

**ON A RAINBOW  
IN THE SKY...**



**the  
chattisgarh  
mukti  
morecha**



ON A RAINBOW  
IN THE SKY...

the chattisgarh mukti morcha

Centre for Education and  
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# Foreword

On September 28 falls the martyrdom day of Shankar Guha Niyogi, the compelling believer in human creativity and an organiser, who re-defined in practical terms, the contours of trade union movement in India. It is to this great visionary and to the Chattisgarh Mukti Morcha, the trade union movement and the political manifestation of the creativity of the community, that we submit this rarest collection of articles written on the person and the movement, from varied sources, spread over many years.

Niyogi negated negations and synthesized institutions and structures with peoples' participation. He rejected the affluence, the high technology and casteist elitism of the Bhilai Steel plant and opted for impoverishment, archaic technology and tribal identity of Dalli-Rajhara mines. He negated the concept of development and industrialisation as a process of deprivation, de-skilling and displacement of masses; and upheld the view that meaningful industrialisation is that which taps the creativity of the people, and when the technology gets integrated into the day to day life and culture of the people.

He was grieved by the disinterest of organised trade unions in addressing the problems of the contract workers in the captive mines of the Bhilai Steel plant, and engaged in a collaborative exercise with the miners, in building a qualitatively different trade union movement. Niyogi and his colleagues realised that in India, trade union movement of the subalterns should address the total life of the workers - schooling of children, technical education of workers, health, gender justice, rape, alcoholism etc., therefore, become the subject matter of the trade union. The trade union so built up, also challenged its own class limitations by forging a powerful alliance with the peasants in the countryside to build the Chattisgarh Mukti Morcha, a political peoples' movement with a wholistic perspective. In building up this decentralised movement, he also overturned the conventional concept of 'leader and the led' by approaching each worker as a political leader.

Such a creative, ingenious person was brutally murdered on September 28, 1991. Our Court of Law and the Law enforcing agencies could not establish who killed him. But Niyogi knew who were behind his murder; and he named industrialists in Bhilai, workers employed in whose establishments, he was organising.

It is ominous that the murder had happened in 1991, the year in which the Indian government had gone in for an intensive phase of liberalisation and restructuring of industries. It has shown that irrespective of what the so-called modern management says, workers are the perpetual enemies of industrialists and the objects of exploitation.

Contrary to the expectation of the murderers, the Chattisgarh Mukti Morcha outlived the murder of Niyogi. The light can never be extinguished.

The Centre for Education and Communication, a resource centre for labour, has been a close observer and keen learner of the alternative trade union movement in Dalli-Rajhara and Bhilai. We feel privileged to continue to be associated. The decision to bring out this volume, from the rich database of CEC's documentation centre, was taken on a suggestion from the Chattisgarh Mukti Morcha Solidarity Group, Delhi.

Mr. Souparna Lahiri has done a splendid job in going through the materials and putting the most relevant ones together in the present form. We acknowledge with thanks the support and contributions from Mr. K. G. Mukherjee, Mr. B. B. J. Tilak, Ms. Sudha Bhardwaj, Mr. Anand Swaroop Verma and Mr. Bharat Dogra in the collection and collation of information. Acknowledgements are also due to Mr. P. I. Raveendranathan, Ms. Anitha Prakash, Ms. Davinder Kaur and Mr. Rajeev Chaudhury of CEC in their contribution in preparing the document.

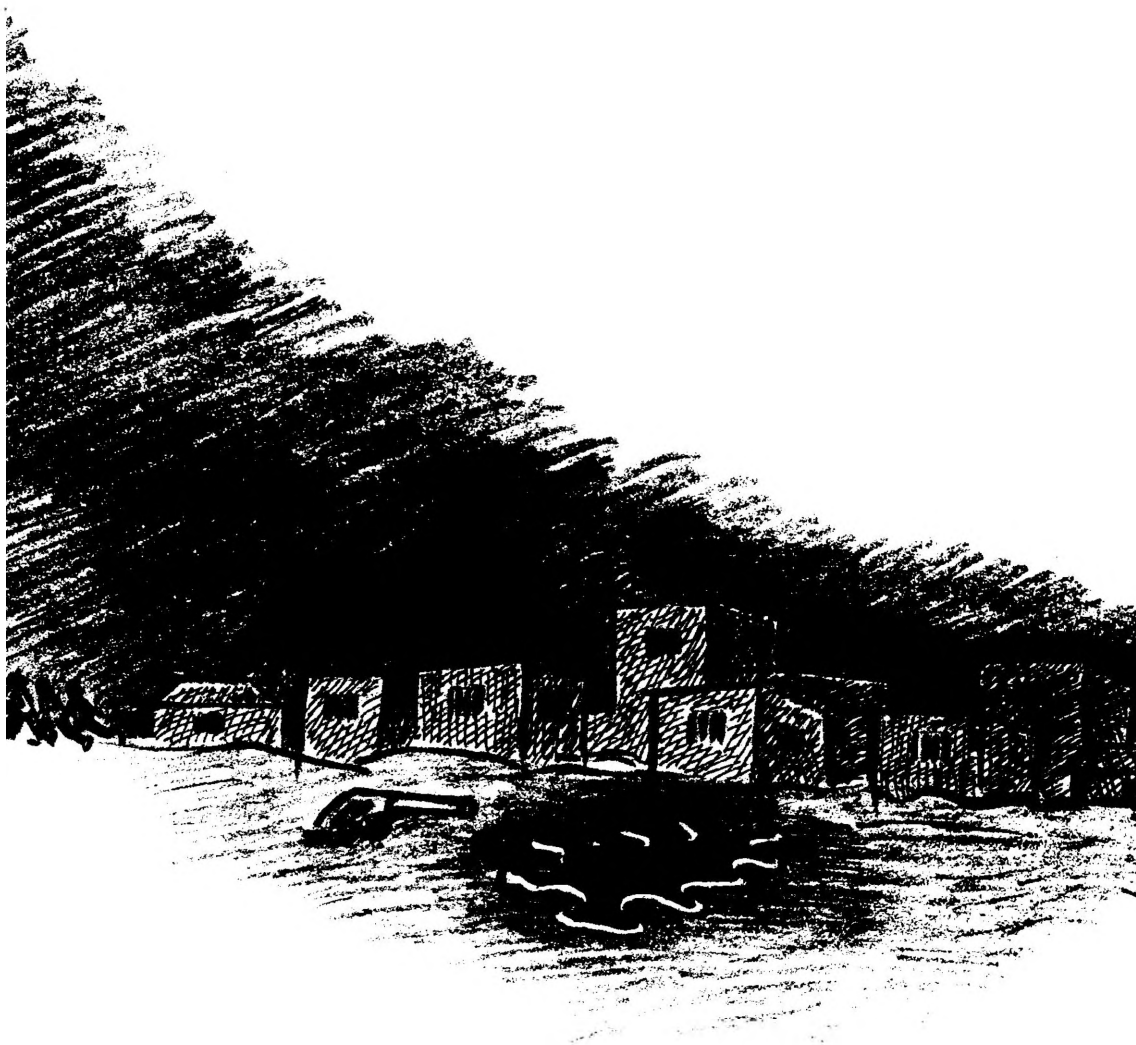
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New Delhi  
September 24, 1998

J. John



September 28, 1991





# The Unfolding of Violence

<b>Date</b>	<b>Description</b>	<b>Factory/Place</b>
6.5.90	Daras Ram Sahu, activist of the Indian People's Front and a candidate for the Assembly elections murdered.	Bhilai
1.6.90	Ramesh Pereira, an activist of the Trade Unions Centre of India killed in police firing during a demonstration of workers protesting arrest of their leaders.	Abhanpur, Raipur
17.9.90	Two workers forcibly taken into the premises of the Simplex Engineering Unit I and assaulted to prevent them from attending the first rally organised by Pragatisheel Engineering Shramik Sangh's (PESS) in Bhilai. The FIR filed named Gyan Prakash Mishra (one of the prime accused in Niyogi murder case) as assailant.	Bhilai
6.11.90	15 workers of R. K. industries assaulted by 20-25 heavily armed goons after being confined in factory premises on the pretext of overtime. FIR filed.	Bhilai
7.11.90	Ravindra Shukla, vice-president of Chattisgarh Chemical Mills Mazdoor Sangh (CCMMS) and a union leader in Chattisgarh Distilleries, assaulted in Housing Colony.	Bhilai
12.11.90	Jagdish Verma, joint secretary, PESS and union leader in Gyan Re-rolling Mills, assaulted at a tea shop in exactly the same manner as Shukla above.	Bhilai
25.11.90	Ram Vilas Mandal, General Secretary of PESS and 11 others of Bhilai Wires Pvt. Ltd. wounded in attack by the so-called	Bhilai

'rival union' members.

