



UNION POWER

NTUI

A monthly bulletin of the New Trade Union Initiative

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EDITORIAL

Capital’s ferocious attack on the working class at this time manifests itself most of all in the attack on the right to form unions. The ability of capital to trample over the right to freedom of association, with the able assistance of government, has given employers the twin ‘freedoms’ to refuse to recognise unions of workers’ choice and not to dialogue or negotiate with them.

This attack takes many forms. Workers who take the leadership to form unions are most frequently victimised. They are either suspended, or more frequently summarily dismissed, as happened at Hero Motor Corporation Limited’s Haridwar plant. Blue Dart Express Ltd has employed transfers and dismissals to terrorise workers as a consistent strategy. Amongst unions in the informal sector, and especially in rural areas, workers who try to unionise are threatened with police harassment and even have false cases slapped against them and their leaders, as with the leaders of the Jagrit Adivasi Dalit Sangathana in Madhya Pradesh in May 2013. Then there are states - including Haryana, Himachal Pradesh, Uttarakhand and Uttar Pradesh – where it is virtually impossible to register a trade union. Where workers do manage in the face of enormous adversity to hold their unity together and even register a union, employer use every strategy to destroy that incipient trade union. In these cases employers have been successful in getting government to take the leadership, with the use of its police force, to physically attack the democratic rights of workers. And finally where through enormous and sustained struggle workers have come to stabilise their union the employers have simply refused to negotiate with them and once again government has refused to use its powers under the Industrial Disputes Act, 1947 to ensure that the employer negotiates in good faith, and thereby in fact legitimised the employer’s ‘right’ to destroy industrial peace.

Winning the right to freedom of association remains a crucial fight if we are to resist capital’s onslaught. The right of workers to form unions is promoted by the country’s constitution [Article 19(1)(C)] and provided under the Trade Unions Act 1926. Further, the failure by an employer to ‘bargain collectively in good faith with the recognised union’ is an unfair labour practice under the Industrial Disputes Act. Yet the procedural provisions for implementing the law and its interpretations are at best vague, leaving open space for employers to promote employer promoted unions and undermine unions of the workers’ choice. With the exception of Maharashtra where the MRTU&PULP Act 1971 provides right to unions to approach the industrial court for grant of recognition thereby making it mandatory for employers to recognise a union where it presses such a demand, and West Bengal where the secret ballot is an accepted procedure, the procedure for union recognition remains open to interpretation through myriad codes of conduct and codes of discipline across the rest of the country. While in the case of the public sector courts increasingly accept that secret ballot is the only effective democratic mechanism for determining the union of workers choice, in the private sector courts have continued to favour the mechanism of physical verification of membership. This is not just open to malpractice, but also increasingly the mechanism for coercive pressure on union members both by employers and the government machinery.

In the absence of any democratic resolution to the right to freedom of association, workers have no choice but to resort to work stoppages, tool downs and strikes. Strike as a form of a long drawn out struggle has also however come under severe attack. First, the largest private employers have acquired the financial muscle, multiple

production facilities at green-field non-unionised sites, and out-sourced capacities to withstand strike action; while in contrast workers' ability to withstand long strikes has dwindled. Second, despite strike action employers are increasingly able to carry on the work by bringing in strike breakers. Unbridled use of contract labour in large numbers defying the Contract Labour (Regulation and Abolition) Act, 1970 has also facilitated this. And finally, the right to strike in itself has been challenged by government with the judiciary as a willing ally including by continually expanding the scope and redefinition of the notion of a public utility or essential service. This has been enabled by the shift in balance of force in favour of employers, with government effectively standing up for employers through the inaction of Labour Departments, and the excessive, high handed and unlawful action of the police force. The fear of repressive action by the police makes it impossible for workers to stop strike breakers. The limitations of long-drawn industrial action are instructive from the experience of the members of the Vishwa Kalyan Kamgar Sangathana at Bajaj Auto's Chakan plant who despite their incredible unity in militant action had to take a step back to rebuild their reserves. In cases where workers press ahead despite sustained threat from both employers and government, they are then met with unprecedented violence and repression from the police, backed by the treachery of the judiciary. We have witnessed this in the last five years at several locations, including at Pricol (Coimbatore), Graziano (Noida), Regency Ceramics (Yanam) and Maruti-Suzuki (Manesar). Where workers have been able to rebuild and sustain a resistance, they are drawn into litigation that has no end in sight, while the employers carry on repression without impunity, bringing into question the very survival of activists and their families.

Turning the tide to win back the right to form unions of choice is critical to reordering the balance of force, and shifting from defensive to offensive struggles, in facing capital's onslaught. We learn from the on-going struggles of the last five years that it is imperative that the fight-back is based on meticulous planning, careful preparation, and reservoirs of patience to sustain a long drawn, united and militant struggle that has the capacity to deploy multiple strategies to draw capital out into battle. To take the fight forward we must win the right of workers to form or join unions of their choice. With this we must win the right of workers to choose their own union through a secret ballot, and enforce the obligation that employers must mandatorily recognise the union with a majority. In the absence of this right, claims that ours is a democratic country will not hold.

SPECIAL REPORT

Bajaj Auto workers join work at Chakan plant after 50 day work stoppage

Over 1500 workers went on work stoppage at the Chakan plant of Bajaj Auto Limited (BAL) from 25 June 2013 with the management refusing to negotiate with the recognised union and simultaneously seeking derecognition and deregistration of the union.

