370 million) workers in the unorganised sector in India, and that they contribute around 60 per cent to the national economic output of the country. Around 6 crore unorganised workers are in urban areas and around 28 crore in the rural sector, of whom an estimated 22 crore work in the agricultural sector. Women make up 11-12 crore, of whom around 8

crore are engaged in agriculture (Moghe 2007). The second National Commission on Labour (NCL), which was appointed in 1999, was, *inter-alia*, mandated to suggest umbrella legislation for the workers in the unorganised sector.

The Unorganised Sector Workers' Social Security Act, 2008 (Bill No. LXVII of 2008) seeks to apply itself to around 93 per cent of India's working population and to introduce a broad social security protection through various government schemes. This much awaited legislation has become a major force of the millennium and can be taken as a beginning – an opportunity to raise working class struggles to newer heights by involving crores of unorganised workers. It is for the working class and trade union movement to take up the challenge to create waves of bigger and bigger struggles for a really meaningful and comprehensive legislation for unorganised workers and agricultural labourers that can cover not only social security but also wages, rights, job security and conditions of employment (Ghosh 2009).

CONCLUSION

There is need for a cautious and balanced approach towards labour market flexibility; too much flexibility may be as bad as too much rigidity. The challenge before the Indian industrial relations system therefore is to devise a framework, which combines the efficiency of the enterprise with the interests of the workers. The problem with the entire debate on labour market reforms is that an integral view of labour market regulation is missing. Indian labour laws are so numerous, complex and even ambiguous that they promote litigation rather than resolution of problems related to industrial relations. It is better to simplify and rationalise the complex and ambiguous extant pieces of labour legislation into a simple code that allows for labour adjustment with adequate social and income security for the workers.

A comprehensive view on labour market reforms is required, one that addresses the needs of both employers and workers of both organised and unorganised sectors in the context of the global financial crisis. It is true that no one fully understands these crises, but there is enough research now for us to know that, if these fluctuations are to be kept within limits, there is

no escape from intelligent regulations. Regulation does not mean control. Controls do not work and complete free market does not work either. So the best solution is “market freedom with sound regulation”. To put it simply, the state should not decide what car you buy, but it should certainly decide how you drive (Kumar 2008).

Notes

*The earlier version of this paper was presented by the author in the International Association of Labour Law Journal Editors’ Annual Meeting at Sydney Law School, Sydney, Australia on 30 August 2009. The author would like to thank Professor P.K. Padhi, Xavier Labour Research Institute (XLRI), Jamshedpur and Professor Jacob Aikara, Rajagiri College of Social Sciences, Kochi for their comments on the earlier draft of this paper.

1. Different names such as EPZ, FTZ, SEZ and maquiladora are used in different countries to refer to similar institutions.

REFERENCES

Babu, P. R., 2004a, “Cyber Coolies in BPO: Insecurities and Vulnerabilities of Non Standard Work,” *Economic and Political Weekly*, Vol.39, No.5, 92-97

Babu, P. R., 2004b, *Labour in Business Process Outsourcing: A Case Study of Call Centre Agents*, Noida, V.V. Giri National Labour Institute

Currie, J., 1979, *Investment: The Growing Role of Export Processing Zones*, London, The Economic Intelligence Unit

Christensen, I., 2002, Seminar on Noise Pollution, organised by Department of ENT, Maulana Azad Medical College in collaboration with the Associated Chambers of Commerce and Industry of India (ASSOCHAM) on 18 May 2002, New Delhi, <http://www.business-standard.com/india/news/ilo-to-come-outnorms-for-bpos/229181/>, accessed on July 27, 2010.