- 7.1.91 Mani Ram Verma, a striking worker of Simplex Engineering & Foundry Works, was found dead in his house in suspicious circumstances. PESS claimed he was murdered. Bhilai
- 26.1.91 Ten women workers of Kedia Distilleries brutally lathicharged by police at the factory gate in the presence of company's General Manager. Bhilai
- 6.4.91 Alam Khan and Chandralekha Bai sustained severe scalp injuries in a concerted attack by the police and the goons when workers were protesting at being denied entry in Kedia Distilleries. Bhilai
- 16.4.91 About 200 workers of the first shift were not allowed to enter the factory by the management. Workers reassembled before the second shift and the management initially allowed them to enter the factory premises. All of a sudden, a 100-strong police force under CSP Shri Sailesh Singh lathicharged the workers. Contractors and their goons joined the police. A large number of workers including women were thrashed up. Smt. Jugubai Pachdevari fell unconscious after being beaten up. Contractors' goons later went around in a jeep to the neighbouring villages and beat up all those suspected to be CMM supporters. Chattisgarh Distilleries, Kūmhari
- 25.6.91 Lathicharge on workers' procession at Bhilai after TI Shri Salam drove his motor cycle into the procession and kicked a pregnant woman. Activists Chandrashila Bai, Bhim Rao Bagde, Anoop Singh were grievously injured. Union office was ransacked and files, typewriter, jeep, etc. illegally confiscated. Persons in the office including 65 women and patients waiting Jamul, Bhilai

for their weekly clinic beaten up and arrested.

- |         |   |                             |
|---------|---|-----------------------------|
| 27.6.91 | Workers Srinivas, Munshilal, Shambhu Prasad and Hardev were brutally beaten up inside the Kedia Distilleries premises by goondas hired by contractors.  | Kedia Distilleries, Bhilai  |
| 19.8.91 | Attempt on the life of Shri Uma Shankar Rai, office bearer of PESS and worker in Simplex Engineering., outside the gate of Bharat Industrial Works by contractors of the Simplex Group in the presence of TI Salam. | Simplex Engineering, Bhilai |
| 24.8.91 | S. K. Singh, Tarun Haldhar and Sukhlal of PESS, Urla were assaulted almost fatally while they were sleeping inside the dharna pandal outside Simplex Casting in Urla.   | Urla                        |
| 28.9.91 | Shankar Guha Niyogi shot dead while sleeping in his HUDCO Colony residence.   | Bhilai                      |

**Source: *Behind The Industrial Smokescreen, A Citizen's Committee Report*, New Delhi, March 1992**

# The Deathless Patriot

Madan Datta<sup>1</sup>

The poet Samir Roy had given his address and had said, “Do go and see him” when I left Calcutta to settle in MP permanently.

After settling in Dandakaranya, I wrote him letters but received no reply. I did not have money to travel to Dall, and I was struggling to find a way to support my family.

I was introduced to Dr. Saibal Jana and Jogin Sen Gupta during the 1989 parliamentary elections. They had come to our area to campaign for Janak Lal Thakur, the candidate for Chattisgarh Mukti Morcha. They took me to Niyogiji.

The Chhatisgarh Mukti Morcha (CMM) was holding a public meeting at Pakhangarh Bazaar. I had reached late. I saw a man sitting on the ground with others clad in a coarse khadi pyjama and kurta. He looked so distinguished. Face lit up with laughter, it seemed that he held his head high. One could immediately see that he would never yield to pressure or money.

I had talked to him for ten minutes. And had decided, that; for the rest of my life, I would work to be known as his follower. I had offered him a bidi

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<sup>1</sup> I knew him as Madan Datta. In 1979-80 he used to drive a cycle rickshaw. I was on the lookout for writers among cycle-rickshaw drivers for my journal “BORTIKA” and Madan surprised me by pulling out a copy of my book “AGNIGARBHA” from under the seat. He pushed a rickshaw, worked at a fishery, worked as a mason, and wrote for “BORTIKA” and other little magazines. For some years I lost his track. Then an appeal came from Monoranjan Byapari, Madan’s real name, of Bastar. With direct encouragement from Guha Niyogi, he was starting a library named after the rebel poet Sukanto Bhattacharya and prayed for Bengali books. I appealed for good books in my weekly column for “Bartoman” and literally about two thousand books and journals were collected. After Guha Niyogi’s death, Madan sent me this piece of writing in Bengali. Here is a translation of his homage. I feel proud to translate and present it. This is a tribute from the grassroots to the death less GUHA NIYOGI - Mahashweta Devi.

and he had offered me a matchbox. He told me, "Byapari, come to Dalli once". I had nodded in agreement. Yes, I would go to Dalli.

Dalli-Rajhara is the end-place for new pilgrims, the workers. Here, for the first time ever, the workers had left the anti-labour, pro-millowner corrupted trade unions functioning under different political parties and formed their own trade union with true labour leadership. The iron-mine worker who received seven rupees per day in 1977, receives almost eighty rupees a day after a bitter and bloody struggle. How did they win? Their sole weapon was resolute strength of mind, indefatigable courage and a true leadership. But Guha Niyogi was the man who channelised these assets towards a well-planned battle to fulfill an aim. So Niyogiji was both respected and loved by the workers.

I was awe-struck at reaching Dalli. Red and green coloured flags greeted from shops, markets, houses and street corners. The men in red shirts, green shorts, the women in red saris and green blouses. The red and green flags waved from trucks, jeeps and cycle-rickshaws. Red and green was the colour of CMM, of workers and peasants and of the labouring people of Chattisgarh. Niyogiji introduced the two colours to Chattisgarh.

I went to the mines. Talked to the mining workers, saw the headquarters of CMM, saw the Martyr's Column commemorating the death of eleven workers killed by the police in 1977. Read the words engraved on the column.

To you all  
*The butchers who killed you*  
*Have taken possession of the law courts*  
*We will not hand over your*  
*Murder cases, to the killers.*  
*We will struggle*  
*We will battle*  
*We will win*  
*Our law-courts*  
*Will punish the butchers*

I saw the Shaheed (Martyr) Hospital. The slaves of the exploiters had killed eleven patriots in order to please their lords. The hospital dedicated to the Martyrs today fights and works to save lives of thousands. I saw a batch of voluntary workers, thoroughly disciplined and dedicated. The service they render is astounding.

I saw Niyogiji in the evening. He was talking to an old man in the union office. The old man had come from a distant village. 'He has heard that there is a big hospital at Dalli run by Niyogiji, a great doctor. Even a dying patient gets a new lease of life after being treated there. So the old man has come to Niyogiji with hope that the doctor will examine him'.