There are 900 permanent workers, 400 contract workers, 500 trainees and 150 workers under the Maharashtra Government's Earn and Learn Scheme at the Chakan plant. The Vishwa Kalyan Kamgar Sangathan (VKKS) represents BAL workers at both the the Chakan and the parent Akurdi plants.

The present Chakan crisis is closely linked to the May 2012 agitation of workers at the Pantnagar plant. The Pantnagar workers approached VKKS to support them. VKKS leadership from the Chakan plant went to Pantnagar and held meetings with workers and offered them membership. Majority of the workers at Pantnagar joined the VKKS but the management refused to negotiate with the VKKS as it was a union not registered in Uttarakhand and made attempts to register a management sponsored yellow union. The VKKS approached the Uttarakhand High Court on this issue of representations which issued an order in favour of VKKS and directed the Labour Department to begin conciliation with the VKKS.

Immediately thereafter from June 2012, the BAL management retaliated at the Chakan plant. Union leaders and activists who had been to Pantnagar were systematically victimised. They were timed for trips to the toilet and charge sheeted individually for alleged defects and faults in production - 35 workers have been so charged. 80 workers have been suspended for between 1-6 days. 13 workers remain suspended. 1 worker has been dismissed without enquiry. The company also introduced forced unpaid overtime of upto 1-2 hours every day.

According to the 2012 Annual Report of BAL there has been significant productivity improvements at its plants in the last few years with close to doubling of productivity (measured as output per employee per year) in 4 years. Productivity increased by 94% between 2008 and 2012 at BAL while the number of employees declined. The production in 2008 was 24.77 lakh units with 9,509 employees with output per employee per year at 260.5 and in 2012, the production went up to 43.63 lakh units with 8,627 employees with output per employee per year at 505.7. Even in the 2013 Annual

report, BAL states that its operations at Waluj, Chakan and Pantnagar have continued to achieve superior results in productivity, product quality and cost reduction. The Waluj and Chakan plants won the TPM Award for 'Excellence in Consistent TPM Commitment' from the Japan Institute of Plant Maintenance in March 2013.

This award was possible because in the last six years, on one hand, the speed of the assembly lines at the Chakan plant went from 42 seconds per motorcycle to 28 seconds, ensuring the production of 1,028 motorcycles everyday and on the other, the number of relievers at every line was reduced from 7 for every 72 workers to only 3 for a cluster of 72 workers. The Kaizen method of 'continuous improvement' has meant continuous work intensification at the cost of workers' health. This steady improvement in labour productivity, helped BAL to maintain leading operating margins in the industry despite a steady increase in raw material costs. Employee cost as a proportion of net sales declined to 3.1 per cent in 2013 from 5.1 per cent in 2010. The corresponding ratio for Hero MotoCorp was 3.5 per cent and 5.8 per cent for TVS Motor Company in 2013. BAL's raw material intensity during the period increased to 71.9 per cent from 70.6 per cent of net sales in 2010. A tight check on labour cost not only helped it shield profitability from high commodity prices, but actually improve it. Operating margin (excluding other income) increased to 18.2 per cent of net sales in the financial year 2012 from 17.3 per cent during the financial year ended March 2010.

The VKKS had signed a wage agreement for the Chakan plant in 2010 for 9 years. The agreement included a review of it after 3 years and revision of wages and service conditions based on the review, which the management refused. Hence, the VKKS gave notice of termination of the existing settlement on 21 May 2010 as per provisions of The Industrial Disputes Act, 1947.

The VKKS is demanding a 25% increase in wages, regularisation of irregular workers along with demands on clarity on the company's promotion policy, eligibility for a housing loan of Rs 5 lakh, education loan of Rs 2 lakh, a marriage loan of Rs 50,000 and stock options. The union has also demanded a work process analysis at Chakan to assess how much production is possible in 480 minutes. This is much higher than the historical growth in BAL's wage bill. In the last five years, the company's employee cost grew at a compounded annual growth rate (CAGR) of 6.7 per cent while net sales during the period expanded at a CAGR of 18.2 per cent.

The union has also filed a wage parity case demanding equal wage for equal work between workers of every category performing similar tasks.

Day 0: 24 June: As part of the sustained attack on the union, in late 2012, BAL challenged the representative character of VKKS under Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices (MRTU and PULP Act) and filed an application with the Labour Commissioner demanding derecognition of VKKS and the deregistration of the union under provisions of the TU Act. VKKS managed to secure a stay from the Bombay High Court against the Company's move to derecognise the union on 24 June.

Day 1: 25 June: The workers stop work demanding a new wage agreement and 500 equity shares of the company at Re 1 per share

Day 9: 3 July: Industrial court hearing to term the work stoppage as an 'illegal strike' and conciliation meeting at Labour Commissioner's Office – the VKKS could not be present at both as the Company had lodged police complaints against several union leaders at various police stations around Pune and several workers were arrested.

Day 10: 4 July: Demanding an immediate resolution to the 11-day-old agitation by the Chakan plant workers and a stop to the harassment of workers, Shramik Ekta Mahasangh, an umbrella organisation of trade unions in Pune region, threatens mass stoppage of work in the Chakan and nearby Pimpri-Chinchwad industrial belt.



Day 15: 9 July: The Pune Additional Labour Commissioner issues show cause notice to BAL and 4 contractors for violating the Contract Labour Act and asking why their respective registration and license should not be cancelled. The notice followed a complaint by the union that the contractors employing workers in the Chakan facility were not licence holders and hence the arrangement was sham and bogus. Further, the company was employing trainees at the production line, which too is illegal. The Company has been given 3 days time to respond to the notice.

