

VOICES OF PROTEST : Workers Struggle at Wazirpur

People's Union for Democratic Rights

February, 1997

ALINA AUTO INDUSTRIES

Alina Auto Industries, which was set up at Wazirpur in North Delhi, 25 years ago, is today a direct supplier of auto parts to some of the giant companies of India like Maruti, Telco and H.M.T. The company has two sister concerns in Delhi and one outside. A total of 250 employees work in Alina. Of these, only 150 workers have been granted the status of permanent employees by the company. As per practice, the management enters into an agreement with these workers, regarding all the matters related to their wages and other benefits, through an INTUC led union after every five years. Out of the 100 non permanent workers there are 20 I.T.I. diploma holders who work as trainees. The remaining 80 workers have been working in the factory for the last 6 to 8 years. The nature of their work is perennial, like drilling, painting or fitting. Despite this, the management refuses to recognise them as its permanent workers. As a result of which their service record is deliberately broken after every six months. Apart from the stipulated minimum wage of Rs. 1677 paid to an unskilled worker, they do not get any other benefit such as bonus, earn leave or E.S.I. facility etc. This is despite the fact they often perform work of a skilled or semiskilled nature. The denial of permanent status to them, in effect, means a reduced liability and an additional profit for Alina. The interests of these workers are not only ignored by the company, but also by the factory union representing the workers. These 80 workers are now determined to fight their own battle.

Last year in December they registered their complaint with the Labour

Department. An inspection was carried out by the labour inspector. The management was directed to furnish their records. This led to the dismissal of one worker, in retaliation by the management. He had been actively involved in making the complaint to the Labour Department and other union activities. Again, on Feb. 1, 1997, seven more workers were dismissed without any prior warning or notice. When others tried to register their protest, 17 more were made to leave. Being left without any option, the workers sat on a protest dharna in front of the factory gate on Feb. 6. A large number of permanent workers also joined them as they, too, had become sympathetic to this struggle. The very next day, the company managed to obtain an ex-parte stay from the court, restricting any demonstration within a radius of 30 meters from the factory. The absurdity of such a restriction is evident from the fact that beyond a distance of 5-6 meters, there are either other factories or jhuggi colonies. The workers were compelled to call off the dharna which they had planned to organise so painstakingly.

The matter seems to have stagnated here. The management is ready to take only 17 workers back. It even refuses to recognise the remaining 8 workers retrenched earlier as its employees. The Labour Department, which has only played the role of a passive observer in the entire dispute, recognises these workers as employees of Alina. However, the Department expressed its inability to do anything effectively, as the dispute can only be settled through a long process of litigation in Labour Courts.

GULLIYAN METAL WORKS

AT 104/13 Wazirpur Industrial Area is located Gulliyam Metal Works, a steel rolling factory which was set up in 1983 with 35 workers. Opposite it is Anil Metal Works, another unit belonging to the same group. Since Jan. 1997, locks have been hanging on the doors of both the factories. The collective workforce of both the units stands at 52, which has now been rendered jobless. From Jan. 4 onwards, the workers have been sitting on dharna outside the factory gates, demanding that production be resumed.

Both units had suspended production on Feb. 2 after the breakdown of a local power transformer. This failure of power supply, which appears to be a genuine reason for the temporary suspension of production, apparently, gave an opportunity to the management for permanent closure. All the ready

stock and raw materials were immediately disposed off, in the meantime. It so happened that when the workers reached the factory on the morning of Feb. 3, they found the gates locked.

There are roughly 1000 steel units in Wazirpur Industrial Area. Like in most of these factories, Gulliyian has also never maintained any record regarding employment of workers. In Gulliyian, majority of the workers have been working for over 5 years. It is these workers around whom the present dispute revolves. With no proof of any kind of service record their situation becomes even more vulnerable particularly in matters of closure. Even while they were working, they earned, on an average, between Rs. 800 to 1000, far below the stipulated minimum wage. Every day, by working for additional 4-5 hours, they were able to earn Rs. 500-600 more in a month. The absence of any service record implies that the status of these workers is casual, a category not covered under the labour laws. The non-existence of such records and under payment of wages indicate that even if the management is forced to settle all dues, in case of closure, the compensation amount paid will be far less than the actual compensation due to them. The past record testifies this. In July last year, at another unit of the same group, 40 workers lost their jobs without getting any compensation. All of them were casual workers.

For last one and half months, the workers have been sitting on a protest dharna. They have not received any wages for the same period. They had sent a complaint through Delhi General Mazdoor Front (DGMF), to the Labour Department. This was the first attempt at collectively raising their voices. No information regarding their service record, prior to the closure, was available with the Department. According to the authorities, no Labour Inspector has been deputed in Wazirpur for over six months. A Labour Inspector from another district had made a visit to the factory, that too only after the closure. The fact that the Labour Department does not provide regular Inspectors, does not keep information about service record, and refuses to take any punitive measures against the management allows for a situation in which the management does not pay fair wages, arbitrarily stops production and refuses to pay adequate compensation. And the Department is not only aware of the situation but also admits that non-maintenance of service record is an obvious feature of the practice of not paying compensation.

In this situation, were the Labour Department is virtually non-existent

and where the management has nothing at stake, the workers have been left sitting in front of an abandoned factory.

These are not isolated instances of retrenchment or of denial of fair wages. It is an every day occurrence in the entire unorganised sector of Delhi. In Wazirpur alone, in the last two months, workers have been thrown out of work in at least four factories. The crucial sections of the Industrial Disputes Act that put some restrictions on closures, do not apply to these units as they have a workforce of less than 50 workers. The enforcing agency for such laws is the Labour Department. The passivity on the part of the Labour Department in such situations is common knowledge. And precious little results when it tries to break this passivity by activating itself in some isolated cases. Its limited powers, unending legal procedures and meagre penalties for unfair labour practices hardly provide any relief to the workers.

Insufficient mechanisms and ineffective institutions force the workers to find ways of getting out of this vicious circle. This is done through organisation of dharnas, rallies, demonstrations etc. In some cases the workers even adopt militant methods to meet their demands. This in turn invites the wrath of various institutions of the state from the police to the judiciary. They treat it as a threat to industrial peace, which has to be controlled in a coercive manner. Ironically, this situation arises because state institutions fail in the first place.

The Supreme Court gave an amended order in December last year for relocation and closure of polluting factories in Delhi. For workers, the order had a provision of compensation in case of loss of job due to relocation or closure. In this state of affairs where more than half the workers of the city have no proof of their status as workers, the events at Alina and Gulliyani show that the compensation clause in the order has no meaning. It is a warning of the fate that awaits thousands of workers.

Published By : Secretary, People's Union for Democratic Rights.

For Copies : Dr. Sudesh Vaid, D-II, Staff Quarters, I P College,
Sham Nath Marg, Delhi - 110 054.

Suggested Contribution : Rs. 2/-