The old man was suffering from disabilities of old age. Niyogiji listened to him most sympathetically and patiently, and told him, in Hindi, "you'll be alright. Rest for the night. In the morning we will go to the hospital".

The old man had no money for food, nor any bedding. Niyogiji asked a boy to take the old man to the canteen for a meal, get him two blankets from the hospital and let him sleep in the union office.

Then he met CMM workers from different places and talked about the election till 2 am. Before leaving for home, he went to enquire after the old man. The old villager was lying covered with a coarse cotton-spread, no blankets.

Niyogiji is usually very composed and calm. But that day I saw him getting furious. He thundered, where is the boy"?

The boy came with a crest-fallen face.

What did I tell you? You fail to do this small duty, and expect to serve the people.

Well, there were no spare blankets in the hospitals. Too many patients!

Why did you not tell me that? Go, fetch blankets from Janak's house, or my place.

Niyogiji went to sleep after a blanket was brought from the CMM Adhyaksha Janak Lalji's house and the old man was covered with. This warm, human concern for the needy and the suffering won him a place of love in the heart of many.

Another day Dr. Saibal Jana took me along with him when he visited a patient. We walked two miles, reached a workers slum and found an old man lying on a bed. Dr Jana said, "Dokra! This friend has come from Kashi. I have told him that you are a great storyteller. Do tell him a story".



The old man was pleased. Tea without milk was brought, and he started retelling the story from Ramayana. A poor man from Dalli, he had seen the Majdoor strike of 1977. The experience was still so enthralling that Majdoors and Niyogiji were mentioned repeatedly while narrating Ramayana, especially during the imprisonment of Rama and Laxmana by Mahiravana, the son of Ravana.

“The great battle between Rama and Ravana, just like the same between the Majdoor and the Mine-owners. Then Ravana sent for his son Mahiravana, the ruler of the “Patala”, the under-earth and said, “Do go and fight Rama, kill him and save Lanka. And did not the Mine-owners run to the police and say, ‘Do save us from Niyogiji? Yes, they did. And the police opened fire, Mahiravana was a great trickster and tricked Rama into imprisonment, just as the police played a trick and arrested our Niyogiji”.

A character from the epic and a man of our times overlapped into one another in the old man’s story. I had read Mahashweta Devi’s novel “Chotti Munda and his Arrow” and knew, how a human being can become deathless, a flowing stream, a legend, and indestructible. That it was no imagination, was proved by Niyogiji.

In the steel-city of Bhilai the majdoors launched a movement to realise their twenty-point demands. Niyogiji came from Dalli to lead the movement. Wherever there were injustice and oppression, he went there. And Niyogiji’s name was synonymous with the word resistance. He was a hardcore fighter, the labour-exploiting capitalists trembled in their shoes. The Chief Minister Sunder Lal Patwa’s BJP government felt threatened. Would it be able to save the capitalists who gave lakhs of rupees to the party?

Niyogiji called the people sympathetic to the workers of Bhilai on 2.10.1990, the Gandhiji’s Birthday. He wanted to launch a mass movement. At the behest of the frightened capitalists, the State BJP government issued an order forbidding the Bhilai meeting. But Niyogiji could not care less. Within 24 hours he shifted the venue of the meeting from Bhilai to Raipur, arranged for food for 30/40,000 people, made a success of the meeting, and dealt a blow to the state government. Only he could do this. The press recognised that he was a leader without parallel, and his organisational power was matchless.

It was raining heavily for the last three days. People came in processions from distant places. They came from Delhi and Calcutta, the Bastar tribals from the deep forests of Abujhmar came. In the babu-dominated city of

Raipur, the tribals were not welcomed. But they did not beg for sympathy. They came at the behest of their captain, as his army men. Niyogi's followers were divided into three divisions, each division marched in a line, six miles long. The city of Raipur saw, for the first time ever, such a well-disciplined procession marching, drenched in the rains, Niyogiji sat in the open platform. He too was drenched. He was not one to maintain a safe distance while his people suffered.

It seems like a dream, that mammoth gathering. People stood still, as the ground was slimy with mud. But Niyogiji's voice was relayed through the microphone, "we are peasants and workers. Our existence is dependent upon earth and water. So sit down, if you can".

And that ocean of a crowd just sat down to listen to him.

Once I went to his house with a friend. He had come to Dalli just for a day from Bhilai. I had already had a talk with him. I went to see Asha didi before returning to Kapsi. One could reach his hut if one walked through the workers slum over mud roads. It was so revealing! Niyogiji, the great people's leader literally lived in a hut. He could have the best high-rise of Dalli if he could follow the other so-called trade union leaders who served the capitalists in the name of trade unionism. Niyogiji hated the idea of leading a comfortable life at the cost of the workers. So he lived as his people did.

At daybreak I knocked on his door. Niyogiji's daughter Mukti opened the door. Asking us to wait she went to call her father. She should not have. I had gone to see Asha didi, not Niyogiji. Asha didi never participated in any political discussion. Yet I felt like calling on her whenever I went to Dalli.

The man, whose name rouses billions of people today, was all alone once. The police hounded him as he absconded. In those days Niyogiji travelled all about Chhattisgarh, in the hills, in the mines, in tribal villages, when he had gone underground. Now he grazed cattle, now he worked in the stone quarries breaking stones. This tribal woman Asha didi used to look after him in those days. I go to her to pay my respect. Mukti did not know, she called Niyogiji.

The meeting last night had continued till 2 am. He must have gone to sleep after 3 am. He should not have been wakened up. Yet he left his bed and sat upon a bench looking calm and collected. Asha didi brought tea. Wife of such a big leader, she had no helper and did all the house work.

Sipping tea, Niyogiji said, "I am not feeling well. Running a little bit of temperature from last night".

I just forgot myself and touched him. His temperature was quite high. Yet he had come to talk with us - two ordinary men.

That was Niyogiji. No one was dispensable. He held everyone with the same priority. He loved whoever came to him. His days and nights were dedicated to the people. He has left the legacy of unbounded love for man alone.

And today, on 28<sup>th</sup> of September, I have come to see our beloved leader Shankar Guha Niyogi. He is lying before the Shaheed Chawk of Dalli, his body decked with flowers, garlands and *Abeer*. The ever-awake sentinel of the oppressed masses is sleeping his last sleep after forty-six years of relentless struggle.

I saluted him. No, he did not raise his clenched fist towards the sky. It seemed that he was lost in a dream. Even the mercenaries bullet could not wipe off the flicker of a smile on his lips, even death could not end his dream. He had wanted irrigation for all the fields, health for everyone, smile on everyone's lip, happiness for everyone. Right to live for everyone! I felt like reaping the sky apart with cry! Wake up Niyogiji, this sleep does not become you. If you continue to sleep who will lead them forward, who learnt to read the sky, to see the polestar only after they looked at your eyes?

The battle is not won yet. You cannot take rest till the last enemy bastions fall. No respite for you either. See how the countless thousands are weeping. Who will wipe their tears and tell the story written in words of fire if you sleep?

I stared around. The atmosphere was hushed into silence. Voices choked with sobs chanted. I too, would have howled in grief. But I remembered his last words, "We have had to face many attacks in the past. Such attacks will recur in the future, unprecedented things may happen, which may be horrifying experiences for you, stand up and fight that day friend. If you can't, do weep for us".

A solid mass of people moved forward carrying Niyogiji. Thus they moved in Dalli, Raipur and Bhilai. It does not seem that he has left us. It seems that he is with us, everyone is carrying a bit of him in his heart.