Day 17: 11 July: VKKS leadership along with representatives of the Shramik Ekta Mahasangh and the NTUI meets the labour minister, Hassan Mushrif who directs the Chief Labour Commissioner to hold talks between the Bajaj management and VKKS the next day. If problem not resolved in this meeting, the minister assures union to meet Bajaj management the next week.

Day 22: 17 July: Pune Industrial and Labour Court hearing on 'illegal strike' petition of BAL. Rajiv Bajaj accuses the union of misleading workers giving them 'false hope'.

"Even if the plant shuts for next 500 days due to strike, we are not giving a single share to any worker for free of cost. It does not fit into Bajaj's culture. ... There are a few rotten eggs which are spoiling the entire basket. So far, the plant had never faced a problem. We have established a culture in plant as per the Kaizen norms," said Rajiv Bajaj addressing the media in Pune for the first time since 25 June.

Day 32: 26 July: Pune Industrial Court dismisses Union application seeking to know on what grounds the June wage of workers had been deducted and asked the union to take the matter which seeks to force BAL submitting payslips of the striking workers for the month of June, with the Labour Court. VKKS had submitted the application on July 17.

Day 35: 29 July: VKKS submits a written statement in Labour Court. Judge N.S. Kole adjourns the hearing to 2 August to enable the company to respond.

Day 36: 30 July: Workers protest against BAL management at Labour Commissioner's office in Pune. BAL management did not attend the meeting. Police present at LC office. About 900 workers marched to the LC office to protest against the inaction of the commissioner on their several complaints.

BAL using contract workers illegally to run operations in Chakan plant.

Day 40: 3 August: BAL files rejoinder in court claiming huge losses and appealed that the VKKS application should be rejected and a fine of Rs 1 Lakh imposed on the workers.

Day 42: 5 August: BAL Managing Director Rajiv Bajaj served an ultimatum stating that if workers do not report to work by August 12, half the production would be shifted out of the Chakan plant to Waluj plant in Aurangabad in a "semi-permanent way" and might have to eventually issue a voluntary retirement scheme (VRS) to half the workforce.

Day 43: 6 August: Bilateral talks between union and

management inconclusive on the 22 suspended workers. BAL management not willing to reinstate the 22 workers as it will "set a wrong precedent not only at Bajaj Auto but for the entire industrial belt, something (they are) unwilling to do". On the implications of this move, Rajiv Bajaj said that he would be willing to continue paying a salary to the workers or offer them VRS, not unlike what had happened at their Akurdi plant in 2007.

Day 44: 7 August: Hearing at Labour court.

The Maharashtra Factory Inspector issues a "show-cause" notice to Bajaj for violating Section 54 of the Factory Act, which stipulates that no worker shall be required or allowed to work in a factory for more than nine hours on any day, subject to the approval of the Chief Inspector.

Day 46: 9 August: Meeting between the VKKS and the management inconclusive on the issue of reinstatement of the 22 workers. The management has said the fate of the suspended workers will be decided by an inquiry committee and it would not take them back, at least 15 of them, before this is completed.

Day 47: 10 August: Talks between the union and the management failed again on the issue of reinstatement of the 22 terminated workers.

Day 49: 12 August: Labour Court hearing

Day 50: 13 August: Rajiv Bajaj extends deadline for striking Chakan workers to 16th August

14 August 2013: The Vishwa Kalyan Kamgar Sangathana at Chakan plant called off their 49-day work stoppage and joined work. The union will continue to press for its demands on wage revision and other issues.

AFFILIATE NEWS

NTUI Workshop on Minimum Wage and Social Security: Chennai, 21 August 2013: NTUI organised an activist workshop in Chennai to discuss and evolve a programme for building a common national struggle on Minimum Wage and Social Security and building a common strategy to implement this on the ground by all affiliates across the country.

Neo-liberal policies have been successful in pushing wages and standards of living of the working class downwards in order to reap unprecedented profits for capital. Alongside, the rising cost of housing and healthcare has resulted in a reduction in disposable income. This along with the shift away from the principle of universality in both social security and social provision has only added to distress. All of this

has contributed to the growing income and asset inequality.

The progression of the minimum wage has at best been varied across the country and in most parts minimum wages have not kept pace with inflation. Furthermore, even if the minimum wage does hypothetically keep pace with inflation, increasing wage income alone will not be sufficient to meet the needs of working class households to a level acceptable for a decent quality of life and inter-generational advancement. In a situation where most available work today is irregular and with negligible social protection, improvement of overall standard of living can only be achieved through a combination of a living wage and social security and social protection interventions that together forms the social wage.

A paradigm of 'inclusive growth' must provide basic minimum living standards through a basket of key social wage interventions that can then enhance political and economic participation of workers. Winning this would be the objective.

The workshop was attended by about 30 activists representing garment workers from Chennai and Bangalore, electricity workers from Gujarat and Kerala, forest workers, as well as construction workers, cashew workers and metal workers from Tamil Nadu along with senior NTUI leadership including Comrades M Subbu, N Vasudevan, Ashok Chowdhary, M Rajan and Gautam Mody.