Ghosh, P., 2009, "Unorganised Workers' Social Security Act, 2008 – A Critical Analysis," *JurisOnline.in*, <http://jurisonline.in/2009/08/unorganised-workers%E2%80%99-social-security-act-2008-a-critical-analysis/>, accessed on 19 August 2010

Government of India, 2009, *Economic Survey, 2008-09*, New Delhi, Ministry of Finance (Report presented in the Parliament)

Government of India, 2010, *Economic Survey, 2009-10*, New Delhi, Ministry of Finance (Report presented in the Parliament)

Hans, V.B., 2009, "Global Meltdown and India – Issues, Concerns and Challenges," paper presented at UGC sponsored National Seminar on India - Sixty Years in a Nation's Life, 3-4 April 2009, organised by Besant Evening College, Mangalore

Kumar, R., 2008, "Let's Get Practical," *Outlook Money*, 22 October, 12

Kundra, A., 2000, *The Performance of India's Export Zones: A Comparison with the Chinese Approach*, New Delhi, Sage Publications

Malik, P. L. 1999, *Industrial Law, Vol. II*, Lucknow, EBC Publishing

Mathew, S. and D. Johnson, 1999, *Manual of Labour Laws in Kerala*, Ernakulam, Em Tee En Publications

Mazumdar, D., 2008, "Dissecting India's Unorganised Sector," *Economic and Political Weekly*, Vol. 43, No. 6, 28-29

Mazumdar, I., 2001, "EPZs and Their Workers in India: A Study of the Noida Export Processing Zone," in A.S. Oberai, A. Sivananthiran and C.S. Venkata Ratnam (eds.), *Labour Issues in Export Processing Zones in South Asia: Role of Social Dialogue*, New Delhi, ILO

Mishra, L., 2009, "Impact of Mumbai Terrorist Attack on the Tourism Business – A Case Study of Agra," paper presented at the UGC sponsored national conference on Contemporary Tourism Development: Issues and Challenges with Special Reference to Goa, 12-14 February, Smt. Parvatibai Chowgule Cultural Foundation's College of Arts and Science, Margao, Goa

Moghe, K., 2007, "Understanding the Unorganised Sector," *Infochange India News*, <http://infochangeindia.org/200709206491/Agenda/Women-At-Work/Understanding-the-unorganised-sector.html>, accessed on 16 August 2010

Murayama, M. and N. Yokota, 2009, "Revisiting Labour and Gender Issues in Export Processing Zones: Cases of South Korea, Bangladesh and India," *Economic and Political Weekly*, Vol. 44, No. 22, 73

Neetha, N. and Uday Kumar Varma, 2004, *Labour, Employment and Gender Issues in EPZs: The Case of NEPZ*, Noida, V.V.Giri National Labour Institute

Onaran, Ö., 2009, "Globalization, Financial Crisis and Labour: What Can We Learn from the Previous Crises about the Effects of the Financial Crisis on Employment and Wages?," Paper presented at the International Conference on Financialisation of Capital: Deterioration of Working Conditions, organised by Global Labour University and Tata Institute of Social Sciences (TISS), 22-24 February 2009 at TISS, Mumbai

Pratap, S., 2009, *SEZ Rush in India: Challenges and Opportunities before Labour*, New Delhi, Centre for Education and Communication

PRIA (Society for Participatory Research in Asia), 1999, *Export Processing Zones in India and Status of Labour*, New Delhi

Rondinelli, Dennis A., 1987, "Export Processing Zones and Economic Development in Asia: A Review and Reassessment of a Means of Promoting Growth and Jobs," *American Journal of Economics and Sociology*, Vol.46, No.1, 89-105

Sankaran, K., 2007, *Labour Laws in South Asia: The Need for an Inclusive Approach*, Geneva, International Institute for Labour Studies

Scherrer, C., 2009, "Managing the Financial Crisis: Shifting the Burden on to the Speculators," Paper presented at the International Conference on Financialisation of Capital: Deterioration of Working Conditions, organised by Global Labour University and Tata Institute of Social Sciences (TISS), 22-24 February 2009 at TISS, Mumbai

Uttar Pradesh Government, 2002, "Uttar Pradesh's Government Policy: Simplification of Labour Laws," Industrial Development Department-6 (Annexure VIII-J, No.1932/77-6-02-2(SEZ)/02), <http://www.noidaauthorityonline.com/ANNEXURE8.pdf>, accessed on 12 August 2010.

Wong, Kwan-Yiu, and David K. Y. Chu, 1984 "Export Processing Zones and Special Economic Zones as Generators of Economic Development: The Asian Experience," *Geografiska Annaler*, Vol. 66, No.1: 1-16