***Frontier*, February 1, 1992**

# The Man was a Machine with a Human Heart

Rajendra Sail

Born on February 14, 1943 in Jalpaiguri of West Bengal, Shankar Guha Niyogi spent his childhood in the forest. Son of a petty railway contractor, Heramba Kumar Guha Niyogi, Dheeraj (he changed his name to Shankar after his involvement in the trade union movement), was the eldest of five brothers and two sisters. His father is 86 years old now, but was very proud and supportive of his son's involvement with the poor and oppressed. Two years ago he had visited Dalli-Rajhara and witnessed the total identification of his son with workers and peasants.

Niyogi lost his mother in 1961, the year he completed ISC from Ananda Chandra College, Jalpaiguri. The same year, he left his home to live with his maternal uncle, Sitanshu Roy, a foreman in Bhilai Steel Plant in Durg district of Madhya Pradesh. It is in the BSP that Niyogi started an apprenticeship course and completed two years of the three-year AMIE course. Simultaneously, he completed B.Sc., doing odd jobs to maintain himself. He was active in the student movement, and was joint-secretary of the Student Federation of India.

As a worker in the BSP he formed the first trade union of his own called the "Blast Furnace Action Committee". With only 16 members in the group, Niyogi was capable of sending a chill down the spine of the management. He soon lost his job on "security grounds". He left Bhilai to venture into the thick forests of Bastar - the biggest tribal district in India. Identifying with and learning from the tribals, he picked up the local languages - Gondi and Halbi, and did odd jobs ranging from trading in goats to fishing. It is from here that he launched his Hindi weekly called Sphuling.

It is around this time that he encountered the "spring thunder" - the emergence of the naxalite movement. He was first arrested in 1968, then began his several journeys to jail, the longest being thirteen months during Emergency in 1975-76.

He returned to Durg, and worked in Dani Tola mines near Dalli-Rajhara, which later became his base for several experiments in as "trade unionism with a difference".

He married a fellow mineworker whom he named Asha. A militant tribal, Asha has been his partner in various movements. She was in the forefront of the agitation protesting Niyogi's arrest under the National Security Act in 1981. They have two daughters and a son, named in line with Shankar's ideology - Kranti, Jeet and Mukti.

He first joined the All India Trade Union Congress and later formed an independent trade union called Chattisgarh Mine Shramik Sangh (CMSS). The CMSS was instrumental in initiating an entirely new kind of trade union movement incorporating social reforms like an anti-liquor campaign. Niyogi soon clashed with the most powerful liquor contractor of Chattisgarh, Surjit Singh Bhatia, who enjoyed political patronage and protection of the then Congress-I industries minister Jhumuk Lal Bhedia. The anti-liquor campaign was opposed tooth and nail by the liquor lobby and he received several threats to his life. Some of his colleagues were attacked, and the PUCL came out with an investigative report in 1982, clearly pointing the finger of suspicion at the liquor lobby in the state.

His union's multifarious activities like the people's health education and establishment of the Shaheed Hospital, formation of the Mahila Mukti Morcha to recognise the status and role of women in the process of social change, mass education through cultural action, rewriting history from the people's point of view, running of six primary schools, training cum-production workshop for unemployed local youth, fight against pollution and preservation of forests, were unique experiments and programmes which brought in qualitative change in the lives of the suffering and struggling people of Chattisgarh.

He formed the Chattisgarh Mukti Morcha (CMM) in 1978 with the commemoration of the martyrdom of Veer Narain Singh, a tribal leader who had been hanged to death by the British on December 19, 1857. The CMM, soon emerged as a democratic organisation bringing together workers and peasants, tribals and dalits, youth and women to fight for a common cause.

In 1984, the CMM won the prestigious reserved seat of Dondi Lohara. The CMM candidate, Janak Lal Thakur, a local tribal leader, is presently its president and Niyogi's unquestioned successor.

After initiating the process of creative construction in Dalli-Rajhara, Niyogi moved on to Rajnandgaon in 1984 to organise the textile workers in the Bengal Nagpur Cotton Mills (BNC Mills), the oldest mill in Chattisgarh. On September 12, 1984, the police opened fire on striking workers, killing four members of the newly formed Rajnandgaon Kapda Mazdoor Sangh. The long struggle ended in the victory for the workers. The National Textile

Corporation management needed workers and women led by Niyogi to implement the various labour laws. Niyogi's contribution to production and progress can best be demonstrated in a letter written to him by the director (technical) of the NTC on the eve of his retirement in July 1990 - "I am grateful to you for all the co-operation you have extended during my tenure at the BNC Mills. As you are aware that BNC Mills has bagged best performance award for the year 1988-89 during my tenure which would not have been possible without your co-operation. I am also thankful for helping me from time to time on different critical issues of the mills and its smooth functioning." This definitely stands out against the image the status-quoist have been deliberately building of a troublemaker trade unionist!

Martyrdom was nothing new to the red-green flag of Niyogi's union. Eleven workers, including a women and teenager, were killed in police firing on mine workers at Dalli-Rajhara on June 2-3, 1977, and Niyogi was arrested at midnight. Another worker died in police firing in September 1980 when workers were protesting the molestation of a tribal girl by a CISF jawan in Dalli-Rajhara.

Niyogi returned to Bhilai after 22 years in 1990 to complete the work of organising the workers of the biggest industrial city of Madhya Pradesh. He concentrated attention on the one-lakh workers in the ancillary industries around Bhilai Steel Plant, which thrived on corruption in the public sector. Niyogi had pinpointed a group of five industrialists, notorious for violation of labour laws: Kailashpati Kedia of Kedia Distilleries, Shah family of Simplex Group of Industries, B R Jain of BEC, Guptas of Beekay, and Kehtawats of Bhilai Wires.

Interestingly, his point of entry in the Bhilai workers' movement this time, was through the ACC of the Tatas in Jamul area of Bhilai Industrial Estate. Tata's managers gave in within two month's of the first big strike. During the one-year period of worker's strike about a dozen trade union leaders were stabbed, 2,000 followers of his unions were put behind bars, and police force was used in brutally beating the agitating workers in front of the factory gates.

Niyogi himself was thrown into prison for two months from February 6 this year on the ground that he had failed to appear before court in various criminal cases pending against him. He was later released on bail by the high court of Madhya Pradesh at Jabalpur.

In the bail order, Justice Gulab Gupta commented that the offence for which the applicant was being tried was a bailable one and pending since '83, and added, "He (Niyogi) has remained absent on many occasions for

which he had made applications, dispensing with his presence. These applications were allowed....If the courts were not happy with his remaining absent, they should not have exempted him from personal appearance.”

In yet another order, Justice Gupta pays rich tributes to Niyogi: “The fact remains that the applicant is a labour leader and both the applicants are fighting for the cause of the downtrodden. In such a situation, it will not be in the interest of justice to keep these applicants in jail.”

The enemies of Niyogi went further to conspire to extern him from five districts of Chattisgarh, (Raipur, Durg, Rajnandgaon, Bastar and Bilaspur), under the Madhya Pradesh Rajya Suraksha Adhiniyam, 1991, (popularly called the Zilabadar Act). But, the MP High Court intervened once again and granted ex-parte injunction on August 9, 1991 on a writ petition filed by Niyogi with the help of PUCL.

Having failed to remove him from Bhilai by twisting laws and using government machinery, the industrialists had been left with no other option but to physically eliminate him.

Niyogi himself had predicted his fate to this writer on August 9, after he got the news of the stay in the externment proceedings. While he was returning from Durg with this writer in his car, he responded to a query as to what would happen next by saying, “They will use bullets now.”