Community forest right claims filed in Dudhwa National Park: *1 August 2013:* Thousands of adivasi forest dwellers filed community forest resource claims in Dudhwa National Park, in Lakhimpur Khiri district of Uttar Pradesh. Around 2220 claims were filed with the Tribal Affairs Department on 31 July. Above 80% of women participated in the filing of the claims. Of the 46 villages in and around Dudhwa national park, 17 villages have prepared files according to the new amended rules of September 2012 and submitted at Chandan Chowki in Dudhwa National Park.

GAFWU holds public meeting demanding minimum wage of Rs 10,000 at Thiruporur: *13 August 2013:* Garment and Fashion Workers Union held a public meeting at Thiruporur on 13 August to raise the demand for a monthly minimum wage of Rs.10,000. The meeting was also to celebrate the victory of the union in pushing the government to implement ESI in the Mahindra City SEZ. The union is also demanding an ESI dispensary in Chengalpattu Vallam area to serve the women workers living in the surrounding villages. Equally important issues of workplace safety and implementation of the Sexual

Harassment at Workplace Act in garment manufacturing industry were raised in the meeting.

Women workers from Madras Export processing Zone SEZ and Mahindra City SEZ participated in the meeting.



Sakhar Kamgar Union stands in solidarity with Sugar workers in Fiji: *30 August 2013:* The Sakhar Kamgar Union, Kolhapur held protest actions in response to the threat by the Fiji Sugar Corporation (FSC) to bring in workers from India to break the strike by the Fiji Sugar and General Workers' Union (FSGWU).

The state-owned FSC has refused to negotiate with workers over wages and working conditions – the last wage agreement was signed 7 years ago. Despite FSC management threats, and the presence of police and military during the strike vote, workers voted overwhelmingly to authorize a strike.

Even with the intervention by the International Labour Organization, urging respect for the workers' right to freedom of association, the FSC has only intensified the pressure. Management is now warning workers that they would not be allowed to return to work if they go on strike and that they would be dealt with by the military. To back up these threats, two truckloads of military officers drove into Lautoka mill on August 21 to "inspect" the mill.

CAMPAIGN NEWS

National Forum against Contract work hold meeting on Electricity sector: *28 July 2013:* Electricity workers and unions have been demanding the repeal of the Electricity Act 2003, claiming it to be the cause of severe imbalances in the power sector. The challenge has been to combine the the struggle for affordable electricity with the trade union movement. Increasing contractualisation of the workforce has deepened the crisis.

A day long meeting was organised by the National Forum Against Contract Work on Electricity Sector Contract Workers on 28 July to explore working

conditions in the industry and define strategies to address contractualisation from the perspective of the broader labour movement. The meeting was attended by representatives of the Jharkhand Krantikari Mazdoor Union (in Bokaro thermal and UCIL), DESU Mazdoor Sangh (Delhi), Rozandari Mazdoor Sena (Nagpur) and Bachchha Singh from the coal sector.

Lok Sabha passes National Food Security Bill: *New Delhi, 26 August 2013:* Legislation giving legal right to food to 67% of the population (including 75 per cent rural and 50 per cent urban) was passed by the Lok Sabha on 26 August. The bill provides a legal right to get subsidised grains under the Targeted Public Distribution System (TPDS). A beneficiary will be entitled to 5 kg of rice, wheat or coarse cereals at Rs. 3, Rs. 2 and Re. 1 per kg a month, respectively. The beneficiaries will be identified by the States based on parameters prescribed by the Union government.

The Food Security bill, has gone back and forth between the food ministry, Cabinet and Parliament for two years and has faced many hurdles on its way to the statute book. In its 2009 general election manifesto, the Congress party had promised to enact a Right to Food legislation. In July 2011, a ministerial panel approved a draft food security bill which was approved by the Cabinet on 18 December 2011 and presented before the Lok Sabha on 22 December 2011. The bill was then referred to the Parliamentary Standing Committee on Food. The Parliamentary panel in November 2012 sent the draft back to the food ministry to incorporate changes after consulting state governments and on 19 March 2013, the Cabinet once again approved the amended draft of the bill.

On 2 May, the bill is once again introduced in the Lok Sabha. On 8 May, Lok Sabha debates the amended bill but the budget session concludes without a vote on it with the opposition protesting against the coal mining licensing scam. On 4 June, the Cabinet approved the food security programme as an ordinance that would be valid for six weeks from the start of the next session of Parliament to begin 5 August.

With the BJP's announcement that they would not oppose the bill, the bill was passed by the Lok Sabha on 26 August with a simple majority.

NEWS UPDATE

Maruti Struggle Update

The application for bail of the 11 activists and workers arrested and in Kaithal Jail was heard on 20 June but no

verdict was passed. The date for filing of chargesheet in the case was fixed as 15 July.

The Sessions Court, Gurgaon delayed the framing of charges against the 147 workers in Bhondsi jail over several dates of hearing in the month of July and finally framed charges on 22 August.

18 July – Manesar Chalo: The MSWU called for a March to Manesar on 18 July, the day of completion of one year of the incident at the Manesar plant that led to the subsequent arrests of the 147 workers still incarcerated in Gurgaon jail.

As a run-up to this programme the union organised protest demonstrations at Kaithal on 2 July, at Faridabad on 7 July, at Kurukshetra on 9 July, at Rewari on 10 July, at Chandigarh on 11 July and at Delhi on 13 July. At Faridabad, the union met the the Labour Minister and submitted a memorandum. The minister assured them of a meeting with the Chief Minister on the 11 July in Chandigarh but this was not arranged.



