

India: 31 victimized Maruti Suzuki workers convicted on frame-up charges

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In a travesty of justice, an Indian court has convicted 13 victimized Maruti Suzuki India (MSI) workers of “culpable homicide” (murder) and 18 others of rioting and other serious criminal offenses.

Those found guilty of murder are now facing a prosecution demanding that they be sentenced to death. This includes the entire leadership of the Maruti Suzuki Workers Union (MSWU), an independent union formed by workers at MSI’s Manesar car assembly plant to challenge a brutal cheap-labour work regime.

The workers are the victims of an outrageous frame-up involving MSI management, the police, the courts, and both of India’s main big business parties, the Bharatiya Janata Party (BJP) and the Congress Party.

In a flagrant case of class justice, the workers have been found criminally responsible for a July 2012 management-provoked altercation at MSI’s Manesar plant and the resulting fire, which destroyed part of the plant and killed a company manager.

Big business and the Indian state have targeted the Manesar MSI workforce because the plant has been a centre of militant opposition to the low wages, precarious contract-labour jobs and arduous production quotas that prevail across the Gurgaon-Manesar industrial belt—a huge auto manufacturing centre that has sprung up on the outskirts of Delhi, India’s capital and largest city. In defiance of management threats and state repression, a company stooge union and the traditional trade union federations, the Manesar MSI workers staged a series of walkouts and sit-down strikes in 2011.

In convicting the 31, the Gurgaon District Court wilfully ignored the glaring holes and inconsistencies in the prosecution case and brazenly discounted its own finding that much of the evidence against the workers was a sham. According to Rebecca John, lawyer for many of the accused, in its judgment, which has yet to be released in full, the court had to concur with the defence’s

argument that there had been “fabrication of evidence” and “collusion” between police and Maruti Suzuki management.

So flimsy and compromised was the prosecution case, the court, in its ruling last Friday, completely exonerated 117 other MSI workers who had been arrested and charged along with the 31 in July-August, 2012.

“If 117 out of 148 have been acquitted of all charges,” said John, “I can only say it exposes the complete fabrication of evidence against the workers.”

The defence showed that police carried out no independent investigation of the July 18, 2012 altercation. They simply arrested workers based on a company-supplied list of “suspects.” Prosecution witnesses were repeatedly unable to identify those they testified against. CCTV footage of the events was not supplied even when the defence asked for it.

Central to the state’s case was the claim that workers had set the plant ablaze, but the prosecution failed to show how the fire began, let alone identify who lit it.

The court is slated to hear sentencing arguments next Friday, March 17.

Throughout the almost five-year-long legal process, the prosecution has acted vindictively. It bitterly contested workers’ bail applications for years and curtly dismissed evidence that the jailed workers were abused and subjected to torture, including electric shocks, severe leg-stretching, and water-immersion.

In their interactions with the media, the prosecutors have suggested they will seek the death penalty against some or all of the 13 convicted of “culpable homicide”—Jiyalal, the worker whose confrontation with an MSI manager apparently triggered the July 18 events, and the 12 members of the MSWU executive.

The 18 other MSI workers convicted last Friday are threatened with lengthy prison terms.

The 117 workers whom the court had to exonerate have

all paid a terrible price. For years, they were held in India's notorious prison system, separated from their families and unable to provide them with any financial support. Despite the lack of evidence against them, not until March 2015 were any of them granted bail.

And all have been stripped of their jobs at Maruti-Suzuki. With the support of Haryana's then-Congress Party state government, MSI used the July 2012 altercation and fire as the pretext for conducting a purge of its workforce. Before reopening the plant, it dismissed more than 2,300 permanent and contract workers whom it deemed insufficiently subservient.

Fearing an angry response to the court's impending verdict, the government declared Gurgaon under Section 144 of the Indian Penal Code till March 15, thereby outlawing any gathering of more than five people, and mobilised 2,500 police at so-called "sensitive spots." The Manesar plant was itself surrounded by hundreds of police.

In a show of solidarity with the victimised Manesar MSI workers, more than 30,000 workers in Gurgaon-Manesar, including workers at all four area MSI plants and at auxiliary auto parts plants owned by Bellsonica and FMI, boycotted lunch last Thursday, on the eve of the court delivering its verdict. Many joined plant gate meetings.

The witch-hunt against the Manesar MSI works was launched under and supported by Congress Party-led Indian and Haryana state governments and it continued seamlessly when BJP governments replaced them.

India's big business political establishment has been determined to make an example of the Maruti Suzuki workers so as to intimidate workers in the Gurgaon-Manesar industrial belt and reassure investors that they can count on the state to suppress worker opposition and enforce sweatshop exploitation.

In 2014, the Haryana High Court justified its rejection of workers' bail requests by saying a message needed to be sent to investors. The Manesar workers' agitations and the July 2012 altercation had, claimed the High Court, "lowered the reputation of India in the world." The court continued, "Foreign investment is likely not to happen due to growing labour unrest."

A subsidiary of Japan-based Suzuki Motor Corp., MSI is India's largest car maker. Like other transnational companies in India, it is notorious for enforcing a brutal work regimen. Workers toil six days a week for meagre wages, with only Sundays off. Such is the pace of work, a new car rolls off the assembly line every 12 seconds.

The company has increasingly switched to temporary or contract workers who are not protected by India's tepid and unenforced labour laws. In 2013-2014 and 2015-2016, MSI increased its contract workforce by more than 60 percent, from 6,578 to 10,626. During the same period, it increased its permanent workforce by a mere 5.7 percent, from 12,547 to 13,259.

Although they have a significant presence in the Gurgaon-Manesar industrial belt, the Stalinist-led trade union federations, the All India Trades Union Congress (AITUC) and the Centre of Indian Trade Unions (CITU), have systematically isolated the victimised MSI workers, while counselling them to focus their efforts on lobbying the big business politicians and the capitalist courts for "justice."

The MSWU Provisional Working Committee issued a statement March 11 that termed Friday's judgment an "anti-worker political verdict" that was directed against "the entire working class in India, particularly in Gurgaon-Manesar to Neemrana industrial belts."

It said the MSWU and its leadership had been "targeted ... only because they were vocal for workers' rights," because they challenged "the contract system, the horrible working conditions, the low wages," and MSI's "government-aided" regime of "exploitation and repression."

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