He had probably had a premonition about his murder because he had written in a pamphlet issued in the wake of a violent attack on a trade union leader in August: *“Dosto, hamare upar anekon hamle huye hain. Kal aur khatarnak hamlon ke daur se hamen guzarna hoga, kyonki audyogik chetra ke mazdoor apni mange puri kiye bina nabin rookenge. Isliye aisi bhi ghatna hamare upar ho sakti hai, jise sunkar apke rongte khare ho jayenge. Us din satbiyo uth khare hona, agar who bhi sambhavna na ho sake phir hamari kurbani ko yaad kar do boond ansoo tapka dena. Lal Johar.”* (Friends, we have had to face several attacks in the past. Many more will be made in the future as the workers will not retreat till their demands are met. So, when such barbaric deeds are done, friends, stand as one to oppose them; if that is not possible, then shed a tear or two for our sacrifice).

It was in the early hours of September 28 that these words became prophetic; the assassin’s bullets took away this messiah from the midst of the workers and peasants, who would later demonstrate their patience by not casting even a single stone inspite of the tragedy.

It is only ironical that the liquor mafia is suspected to have brought an end to this labour leader's life. Asha Niyogi has named nine industrialists who her husband had often mentioned as being after his life, headed by Kailashpati Kedia the biggest liquor manufacturer and controller of liquor licenses in MP.

*"Mano jaar, yeh aadmi haad maas ka nahi bana hai"* (this man is not made of flesh and bone), remarked Shyam Bahadur Namr, a poet and close friend of Niyogi, after having spent a few days with him recently. No one could match his stamina. He hardly ate, slept or took rest. In spite of a broken hipbone he walked the entire length of the Sadbhavna Yatra organised by Swami Agnivesh from Delhi to Meerut. To Namr's remark I remember having added, "The man is a machine with a human heart."

**(Courtesy: *The Independent*)**

### **The last handshake...**

It was an odd hour for the phone to ring, but not for the dogs to bark. The words stunned me. "Sail sahib, Niyogiji ko goli mar di gayi hai, ap jaldi se aiyye." It was from the Bhilai office of the Niyogi-led union. Just before I got out of the house, the phone rang again, and I got the news I was praying to God with all my spiritual strength to avoid hearing. "He is no more!" Sharing it with NK on phone was just a mechanical act, but both of us broke down. All three of us were friends of the same order - sharing common concerns.

The lights of his room were on; and the window open. He slept on a wooden *takht* with a mosquito net. He was probably reading Lenin's book "On Trade Unions" just before going to sleep. A book he had bought during his last visit to Delhi, where he had gone to meet the president and prime minister of India with a representative group of trade union members to submit a memorandum demanding the "right to life".

According to doctors, he must have died within few minutes, before being taken to the Bhilai Steel Plant hospital in Sector 9. His driver, Bhagat Ram Sahu, sleeping in the next room, heard the gunshor and Niyogi's cry: "Oh! Mago" (meaning Oh, Mother), and rushed to the room only to find Niyogi writhing with blood oozing out of his wounds. By the time, they got the ambulance and removed him to the hospital, it was already too late!

He had left me around 12.45 in the night of 27th-28th September with a handshake. Very unusual. He never shook hands with me. Instead he bowed down with his usual gesture of respect and lifted his hands to his head to wish goodbye. I had been taken aback when he extended his right hand to say "Achcha, Sail Sahib chalte hain. Do tarikh ko milenge". Now I know that he was closing account with me of a relationship which had begun in 1977 when I met him during the PUCL investigation into the police firing on mine workers at Dalli-Rajhara.

**( Rajendra Sail in *The Independent* )**



# A New Kind of Awakening

Inder Mohan

The dastardly assassination of the dedicated and fearless activist Shankar Guha Niyogi will definitely defeat the pernicious conspiracy hatched against the people's movement launched by him by a combination of various powerful retrograde elements. This will be so, not due to sentimental reasons but because of well-organised and well-coordinated unions of industrial workers, contract labourers, mine workers and perpetually exploited rural and tribal people. In fact Niyogi through his hard work, sufferings during prolonged incarcerations and an objectively consistent action plan has left a solid legacy which can successfully meet the challenges of dangerous intrigues and brutal repression.

Niyogi, a science graduate from North Bengal was so moved by the plight of the mine workers, other sections of working class, poverty stricken tribals and the landless in villages that instead of looking for a lucrative job in the Bhilai Steel Plant he preferred to work as a labourer himself. Very soon he was able to completely identify himself with the vast numbers of victims of man-made socio-economic disparities and inhuman deprivations.

As Niyogi was gifted with a unique organisational skill and courage of conviction he did not join any political party or a party affiliated trade union organisation. He had no axe to grind. He realised that other trade unions primarily functioned as appendages to one party or the other and some had been reduced to mere trading bodies. The basic demands and struggles of working class were secondary to them. Therefore, Niyogi successfully convinced the workers through democratic means to form an organisation, which could enable them to raise their voice effectively for their genuine demands. Thus the trade union movement under the collective leadership of workers inspired by Niyogi became a powerful instrument against all anti-people vested interests represented within the framework of the establishment.

The next step was to consolidate the people's movement by making it self-reliant. Niyogi realised that the workers even after hikes in their wages were left with nothing as all the money was consumed by liquor. After patient discussions and positive response from the women almost all the workers gave up their drinking habit. The union made a rule that if any one defied this decision he will be fined one hundred rupees out of which ninety rupees will be given to the wife of such a worker and ten rupees will go to the union fund.

The anti-liquor campaign brought encouraging results. The families began to eat fresh vegetables; the children wore clean clothes. They could join primary schools and fights between spouses stopped. Their life became peaceful and purposeful. The small shopkeepers selling clothes, simple household articles, stationary etc. and vegetable vendors all began to prosper. But the liquor lobby of contractors, their patrons among the Ministers and corrupt officials all became furious. Several false cases were registered against Niyogi. He and his co-workers remained dauntless. Despite severe repression and harassment, the movement flourished.

The people through their united actions inspired by Niyogi's selfless leadership ventured to set up a hospital and schools for children to achieve self-reliance. In quick succession the working class was able to establish both. The hospital became a landmark in its achievements. Committed doctors, devoted to serve the deprived humanity, volunteered themselves to work in the hospital. Similarly the children's schools turned out to be efficient with a vocation-oriented education. No funds were taken from the Government. All contributions came from the community of rural, tribal and urban workers. These institutions have been free of corruption. Whereas, huge amounts sanctioned by Government for so called welfare projects literally sank in malpractice and the plight of the people in other parts of Madhya Pradesh worsened. The Chattisgarh area on the other hand earned a name all over because of many positive achievements and non-violent militant struggles.

The notorious nexus of party politicians, administrative officers, contractors and criminal gangs who were involved in disbursing Government funds pocketed big chunks themselves and jointly carried on vicious campaigns against Niyogi and workers. The comparisons and contrast in people's own health and educational institutes and Government run corruption-ridden units became too obvious. This was too much for the nexus to tolerate.

Shankar Guha Niyogi has been killed cowardly and stealthily because he was committed to peaceful, democratic, non-party action-oriented honest means. He was able to generate a new kind of awakening among the people, which no reactionary establishment ever tolerates. Our political parties, commercial interests, corrupt administrators, greedy contractors and mafia gangs which comprise the establishment have been actively participating and developed a vested interest in keeping our people backward, illiterate and dependent upon them. These components of the establishment are not only double-faced, they also believe in making populist declarations without any intention to implement them. They want to have cheer crowds for their sordid electoral policies. Their sole aim is either to remain in power or capture power through any dubious means. They believe in retaining the present exploitative anti-people system with entire power and privileges

permanently concentrated in the hands of a chosen few, at the cost of overwhelming majority of people.