On 13 July, over 400 people from all sections of society - writers, artists, lawyers, journalists, teachers and students of JNU, DU, Jamia Millia Islamia, Ambedkar University, trade unionists, social and political activists - gathered to stand in solidarity with the struggle and current demands of the Maruti Suzuki Workers Union with the auditorium of the Indian Society of International Law, under the banner of 'Justice for Maruti Workers Campaign'. The MSWU gave a call for joining the march to Manesar in this meeting.

Amidst heavy police deployment and a prohibitory order of Section 144 was imposed by the DM - Gurgaon in Manesar and on NH8, workers and supporters of the struggle gathered at a park in Gurgaon and held a meeting. Police in riot gear prevented the gathering from marching to Manesar.

Simultaneous demonstrations were organised across the country. Solidarity messages were received by the union from across the world.

24 July: The 11 activists including Ram Niwas, member of the Provisional Committee of the MSWU were released on bail from Kaithal District Jail.

19 August: The Haryana Human Rights Commission took suo moto cognisance of the Report on Violations at Maruti Suzuki prepared by the International Commission for Labour Rights (ICLR). NTUI, as a member of the ICLR fact-finding delegation, is a party in the case. The HHRC has sought a response from the Labour Department, Police and MSIL and the first hearing was scheduled for 19 August.

22 August: The Gurgaon Sessions Court framed charges against the 147 workers in Bhondsi jail. The 12 union office-bearers have been framed of direct substantive murder, 35 others of substantive attempt to murder and the remaining 100 accused for aiding members of unlawful assembly, attempt to murder, arsoning and rioting. The accused men were charged under sections 302 (murder), 307 (attempt to murder), 148 (rioting), 149 (guilty of unlawful assembly), 442 (criminal house trespassing) and 325 (Punishment for voluntarily causing grievous hurt) of the IPC. All 147 workers have pleaded not guilty and the trial will begin from 9 September.

During the proceedings, defence counsel Rajender Pathak requested the court that then General Manager (Security) Deepak Anand, who is the complainant in the case, be produced as the first witness in the case to which Special Public Prosecutor K.T.S. Tulsi said that Mr. Anand had resigned from the Company and they required time to trace him.

30 August: A Jan Sunwai was organised at Jantar Mantar on 30 August. Attended by a large number of workers and their family members,

Professor Prabhat Patnaik, Dr DR Chaudhry, former chairman HPSC, Supreme Court Senior Advocates, Dr Kirti Singh and Colin Gonsalves were in the jury of the Jan Sunwai. At the end, the jury presented its report and met with the Labour Minister and submitted their report.

A delegation led by Basudeb Acharia, MP, met the chairperson of NHRC Justice K G Balakrishnan and also submitted a memorandum to him.

International Solidarity Messages for the Maruti Suzuki Workers Union

General Federation of Nepalese Trade Unions, Nepal

The GEFONT is very much concerned, that Maruti Suzuki's 542 workers and over 1800 contract workers were dismissed for their alleged role in the 18 July 2012

incident. 11 more remain in custody in Kaithal since 19 May 2013 for their support of the union's struggle.

It is very unfortunate that the struggle at Maruti Suzuki completed a year but still there is no justice to the workers. In one year in custody with no charges filed, no bail granted and 147 Maruti Suzuki workers from the Manesar plant are waiting for justice. In this hard situation, GEFONT strongly supports the MSWU sustained campaign across the state. We strongly demand for the release of all Maruti Suzuki workers arrested since the 18 July incident and reinstatement of all workers dismissed after incident.

We believe that it is not only a struggle of the Maruti Suzuki Workers; but it is a struggle of entire working class to defend the trade union rights. Therefore, GEFONT along with its 26 Affiliates and entire working class of Nepal would like to extend solidarity sentiments to your struggle to win.

Long Live workers Unity!

With best regards and in warm Solidarity

Umesh Upadhyaya
Secretary General

National Confederation of Trade Unions (Zenroren), Japan

As a national union confederation in Japan, Zenroren expresses its strong solidarity with Maruti Suzuki Workers' Union and their supporters on the occasion of one year commemoration of Maruti Suzuki Struggle. We cannot allow a Japanese multinational giant, namely Suzuki, conducted such grave violation of human and workers' rights in your nation. Suzuki in Japan has been violating many Japanese laws as well, and our comrades are struggling against Suzuki management.

After very important international fact-finding mission to India in May, Comrade Ohta in the delegation raised the incident and your situation at Suzuki annual stakeholder meeting in Shizuoka at the end of June. The management is reluctant to tell the truth, and even blame union behind this "violent attack". We again cannot accept this kind of remark.

We stand with you and look forward to continued mutual support and solidarity action.
In unity,

Keisuke Fuse
Director, International Bureau

United Federation of Labour, Sri Lanka

We, United Federation of Labour, Sri Lanka send warm greetings to the Comrades who are fighting for the

release and reinstatement of all Maruti Suzuki workers.

We stand by them to support their struggle as we also experiencing this type of retrenchments and exploitation by the Employers. We have to get together to defeat this precarious employment menace from all over the world.

At this stage we urge Government of India to take steps to release these workers and give their jobs back.

Wijepala Weerakoon
International Secretary

Australian Manufacturing Workers Union (AMWU)

The Australian Manufacturing Workers Union offers its solidarity and support to the Maruti Suzuki workers in their struggle.

No worker or workers representative should face jail for simply withdrawing their labour or undertaking the role of representing workers who have done so.

