

The saga of jailed Maruti Suzuki workers

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It all began on that fateful day, July 18, 2012, when violence broke out at Maruti Suzuki India Ltd.'s (MSIL) Manesar plant, leaving an HR manager dead and about 40 executives injured. The police arrested 147 workers and charged all of them with murder, arson and rioting. File Photo: AP

Study of 8,000 workers had found trade unionism was on the wane among new generation of blue collar workers

Earlier this month, the media reported a new survey jointly conducted by the Confederation of Indian Industry (CII) and the financial advisory firm Deloitte. The study, conducted among 8,000 workers, had found that trade unionism was on the wane among the new generation of blue collar workers.

Apparently, over 60 per cent of workers in the age group of 20 to 35 choose to stay away from the collective bargaining mechanisms that unions offer.

Scanning this report in the premises of the Gurgaon District and Sessions Court, sitting amid family members of former Maruti workers, the findings seem surreal. All 147 of the arrested workers — without exception — are between the age group of 20 and 35 years. The youngest is 20 and the oldest is 34 — in the language of the CII-Deloitte study, they would be Gen Y. And if they all went to jail, it is precisely for union-related activity, real or imputed.

The fathers

The trial has been going on three years. It all began on that fateful day, July 18, 2012, when violence broke out at Maruti Suzuki India Ltd.'s (MSIL) Manesar plant, leaving an HR manager dead and around 40 executives injured.

The police arrested 147 workers and charged all of them with murder, arson and rioting. While 113 were released on bail earlier this year, 34 are still in jail. This Monday morning, not far from us, in Court No. 3, trial proceedings are in progress.

“Can you please give me one other example — just one — of a case where 147 men are charged with one man’s murder?” asks Satbir Singh.

Mr. Satbir is a stocky man in his early fifties. He runs a small business as a gemstone dealer. He is the father-in-law of accused no. 121 Sumit Nain. “The boy did not have a father or mother. He had no family, no land, nothing. I got my only daughter married to him because he had a job at Maruti,” he says.

The court complex is milling with lawyers in their penguin attire, cops in their khakis, tense litigants, and family members of undertrials.

On the walls of the corridor are signs in black lettering urging cleanliness: ‘It is a Temple of Justice. Keep it Clean,’ says one. A young cop strolls past with a prisoner, hand in hand, fingers interlocked. Had he been a woman and not a cop, they might have passed for a romantic couple.

Beside the circular pink building that held the courts is a sort of a mandi where advocates, notaries, photocopiers, and typists peddle their wares.

The lawyer's chambers are on the other side of this quasi-juridical bazaar. Then there's the parking lot, a canteen, and tea joints where lawyers gossip, strategise, and unwind after tense moments in the courtroom. "A man commits a double murder; he is out on bail in 15 days," says Jagbir Singh, a farmer from Samalkha and father of accused No. 8, Anand. "My son has been in jail for three years, repeatedly denied bail. His only crime? Being a Maruti worker."

Versions of events

While there is more than one version of what happened that day, the dominant narrative is the one put out by the Maruti management. It is a typical horror story of militant trade unionism gone wild, and is the basis for the prosecution.

According to this version, disciplinary action taken by a supervisory staff against a worker provoked the unionised workers to retaliate. A large number of them armed themselves with rods and door beams and attacked management staff, burning one of them to death.

The incident, as per this account, was the culmination of rising militancy after an independent union, the Maruti Suzuki Workers' Union (MSWU), was formed by the workers in March 2012. Maruti responded by firing 546 permanent workers and 1,800 contract workers.

The workers tell a different story. A small group of the dismissed workers formed a Provisional Working Committee (PWC) of the MSWU to fight the court battle on behalf of their former colleagues in jail. In October 2012, they filed a counter-case against the Maruti management with the Judicial Magistrate First Class, Gurgaon.

According to this complaint, the entire incident was a conspiracy hatched and implemented by the company management with the twin objective of eliminating the lone management executive instrumental in getting the Maruti Union registered (Awanish Kumar Dev), and ridding the company of all the workers active in union-related mobilisation. The counter-case alleges that bouncers in Maruti worker's uniforms were inside the company premises that morning, and that it was they who started the violence and rioting, carried Dev inside a room, beat him up, locked him in, and set fire to the room.

Filing delay

This counter-case was dismissed by the judicial magistrate, on the grounds that it was filed too late, and therefore, an afterthought. Says Monu Kuhar, defence counsel of the workers, "We could not file our case earlier because mass arrests of workers was going on.

There was panic among them and their families. It was difficult to even locate them, let alone talk to them." So why haven't they appealed against this dismissal? "We would like to take it to the High Court," says Mr. Kuhar. "But we haven't so far due to lack of resources."

Speaking of resources, the Haryana government had hired the high profile Supreme Court lawyer KTS Tulsi as special public prosecutor for this case and paid him Rs. 5.5 crore — despite being advised against it on account of the heavy expenditure.

Says Mr. Jagbir: "In a poor country like India, the state has no money for the poor, but it has all the money to spare when it comes to fighting a case against workers and on behalf of a multinational company."

Mr. Jagbir's son Anand had been working at Maruti's Manesar plant for about 18 months when it all went horribly wrong. "The cops knocked on our door one night, around 1 a.m., and took him away," recalls Mr. Jagbir. "They say they found a rod, used as a weapon, from his rented accommodation in Gurgaon. But my son had vacated that place three months earlier. Even the landlord is ready to say this on record. This is just a conspiracy, as a result of which our children are trapped jail."

(to be continued)