Shankar Guha Niyogi challenged the present system with people's conscious and active support. He has paid with his life. But mass awakening and organisational structures built by him will last along with his memory. The impressive demonstrations being held following his supreme sacrifice and people's determination to carry on the struggles is real homage to him and a testimony to the fact that their movement will grow defying all savagery and heavy odds. Niyogi's widow, a tribal herself, and her daughter appropriately named Kranti have declared their solemn decision to keep the flag high. The factory workers, the tribal and landless labourers feel highly inspired by this decision. They also realise that none of the big wigs in the country have bothered to feel concerned about their assassinated hero's widow and children. They draw obvious and compulsive comparisons in their bold discussions regarding the hypocritical rulers. Even in death the powers that be, discriminate between working class and party leaders.

The BJP Government in Madhya Pradesh is in the dock in connection with Niyogi's gruesome killing. It must go in any case. The previous State Congress Government was no better or different. It made several unjustifiable violent onslaughts against Niyogi and the workers. Along with such an establishment the present system must also go lock, stock and barrel. The present anti-people system has to be replaced by a new order and a new system under which people at the grassroots level will be self-reliant and free of deliberately inflicted inequalities and inhuman exploitations.

The path shown by irrepressible Niyogi and his working class colleagues will always remain a source of inspiration for all other activists. It will enable all of us to coordinate our positive programmes of action in various spheres and fields and thus an all India people's force will emerge on the horizon.

***The Hindustan Times, October 20, 1991***



# Trade Union as Peoples' Movement





# Trade Union for Social Change

**Smitu Kothari & Neerja Chowdhury**

For decades the Adivasis have remained mute and helpless victims of multi-oppression. Recent years have witnessed many an effort to organise them, give them voice and an identity to assert for what is rightfully theirs.

The Chattisgarh Mines Shramik Sangh (CMSS) is one such attempt. It professes a membership of 25,000 and the support of one lakh people in the entire Chattisgarh region though the contract labour in the Dalli-Rajahara iron ore mines is its real base.

Launched in 1977, the Union recently hit the headlines when its Organising Secretary, Shankar Guha Niyogi, and President, Sahadeo Sahu, were arrested under the National Security Act on February 11. They were released in the last week of March when the charges against them were found vague and flimsy by the Advisory Board that reviewed their case.

Niyogi and Sahu returned on March 24 to an emotion-charged reunion with their families and fellow workers at Pathartola, three kms from Dalli-Rajahara. The Meeting to welcome them could not be held in the mining town because of continuing enforcement of Section 144 imposed a day after Niyogi's arrest. In protest the workers had abstained from work for seven long weeks. They also defied prohibitory orders and took out a peaceful procession through the town. The police responded by bursting tear-gas shells and wielding lathis; later they herded over 400 of them, mainly women and children, into trucks and dumped them in the dense Manpur jungle, 40 kms from Rajahara.

On his release Niyogi called upon the administration to lift Section 144 and release his other detained comrades - 51 are still in jail at the time of writing under Section 151 of the Indian Penal Code. Or else, he declared, there would be a Dalli-Rajahara bandh followed by one throughout Chattisgarh.

Niyogi's popularity with the workers was demonstrated at his homecoming soon after his release. Mine workers and peasants from neighbouring villages had begun to gather at Pathartola from 10 a.m. when word spread that Niyogi and Sahu were returning that day. But till 9 p.m. there was no sight of the leaders. The route from the sub-divisional headquarters, Balod, to Pathartola was marked by improvised arches of bamboo and twig and welcome banners. The air crackled with expectancy. Though 75 per cent of the crowd had dispersed because of the late hour, 500 people remained.

Crackers exploded and a cloud of colours enveloped Niyogi and Sahu as they entered the little village. "Jail ka taala toot gaya, hamara sathi chhoot gaya," chanted the children.

"It is not my victory," an excited Niyogi told these writers. "To say so would be to trivialise it. In any case it is not a victory but a challenge". He went on, "it became an issue of dictatorship versus a democratic movement." He referred with gratitude to the efforts of the press, lawyers and civil liberties organisations, which had highlighted his illegal detention. "I have had a lot to learn from this process and these efforts have added a new dimension to our struggle and support, he said.

### **Union is Our Mother**

"The Union is Our Mother". This sentiment is echoed by the 8,500 members of CMSS at Dalli-Rajahara mines. Every evening at least 2,000 of them collect in the Union office at Lal Maidan which, during Niyogi's incarceration, was occupied by the police. Incorporating effective social reforms into regular trade union activity, the CMSS has become the most influential union in the area. It has provided a representative forum for workers disillusioned with the established unions.

The trade union movement as it evolved during the Independence struggle was primarily left-oriented and on the whole cohesive, with the All-India Trade Union congress occupying the mainstream. After Independence, the AITUC split into various unions on party lines and the ruling Congress party founded its own union, the INTUC, which, because of official patronage, grew at the expense of the Left parties.

Closely affiliated to the political parties, the major trade unions have remained semi-colonial formations tending to appease the workers with monetary doles, thereby perpetuating the authority of the management. Most trade union leaders today have become notorious for their close liaison with managements and for the perpetration of bureaucratic tendencies. The CMSS is a significant departure from this trend.

The Dalli-Rajahara iron ore mines in Durg district of Madhya Pradesh are owned by and feed the neighbouring Bhilai Steel Plant. The mechanised section of the mines is run departmentally, the manually operated units on the other hand have been managed by private contractors and more recently also by Workers' Co-operative Societies, seven of which are controlled by the CMSS. There is glaring difference between the wages and service conditions of these two groups. Though the government issued directives as far back as 1971 that these units, where the work is of a permanent nature, should be regularised, this is yet to take place. The combined vested interests of the contractors, BSP officials, local



bureaucrats and politicians have thwarted the attempts of the workers to force the government to implement its promise to abolish the contract labour system. A standing demand of the CMSS since its inception, Niyogi had made close to 100 representations on this issue.

### **The Contract Labour**

Most of the contract labour comprises local Advasis whereas the better paid jobs in the mechanised mines have been cornered by outsiders, creating tensions of a different kind. Though technically AITUC is the recognised union in the mechanised section of the mines, over recent years it has been losing out to CITU. Workers alleged that relatives of senior union leaders are on the pay rolls of contractors. The strategy of the contractors in appointing these people was to prevent their unions from organising the contract labour.

Very little attention has, in fact, been paid to the problems of contract labour over the years by the established unions. The birth of the CMSS is related to this neglect. In March 1977, AITUC and INTUC signed an agreement with the BSP by which a worker in the mechanised section would get a bonus of Rs. 308 while a contract labourer would get a mere Rs. 70. In a spontaneous protest, the manual labourers struck work, unassisted by any of the unions with which they had been associated. Though finally they were forced to sign an agreement and that too accepting a reduced bonus of Rs. 50, their disillusionment with the AITUC and INTUC was complete. Moreover, the role of these unions during the emergency, as lackeys of the government, had not gone unnoticed by the workers.

It was about this time that Niyogi was released after 13 months of imprisonment under MISA. He organised the discontented workers into a well-knit unit, gave them a red and green uniform, common slogans and an identity. The Chattisgarh Mines Shramik Sangh had come into existence.

To see the recognised unions lose their hold over the workers pleased the contractors initially; some even tried to woo Niyogi. But before long they had come face to face with his militancy; they were seriously worried when 800 workers crossed over to Niyogi's union *en bloc*.

Contract workers at the Dalli-Rajahara mines have always received a rough deal; they have lived in squalor and sub-human conditions. Though they were engaged by contractors, normally on a yearly basis, it was not uncommon for them to get work and wages for two days a week. They were not even aware that under the law they were entitled to "fall-back wages" for enforced idleness. Niyogi led a series of agitations in 1977 to force the contractors to accept a number of pending demands of the

workers, including an eight-hour day. "We had to work 12 to 14 hours a day; our children saw us only once a week," recalled Ramu Ram who does raising work in the mines.