All power to the Maruti Suzuki Workers union in their struggle. Your fight is our fight.

In unity

Andrew Dettmer
National President

United Electrical, Radio and Machine Workers of America (UE), USA

On behalf of the members of the United Electrical, Radio and Machine Workers of America (UE), an independent and democratic union from the United States, we send warm greetings of solidarity.

We support your call for the release from jail and for the reinstatement of all Maruti Suzuki workers who were so unjustly fired.

Please know that you are not alone. Your struggle provides inspiration and has become a symbol for workers fighting against repression all around the world.

In Solidarity,

Bruce J. Klipple, President
Andrew Dinkelaker, Secretary - Treasurer
Robert B. Kingsley, Director of Organization

National Confederation of Metalworkers (CNM/CUT), Brazil

The National Confederation of Metalworkers of Brazil, which represents about one million of metalworkers,

sympathizes with the members of the Maruti Suzuki Workers' Union, fighting for protection and guarantee of their rights.

A year in custody with no charges filed and no bail granted, 147 Maruti Suzuki workers from the Manesar plant wait for justice. About 542 workers and over 1800 contract workers were summarily dismissed for their alleged role in the 18 July 2012 incident and 11 more remain in custody in Kaithal since 19 May 2013 for their support of the union's struggle.

In this situation, we would like to express our deepest feelings of solidarity with the struggle of workers and emphasizes that we are against any practice that hurt workers' rights.

We also confirm that only the solidarity of the working class can contribute and fight the exploitation that spreads over the world.

The working class is international.

Your struggle is our struggle!

In Solidarity,

Paulo Cayres, President
Joao Cayres, General Secretary & International Affairs

Metal Trades Department, AFL-CIO, USA

The Metal Trades Department, AFL-CIO, stands in solidarity with you, the members of the Maruti Suzuki Workers Union. Your struggle to win justice for your fellow unionists and for your union leaders resonates with the Metal Trades affiliated unions and their members.

I urge you to keep up the fight against the frightening tyranny imposed by Maruti Suzuki and your government. Your unwavering dedication to overcome this oppression is inspiring.

We sincerely hope that that the company and the government will soon recognize your union and engage in collective bargaining. Until you prevail, we offer our steadfast support.

In Solidarity,

Ronald E. Ault
President

Confédération générale du travail (CGT), France

The CGT expresses its support and solidarity with the Maruti Suzuki Workers Union, MSWU, and its members which will be demonstrating on July 18th after a year of struggle. The CGT supports the gathering of

all the members of progressive trade unions in Chennai, Mumbai and Manesar and condemns all repressive action.

With the MSWU and the trade union movement in India, the CGT demands the release of all Maruti Suzuki workers arrested, and the reinstatement of all workers which have been dismissed because of their trade union activities and struggle. The company management must respect the trade union rights particularly the freedom of association and the right to collective bargaining. And the Government of Haryana has to implement the Basic international labour standard of the ILO and stop all repression.

The CGT will be with you tomorrow and wishes you every success in your struggle so important also for all workers in India and in the world. It expresses its solidarity to all Maruti Suzuki workers and their trade union organisation MSWU.

Your struggle is our struggle.

La cgt métallurgie (FTM-CGT), France

On behalf of CGT metalworkers, the largest metal union in France, on behalf of all the workforce we represent and specially those working in the automotive sectors, I want to express our full solidarity with the workforce at Maruti Suzuki.

You are fighting for your rights, nobody should be jailed when he or she defend his/her right. The right to organize, the right to bargain, the right to act to improve his/her working and living conditions should be guaranty.

With you we claim for releasing all workers who are in prison.

With you we claim for reinstating all dismiss workers.

With you we urge the Indian government to respect the ILO conventions and to make pressure on the companies which do not do so.

With you we think that the employer should be arrested for violation of human rights.

You are not alone, we support you and we will publicize your struggle.

In solidarity

Christian Pilichowski
International Secretary, FTM-CGT

National Convention of Workers in Delhi calls for March to Parliament on 12 December 2013: *6 August 2013:* A National Convention of all Central Trade

Unions, Central and State Government Employees and Teachers Federations and Public Sector Employees Unions was held at the Mavlankar Hall, New Delhi on 6 August. The convention was addressed by the leadership of the BMS, INTUC, AITUC, CITU, HMS, AIUTUC, TUCC, SEWA, AICCTU, UTUC, LPF.

The National convention adopted a resolution calling for:

1. Demonstrations or Rallies or Satyagraha at all state capitals with respective statewide mobilization on 25 September 2013
2. Demonstration before Parliament on 12 December 2013
3. On 12 December 2013, demonstrations at all District Headquarters across the country.
4. Sectoral programme of joint actions for effectively opposing Restructuring, Outsourcing and on sector-specific issues and demands and against Divestment of shares in Public Sector Enterprises.
5. Exclusive Joint Action Programmes on the demand of Minimum Wage and Contract Workers.

Niyamgiri rejects Vedanta's mining plans: *17 August 2013:* 11 out of 12 gram sabhas have rejected mining in the Niyamgiri hills.

The gram sabhas were to decide whether a joint venture of state-run Orissa Mining Corporation (OMC) and Vedanta Aluminium Ltd, a unit of billionaire Anil Agarwal's London-listed mining giant Vedanta Resources Plc, should be allowed to extract bauxite from Niyamgiri hills. OMC later challenged the ministry's denial in the Supreme Court. In April, the Supreme Court ordered the state government to organise gram sabhas under the Forest Rights Act of 2006 to determine the views of forest dwellers on whether mining should be allowed or not. All the 12 villages for holding gram sabhas were selected by the Odisha government.

