

All India Central Council of Trade Unions (AICCTU)

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President: S. Kumarasamy

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AICCTU Protests against framing of AICCTU National President on false charges in Pricol case

New Delhi, 24 September 2009

AICCTU today held a protest demonstration at Jantar Mantar against framed charges falsely implicating S. Kumarasami, the national President of a centrally recognized central Trade Union Organisation, AICCTU and a practicing lawyer in Tamil Nadu High Court in the Pricol case. A memorandum was submitted to the Tamil Nadu CM through the Resident Commissioner in Tamil Nadu Bhawan, demanding a high-level enquiry into the Pricol incident, withdrawal of false charges against AICCTU National President and action against Pricol Management for repeated violations of labour laws.

A statement issued today by the AICCTU National Secretary Santosh Rai, said:

AICCTU holds the incident leading to the death of Mr. George, Vice-president of Pricol Ltd., Coimbatore to be highly unfortunate. Pricol workers have a history of years of consistently peaceful struggles, and such violent incidents can have no place in the trade union movement. AICCTU demands a high-level enquiry into this incident.

However, we condemn the malicious attempt to target AICCTU and its central leadership in patently false cases in this incident. We demand withdrawal of FIR against S Kumarasami, national President, AICCTU.

Pricol management's consistent violation of the laws of the land:

- For the last two years, Pricol management has blatantly violated labour laws: a fact recognized by the Labour Minister of TN inside the TN Assembly on 30 June 2009.
- **In a Calling Attention Motion on 30 June, raised by MLAs of AIADMK, Congress, PMK, CPI, CPI(M), the Labour Minister of TN replied, accepting that Pricol management had indeed violated labour laws and assuring of**

action against them. Only after this assurance, a hunger fast by Pricol workers including many women workers, ended on the 16th day.

The Government Order 393 dated 29.06.2009 had raised the following instances of violations of labour laws with the Labour Court Coimbatore under Section 10 (1) of the ID Act 1947:

- Violation of the law against engaging apprentices and contract labour in direct production
- Unilaterally declaring holidays and thereby depriving incentive from the wages of the workers
- Denying DA and Wage increase as per 12 (3) Settlements dated 29.09.2004 and 03.03.2004

Locking out the workers, transferring them, depriving them of their earned wages and other statutory benefits – all had become the hallmark of the vindictive actions of this management. The Pricol management has repeatedly threatened and victimized workers that they must either leave the Union or forego their earned wages and benefits and face transfers. The Pricol Management has been openly refusing to recognize or negotiate with the Union.

While incident like Pricol is highly unfortunate, it must be acknowledged that such incidents are occurring in the context of flagrant violation of labour laws and constitutional rights. As described above, at Pricol,

- Workers are victimized for exercising their right to unionise;
- Management refuses to negotiate with unions;
- Even when workers win legal victories (getting orders passed by Government and Courts) after arduous peaceful struggles including hunger strikes even by women workers, the management continues to flout the orders, and even indulges in violence against workers.

In other words a situation is created whereby workers' legal unions are ignored, workers are forced to wage long and hard peaceful struggles and legal battles even to get the Government to uphold the most basic labour laws; and yet, the entire institution of Labour Departments and Labour Laws is held hostage by the corporate managements. It is this situation that is directly responsible for the incidents at Graziano and Pricol.

While we strongly disapprove of the unfortunate incident of the death of Vice president of Pricol Ltd., Mr. George, we demand institution of a high level inquiry in this incident along with withdrawal of false and fabricated cases against S. Kumarasami, National President of AICCTU and stopping of arrests and witch-hunt of workers in this case. We also demand that the management particularly the MD of Pricol Ltd. should be brought to book for open violation of labour Laws, govt. orders and court orders regarding the workers of this factory.

(Santosh Rai)
National Secretary,
AICCTU