Niyogi's first successful strike culminated in the workers being given 80 per cent of their daily wages when forced to sit idle by the contractors; their pre-monsoon hut repair allowance was raised from Rs 20 to Rs. 100 and their bonus was increased to Rs. 100.

### **Use of Pressure Tactics**

The essence of Niyogi's trade union activity was to confront established authority to provide the workers what is already laid down in the law. He was not shy of using pressure tactics. In late May 1977, the Union members gheraod the Assistant Labour Commissioner, the mine agent and three contractors for 27 hours at a stretch. A desperate district administration arrested Niyogi on June 1. The workers protested. The police opened fire on them. According to official reports 11 people were killed, though the actual number is estimated to have been more. A commission was set up to inquire into the incident, but unfortunately its report has not yet been made public.

With the principle of fall-back wages established, the workers began to get more regular work. Production went up. During the last ten years daily wages have gone up from Rs. 3 to the prevalent rate of Rs. 19.80 - partly through Niyogi's efforts but also through the efforts of other unions.

### **Voluntary Prohibition**

Before long Niyogi perceived that despite enhanced wages, the standard of living of the workers did not improve. Most of their hard earned money was spent on liquor or frittered away in gambling, posing a great health hazard for them. The problem, he resolved, had to be tackled head on.

First, he persuaded the executive committee of the Union to take an oath in the memory of the 11 martyrs who died in 1977 police firing that they would not touch alcohol. This "voluntary prohibition" was then extended to cover all Union members. If they broke the rule and drank, they were punished. Niyogi would often fine them Rs. 100 publicly, of which Rs. 95 would make its way back to the man's family without his knowledge. Social boycott was another means resorted to against errant members. Special forms were printed for those wanting to apply to drink on special occasions like festivals or for medical reasons.

"We had no proper house, no utensils or money to buy enough food for our children," said Raj Bai, one of the militant women of Rajahara. "Niyogi has brought a lot of improvement in our lives. Some of us have even

managed to buy some jewellery.” Seated in the labour colony of Dali-Rajahara she and her colleagues talked of the days when they had no proper shelter over their heads. Their huts were improvised structures made of chattai, grass, leaves and bamboo without adequate walls or roof. Today their abodes are made of plastered walls and tiled roofs.

There are utensils in each home; charpoys have replaced the gunny bags, which the workers would slip into to ward off the cold. “We used to be dressed in one pair of shorts and a vest because there was no change of clothing,” remarked Janak Lal Thakur. “In fact, when we went to visit our villages the people there would refuse to sit near us because we were so dirty”.

Not only are they able to afford better food, clothing and shelter, but many have saved enough money to free their mortgaged lands or to buy lands in the villages. Onkar Nath Singh Jaiswal, owner of a chemist shop in Dalli-Rajahara and vice-president of the local Vyapari Mandal, revealed that there had been substantial increase in the sales of petty traders during the last two years. Many workers have, opened bank accounts. P. S. Duggal, branch manager of the Punjab and Sind Bank in Dalli-Rajahara, compared the 50 workers’ bank accounts two years ago to the 500 today, with deposits ranging from Rs. 1,000 to 2,000. “Our bank had tried earlier to inculcate the banking habit amongst the workers but they did not trust us. It is only recently that they have taken to it.”

Many workers also began to send money to their families in the villages. As a result, they too received help in the form of grain during periods of stress like the last four months when they have not been paid their wages because of a dispute between the management and the co-operative societies. Since Niyogi’s arrest, the local power interests went as far as to informally instruct the shopkeepers and moneylenders not to give the workers anything on credit.

### **Facilities for Workers**

It is true that those working under the contract system are not regular employees of the BSP. But even the Contract Labour Act, 1970, stipulates minimum facilities like schools for workers’ children, medical aid for their families, and insurance schemes. But these were not forthcoming in Dalli-Rajahara. In the absence of medical facilities workers were often conveniently laid off when they fell sick. Today the CMSS is running four schools directly, having handed over four to the government. Because of the psychological climate it has managed to create, the BSP has also opened schools for the workers’ children. The salaries of the teachers are paid from common fund collected by the workers. The Union has also started the construction of a small hospital-cum-maternity centre.

More important, since it started its activities four years ago, corruption has dropped in the area. Earlier, police men were willing to pay even up to Rs. 50,000 to get a transfer to Rajahara, so lucrative were the kickbacks, thanks to the liquor bhattis and gambling dens; today there is a reluctance to get a posting in the mining town.

At one time there was just one tap in the labour colony through which water would trickle for half an hour in the morning and evening, catering to a population of 4,000 residents. Today there are taps installed in each mohalla.

The women workers particularly referred to their molestation and sexual exploitation by contractors and officials, which is a common feature of the Adivasi areas. "But because of our united strength, it does not happen so much now," said Raj Bai. And when it is attempted, the workers resist it with all their might, whereas in the bygone days they accepted the situation meekly.

In fact, last year when there was an attempted rape of a 15 year-old Adivasi girl by a CISF Jawan, the workers caught hold of him, beat him up and dragged him to the police station. And when other jawans arrived on the scene and forcibly released him, the workers, made their way to the CISF post, when they were not heeded, they resorted to pelting stones. The jawans opened fire, killing one of the workers. The CMSS is becoming an instrument of social change.

Niyogi has challenged not merely the local interests who have flourished on the sweat of the poor Adivasis; he has also threatened the hold of powerful political personalities in the area. In the 1980 Assembly elections, Niyogi's Chattisgarh Mukti Morcha, a political front closely allied to the Jharkhand Mukti Morcha and A. K. Roy's Marxist Co-ordination Committee, fielded Janak Lal Thakur who lost to Bhedia by a narrow margin, Niyogi stirred a hornet's nest.

In 1977 Bhedia and Niyogi were on the same side of the fence. In fact, Bhedia had gone on record condemning Niyogi's arrest, declaring categorically that he was not a Naxalite.

One of the factors responsible for Niyogi's break with Bhedia is the liquor politics of the area. Sardar S. S. Bhatia, the liquor king of Chattisgarh, is said to be the main financier of Bhedia and the treasurer of the District Congress (1) Committee. Last year he paid Rs. 14 lakhs in government auction for one liquor shop in Dalli-Rajahara. But his revenue from it during this period however, is believed to have dropped to around Rs. 4 lakhs. Niyogi's anti-liquor campaign has undercut his business interests.

Bhatia's brother Gulbir Singh, who looks after the family business in Rajahara, denied this vehemently. "We would be prepared to pay Rs. 14 lakhs again this year for the one shop, given half a chance," he maintained. Residents of the mining town confirm, however, that liquor consumption by the workers has been drastically reduced. And thanks to the pressure mounted by the CMSS, the government has decided not to auction liquor shops in Dalli-Rajahara and neighbouring Dongi, Kusumkasa and Khalan.

Niyogi has been careful about keeping himself aloof from the triangular politics of the area as also from established political parties. There is little doubt however that his growing political influence in the area persuaded established power interest to mount an offensive against him and have him arrested.

On February 11, Shankar Guha Niyogi and Sahadeo Sahu were summoned to Durg by the Collector to discuss the payments due to the Workers Co-operative Societies which partially replaced private contractors in 1977, when the CMSS was registered but withheld by the management of the Bhilai Steel Plant over the preceding four months. Instead, they were placed under arrest.