Vedanta invested Rs 5,000 crore to set up an alumina refinery with a capacity of one million tonnes a year at Lanjigarh in Kalahandi. The refinery was to get bauxite from Niyamgiri and was sourcing the raw material from other states in the interim.

LEGAL UPDATE

Government approves launching of Direct Benefit Transfer for LPG Scheme on 1 September 2013 in 35 more districts: The districts which will be covered on 1 September 2013 are 12 in Kerala, 7 districts in Andhra Pradesh, 7 in Himachal Pradesh, 5 in Punjab, 2 Madhya

Pradesh and one each in Maharashtra and Goa.

List of 35 Districts to be covered from 1 September 2013

	State	District
1	Andhra Pradesh	Srikakulam
2	Andhra Pradesh	Guntur
3	Andhra Pradesh	Krishna
4	Andhra Pradesh	Adilabad
5	Andhra Pradesh	Cuddapah (YSR Kadapa)
6	Andhra Pradesh	Prakasam
7	Andhra Pradesh	West Godavari
8	Goa	South Goa
9	Himachal Pradesh	Kangra
10	Himachal Pradesh	Chamba
11	Himachal Pradesh	Kullu
12	Himachal Pradesh	Solan
13	Himachal Pradesh	Sirmaur
14	Himachal Pradesh	Shimla
15	Himachal Pradesh	Lahul & Spiti
16	Kerala	Alappuzha
17	Kerala	Kozhikode
18	Kerala	Idukki
19	Kerala	Thrissur
20	Kerala	Ernakulam
21	Kerala	Kottayam
22	Kerala	Kollam
23	Kerala	Kannur
24	Kerala	Palakkad
25	Kerala	Thiruvananthapuram
26	Kerala	Kasaragod
27	Kerala	Malappuram

28	Madhya Pradesh	Hoshangabad
29	Madhya Pradesh	Burhanpur
30	Maharashtra	Amravati
31	Punjab	Fatehgarh Sahib
32	Punjab	Barnala
33	Punjab	Jalandhar
34	Punjab	Ludhiana
35	Punjab	Faridkot

Honoraria of Anganwadi Workers of Mini Anganwadi Centers Increased to Rs. 2250: Rajiv Gandhi National Creche Scheme revamped: *New Delhi, 17 July 2013:* The first meeting of the National Mission Steering Group (NMSG) of reconstructed ICDS held on 4 July, presided by the Union Minister for Women and Child Development, approved the increase in the central government contribution in the honoraria of Anganwadi Workers of Mini Anganwadi Centers from Rs. 1500 to Rs. 2250.

On 17 July, the Minister for WCD presided over the Parliamentary Consultative Committee meeting for the Rajiv Gandhi National Crèche scheme. The scheme extends to children of working women in the organised and the unorganized sector equally.

The crèche provides day care facilities to the children, along with supplementary nutrition and health care too with regular medical check-ups with immunization etc. The existing scheme is fully funded by the Central Government except for the supplementary nutrition which is shared between Central Government and the implementing agency in ratio of 90:10, under the new proposal the Central Government will provide 90% of required funds for all components as per the norms of the Scheme and balance 10% will be borne by the implementing agency.

Under the new norms, each crèche will have two workers and one helper instead of one worker and one helper. The honorarium has been increased to Rs. 3000 for the workers and Rs. 1500 for the helpers per month. Also, while in the existing scheme Rs. 1217 is provided per month by the Government for supplementary nutrition for 25 children @ Rs. 2.08 per child for 26 days, this has been increased to Rs. 7371 per month @ Rs. 12 per day which includes two times snack and one full meal everyday per child for 25 days for 20 children and Rs. 15 per day for 5 malnourished children for 25 days.

All-India Consumer Price Index for Agricultural and Rural Labourers for June, 2013 Released: *New Delhi, 21 July 2013:* The All-India Consumer Price Index Numbers for Agricultural Labourers and Rural Labourers (Base: 1986-87=100) for June, 2013 increased by 10 points each to stand at 729 points for Agricultural Labourers and 730 points for Rural Labourers.

INTERNATIONAL NEWS

Pakistan releases 362 Indian prisoners: *Attari, 24 August 2013:* 362 Indian prisoners, including eight juveniles, mostly fishermen, were released from Pakistan jails and repatriated through the Attari-Wagah land border crossing.

Most of the prisoners are fishermen from Gujarat arrested by the Maritime Security Agency for crossing into Pakistani waters near the disputed Sir Creek. All the prisoners have completed their jail terms.

The Indian fishermen kissed the soil after crossing over the border. The fishermen, however, were disappointed that their boats were not returned to them. Pakistan's goodwill gesture came at a time when tensions are running high between the two countries over firing along the Line of Control in Kashmir.

Earlier, in the month of July, families of 57 fishermen from Pakistan who have been languishing in Indian jails appealed to the Indian President and the Prime Minister to help secure their release before Eid –ul-Fitr.

These fishermen from Ali Muhammad Thamore village in Ladiyun union council in Shah Bunder taluka had gone fishing to sea in their fishing vessels along the Kajur Creek a few nautical miles away from the controversial Sir Creek during the first week of January 2013. They were arrested by the Indian Navy. For many months, the families were clueless about their whereabouts. They have been kept in Kutch, Bhuj and Okha jails in Gujarat.

