

# Indian court dismisses Maruti Suzuki workers' bail application

By Keith Jones  
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The Punjab and Haryana High Court has callously rejected the request of three of the 13 Maruti Suzuki workers jailed for life that they be released on bail pending the outcome of the appeal of their frame-up convictions.

High Court Judge A.B. Chaudhary curtly dismissed the workers' bail application when it came before him on Friday, October 12. He would not even deign to listen to arguments in favour of the bail request.

Appearing on behalf of Sandeep Dhillon, Suresh Dhul and Dhanraj Bhambhi, Senior Advocate Rebecca John—one of India's best-known civil rights lawyers—sought to present some of the mountain of evidence demonstrating that the workers are victims of a state vendetta.

But the judge would have none of that.

There is incontrovertible proof that police colluded with Maruti Suzuki management and fabricated evidence against the workers, and no evidence whatsoever ties them to the mysterious fire that erupted on July 18, 2012, in the midst of a management-provoked factory-floor altercation, that resulted in the death from smoke inhalation of a company manager. Yet Judge Chaudhry shut John down before she had even begun.

Without batting an eyelash, he then declared bail was being denied the three workers, who have already spent more than six years in prison.

The Maruti Suzuki 13 have been targeted for exemplary punishment by India's ruling elite. This is because they led a struggle at the Japanese-owned automaker's Manesar, Haryana car assembly plant against poverty wages, sweatshop conditions, and precarious contract-labour. This fight became a focal point for worker resistance across the Gurgaon-Manesar industrial belt, a huge industrial agglomeration on the outskirts of India's capital and largest city, Delhi

Twelve of the 13 were members of the Working Committee or executive of the Maruti Suzuki Workers Union (MSWU). Workers at the Manesar plant established the MSWU through a series of militant strikes and plant occupations in 2011-12 that were mounted in rebellion

against a government-recognized, pro-company stooge union.

Just four months after being forced to grant recognition to the MSWU, Maruti Suzuki, working in close concert with the police and the Congress Party-led Haryana state government, struck back.

The company and state seized on the events of July 18, 2012 to arrest hundreds of MSWU militants and fire 2,400 workers, virtually the entire plant workforce.

The WSWs has provided a detailed exposure of the frame-up as part of the International Committee of the Fourth International's campaign to mobilize workers in India and around the world in defence of the Maruti Suzuki workers (see: "The frame-up of the Maruti Suzuki workers—Part 1: A travesty of justice").

Both the police investigation and the workers' trial, which began with 148 workers facing murder and numerous other grave criminal charges, were a travesty of justice from beginning to end.

The police and prosecution repeatedly changed key elements of their narrative of the case, including what car parts workers allegedly used as weapons during the factory-floor altercation.

Defense lawyers showed that police systematically failed to carry out the most rudimentary forensic tests, such as brushing for fingerprints, on what they claimed were key pieces of evidence.

The trial judge, Judge Rajinder Pal Goyal, repeatedly mangled the law to shift the onus of proof from the state to the workers, and himself supplied arguments and scenarios to try to paper over holes and inconsistencies in the prosecution case.

The judge arbitrarily prevented all workers who were witness to the events of July 18, 2012 and had not been accused of any wrongdoing from testifying, on the grounds that they would either be biased in favour of the MSWU or intimidated by its supporters.

After the defence showed that police had arrested 89 workers on the basis of company-supplied lists and then

found Maruti-Suzuki labour contractors to bear “witness” against them, Judge Goyal was forced to exonerate them. He was also forced to dismiss all charges against a further 28 workers whom not a single prosecution witness could correctly identify.

But he did so with the aim of sustaining the legal vendetta against the principal accused—the leaders of the Maruti Suzuki Workers Union. Thus, in his judgment, Goyal insisted the fact that police had fabricated evidence, and done so on the orders of the inspector in charge of the investigation, in no way compromised or even called into question other police evidence.

Prosecutors and judges involved in legal proceedings concerning the victimized Maruti Suzuki workers have stated repeatedly and bluntly that an example must be made of them so as to reassure investors.

In arguing for the 13 to be sentenced to death by hanging at their March 2017 sentence hearing, special prosecutor Anurag Hooda declared, “Our industrial growth has dipped, FDI [Foreign Direct Investment] has dried up. Prime Minister Narendra Modi is calling for ‘Make in India,’ but such incidents are a stain on our image.”

In rejecting the three workers’ bail application earlier this month, Judge Chaudhary similarly cited the “problems such unrest causes to the entire industry.”

Three days later, Indian media widely distributed a Reuters’ report expressing concern that “labour unrest is on the rise” in Gurgaon-Manesar and India’s other major auto manufacturing center, located in Oragadam-Sriperumbudur, southwest of Chennai, the capital and metropolis of the southern Indian state of Tamil Nadu.

Currently thousands of workers are on strike at Yamaha India Motors, Royal Enfield, and Myoung Shin Automotive plants in Oragadam-Sriperumbudur for higher wages and to win recognition of newly-organized unions in the area, known as the “Detroit” of India or Asia.

Like the Maruti Suzuki workers, the Tamil Nadu autoworkers are facing a joint assault by the companies, the police, courts and government. At the companies’ behest, and with the courts’ sanction, police have broken up worker occupations and protests and are preventing them from picketing the strike-bound plants.

Among workers in the Gurgaon-Manesar industrial belt there is widespread recognition that the Maruti Suzuki workers are class-war prisoners, and great sympathy for them and the 2,400 workers the company purged from its workforce.

But the Stalinist-led unions, the CITU and AITUC, and the respective parties with which they are affiliated—the Communist Party of India (Marxist) and the Communist Party of India or CPI— have systematically isolated the

victimized Maruti Suzuki workers and now treat them like the Brahmins did the pariahs.

For weeks the Stalinist press did not even report on the convictions and life sentences meted out to the 13. The CITU is ostensibly leading the current strikes in Tamil Nadu, but as WSWs reporters have discovered by speaking to the strikers, the Stalinist union officials have left them utterly ignorant of the frame-up of the Maruti Suzuki workers, let alone sought to explain to them what it demonstrates about class relations in India and the role of the courts, police and the political establishment.

As the WSWs has previously explained, “The Stalinists fear the militant example of the Maruti Suzuki workers. Above all they recognize that any campaign to mobilize the working class in their defence would cut across their attempts to forge a political alliance with the big business Congress Party for the 2019 national elections and to promote the courts and other state institutions as ‘democratic bulwarks’ against (India’s) Hindu supremacist BJP” government.

The refusal of the Stalinists and the other unions to lift a finger in defence of the Maruti Suzuki workers has emboldened the ruling elite. Haryana’s state government, now led by the BJP, has petitioned the courts to set aside their life sentences and order them to be hanged. It is also seeking the retrial of the 117 workers Judge Goyal was forced to declare exonerated, after they spent two-and-a-half years in jail.

Workers in India and around the world must come to the defence of the Maruti Suzuki workers. By challenging sweatshop exploitation, these heroic workers were striking a blow for workers not just in India, but around the world. Their defence is a vital first step in forging the international unity of the working class that is needed to fight global capital.

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