The 96-kilometre narrow stretch of water between Gujarat and Pakistan's Sindh province has been a contentious issue between the two nations for decades.

US withdraws GSP benefits from Bangladesh: *16 July 2013:* USA suspended the Generalised System of Preferences (GSP) for Bangladesh over concerns over labour rights and worker safety that intensified after hundreds died in the Rana Plaza accident. GSP is a special trade privilege under which nearly 5000 categories of products can enter into the US market duty-free but the GSP provided by the US to Bangladesh does not cover the ready-made garment sector.

Within three weeks of suspension of GSP, Bangladesh amended its labour law. Under the amended law, factories will be required to set aside 5 percent of profits for a welfare fund for workers, but the law exempts export-oriented factories.

As under the old law, workers hoping to form a union must still gather signatures of at least 30 percent of a factory's workers under the amended law. Trade unions have been urging lawmakers to adopt a 10 percent threshold. The amended legislation however bars the labour ministry from giving factory owners the list of the 30 percent of workers who want to form a union to protect them from victimisation. The amended law has also expanded the list of industries where workers are not permitted to form unions.

PRESS STATEMENT

At Maruti Suzuki: We Shall Win: *17 July 2013, New Delhi:* The NTUI stands in solidarity with the members of Maruti Suzuki Workers Union. Our affiliates, along with other progressive trade unions, gathered outside the Collectorate in Chennai this afternoon, will march in Mumbai tomorrow to extend their solidarity to them and press for the protection of their rights and tomorrow we will join them at their sit-in at Manesar.

A year in custody with no charges filed and no bail granted, 147 Maruti Suzuki workers from the Manesar plant wait for justice. 542 workers and over 1800 contract workers were summarily dismissed for their alleged role in the 18 July 2012 incident. 11 more remain in custody in Kaithal since 19 May 2013 for their support of the union's struggle.

All attempts of the MSWU to get the workers' version heard have only been met with intensified repression. The journey from Manesar to Gurgaon to Rohtak to Kaithal to Chandigarh and Delhi and back to Manesar has been very long and unrelenting in its adversity. With the entire leadership of the union incarcerated, the workers elected a provisional committee of five members. Two of them are today also behind bars. The others live under the constant threat of arbitrary arrest. Charges in the case have been framed arbitrarily by the police while the government has been vindictive in its attempt to break the resolve of the workers struggle. If this was not enough, the judiciary has gone beyond its call of duty to deny workers bail since bail may be denied to citizens on the ground that this '...incident is most unfortunate occurrence which has lowered the reputation of India in the estimation of the world. Foreign investors are not likely to invest the money in India out of fear of labour unrest.'

The MSWU launched a sustained campaign across the state demanding the Release of all Maruti Suzuki workers arrested since the 18 July incident and Reinstatement of all workers summarily dismissed after the 18 July incident to culminate in an indefinite peaceful dharna and hunger strike at Tau Devi Lal Park in Manesar. Not surprisingly, in response, the Government of Haryana, ordered the imposition of Section 144 prohibiting assembly in IMT Manesar, around the Maruti Suzuki factory premises in Manesar, Tau Devi Lal Park, National Highway-8 and the Mini Secretariat.

The thirteen months preceding the 18 July incident were marked by sustained abuse of labour rights by the Maruti Suzuki management most of all the right to freedom of association and the right to collective bargaining. In turn, the Government of Haryana acted in concert with the Maruti Suzuki management failing to exercise the powers it is vested with to protect the rights of workers and uphold the law of the land. This attack came upon the workers since they succeeded in building an unwavering united struggle of permanent and contract workers resolute in their right to build and join a union of their own choice.

The dispute at Maruti Suzuki is not isolated. Yet, Maruti Suzuki has become capital's symbol for employing the coercive arm of government to advance its interest. When Maruti Suzuki failed to break the united struggle of workers it orchestrated violence at the factory. At this point, Police and the Labour Department stepped in undermining the democratic rights of the workers, criminalising them and pushing their struggle into the ambit of criminal law. Maruti Suzuki has gotten away, without a democratic union and the legitimacy to hire a new set of fearful and therefore compliant workers. If Maruti Suzuki succeeds then it will most certainly change the trajectory of industrialisation and trade union struggles altering for the foreseeable future the balance of power between labour and capital.

Winning this struggle is crucial not just for the members of the Maruti Suzuki Workers Union but for the entire working class in defending trade union rights.

Let us unite in our resolve to together sustain this struggle, for it is a struggle that we must win.

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Third General Assembly

**19-21 November 2013
Aluva, Kerala**

**19 Nov: Rally and Public
Meeting**

**20-21 Nov: Delegate
Sessions**

International Conference

22-23 November 2013

Aluva is a suburb of Kochi in the Ernakulam district of Kerala. Located on river Periyar, Aluva is the industrial epicenter of the state. A major transportation hub, with easy access to all major forms of transportation. Aluva Railway Station is a major stop for most trains. Ernakulam station also caters to Aluva. Nedumbassery (Kochi) airport is 12 km from Aluva.

Cochin Shipyard, the largest shipbuilding and maintenance facility in India, presently it is building the first indigenous aircraft carrier for the Indian Navy, is about 20 km from Aluva. The workers who are building this are members of the Cochin Shipyard Workers' Union that has an unbroken history of militant struggle of over four decades.