They were charged with indulging in Naxalite activities, conducting gheraos of contractors and BSP officials, harassing traders, stealing wood and beating workers belonging to other unions. Except for two specific charges contained in the grounds of detention, which ran into 20 pages, the rest pertained to the period before the NSA came into effect. These charges related to two men who had left the CMSS. Niyogi was accused of having beaten them up. "But both the concerned people," maintained Raipur lawyer V. K. Munshi, "have filed criminal complaints in courts citing someone else as responsible." In any case, there was no justification for the use of NSA; the administration could have taken action against Niyogi under the normal legal provisions.

The Advisory Board found the grounds for Niyogi's detention to be imprecise and unsubstantiated. In fact, Justice Verma of the Board reprimanded the administration and urged it to be impartial.

### **Workers' Coops Dissolved**

While Niyogi was in prison, the government dissolved the Workers' Co-operative Societies owing allegiance to his Union. On March 3, the Assistant Registrar of Co-operatives served notice to all seven CMSS aligned co-operative societies declaring that they had been superseded on the recommendation of the Steel Authority of India. Incidentally on March 14, Pranab Mukherjee denied this on the floor of Parliament. The four-month-old dispute between the societies and the BSP management, on the

amount to be paid to them remains unresolved; according to the workers, these arrears total Rs. 80 lakhs.

Under normal law, the Registrar has to give show cause notices to the societies before resorting to suppression. This was not done. With their dissolution, a government administrator like a BDO replaces the executive committee of the society. His decision will be binding on the society even if the suppression is set aside later by the court where its legality has been challenged.

### **The Tragedy**

The tragedy is that most trade union leaders today have compromised the genuine demands of the workers, stripping these down to economic issues. Shankar Guha Niyogi represents a new generation of leaders whose major commitment is to the worker. From an early association with the Communist Party of India and its trade union wing AITUC till he formed the Chattisgarh Mines Shramik Sangh, Niyogi has displayed an impatience with the compromise politics of the existing trade unions. From a lower middle class family of West Bengal he moved to Durg to complete his graduation in Science; after a brief association also with the CPI(M), its splinter group the *Co-ordination Committee of Communist Revolutionaries*, he launched out on his own. In the mid-sixties he was a worker in the Bhilai Steel Plant and was in the forefront of organising the blast furnace workers. After being dismissed on "security grounds", he worked as a daily labourer in a stone quarry and as a farm hand; later he organised the workers in the Dai Tola mines near Rajahara..

Married to Asha, an Adivasi woman, Niyogi has totally identified himself with the area and speaks Hindi and Chattisgarhi fluently and lives in a spare hut in the workers colony. Portraits of Bhagat Singh, Chandrashekhar Azad and Subhas Bose greet one at the entrance of his home.

He has gradually evolved a unique method of agitational politics from years of direct struggle, fusing together strands of marxism, nationalism and indigenous strategies based on organised people's power. Struggle for the rights of workers and more recently of landless and marginal peasants, have evoked the wrath of the government which has consistently dubbed him a Naxalite. The allegation has not been proved.

There are two other significant aspects of Niyogi's approach. His concept of struggle is evolved through a debate with workers rather than through a centrally conceived design. And he has tried to enrich economic and political struggle with cultural issues and symbols from the past.

This is not to say that in his confrontation with established vested interests, Niyogi is not a realist. He has avoided total polarisation and has even occasionally sought to work with the labour contractors who employ some of his union members. His long-term aim, however, is the elimination of the contract system and of labour exploitation through temporary employment. His aim is to departmentalise all casual workers by making them direct and permanent employees of the Bhilai Steel Plant.

Niyogi and the CMSS have significantly transformed the conditions of the casual labourer employed in India's mining complexes. Striking out beyond the normal economism of trade unions, he is trying to inspire in the cadre a sense of long-term political struggle, thus preventing trade unions from becoming a part of the establishment. His attempt is to base trade unionism on the workers own strength. The process, he hopes, will empower them to undertake sustained action against traditional interests, seek liberation from oppression, and establish genuine people's power.

*Janata, May Day 1981 Number*

## Chattisgarh...

Chattisgarh is a region with a distinct cultural, historical and linguistic identity. It is located in the eastern-most part of Madhya Pradesh, comprising the districts of Raipur, Bilaspur, Durg, Rajnandgaon, Raigarh, Sarguja and Bastar. Chattisgarhi, a derivative of eastern Hindi, is the commonly spoken language of this region, although many of the tribal groups retain and speak their own language. Covering an area of 1,35,000 square kilometres, Chattisgarh has, according to the 1991 Census, a total population of 1.76 crores.

Geographically, a large part of the region lies in the valley of the Mahanadi and Sheonath rivers. The outlying regions are hilly and in the east form part of the Chottanagpur plateau and to the south lead on to the Deccan plateau. The valley area grows some of the best rice in the state thus giving the name dhantola (rice bowl) to the region. But, only 12 per cent of the land is irrigated and, the region has become chronically prone to drought which has adversely affected agricultural output and employment. Employment opportunities in the industrial sector have proved inadequate leading to large-scale migration, both seasonal and permanent.

Southern Chattisgarh is rich in minerals such as iron ore, coal, limestone, tin, dolomite, quartzite, uranium and bauxite. Exploitation of these mineral deposits has formed the cornerstone of industrialisation in the region. Even though the first factories in the Chattisgarh region can be traced to the colonial period, when a textile mill was set up in Rajnandgaon and a jute mill in the Raigarh district, industrialisation of the region really began only after independence. Abundant mineral deposits of Chattisgarh led to the establishment of the public sector giants like Bhilai Steel Plant, Bharat Aluminium Company and the Thermal Power Corporation at Korba. It was felt that large public sector investment in industrially backward regions, as Chattisgarh was, would not only bring capital into regions and economic arenas, where private sector was either incapable or disinclined to step in but, will also lead to the development of ancillary and related industries thereby giving an additional impetus to capital formation, employment and income generation. But, by its very nature and its requirements, the path of industrialisation pursued led to diverse trends; the demand for educated and skilled labour (most of whom are migrants) and a huge demand for unorganised, casual and contract labour, most of whom are local adivasis. Thus the industrial growth in Chattisgarh created a process of social and economic differentiation between blue-collar public sector workers and the workers who earn a pittance from employment in the private ancillary sector. This burgeoning unorganised workforce, most of whom are local adivasis, formed the lowest rungs of the exploitative industrial structure of Chattisgarh.



# Trade Unionism with a Difference

N. K. Singh

Shankar Guha Niyogi, leader of the Dalli-Rajahara mine workers, has alleged that the police tried to kill him after his arrest in the night of June 2-3. Niyogi whose midnight arrest had led to police firings in which 12 workers were killed - has alleged that while being taken to the jail at the subdivisional headquarter of Balod, a police official accompanying him stopped the jeep in a jungle and told him, "if you want to escape, you may just slip away: only assure us that you would never again step into this area". Niyogi says that he was not taken in by "the police trick". "I know all about encounters and the killed-while-escaping stuff."

Obviously, Niyogi is a dangerous man for the contractors and the authorities. That is perhaps why he has not been released even a month after his arrest, although the 'offence' is a bailable one, under section 151 of the IPC. An impossible bail of Rs 1 lakh has been demanded and, of course, the poor workers of Dalli-Rajahara simply cannot manage it. Although at the time of his arrest it was given out that Niyogi had been arrested for "making inflammatory speeches and inciting the workers", the officials have now discovered that "had we not arrested that man, they could have burnt the entire town the next day". "We have definite information", a high police official, who did not want to be named "in view of the judicial enquiry", confided to me by way of justifying Niyogi's apparently unjustified arrest.

In fact, the authorities, the contractors, and the CPI have painted such a picture of 'Naxalite' violence engulfing the whole area that, while entering the mazdoor basti at Rajahara, this correspondent had almost expected to be accosted by gun-toting guerrillas. Instead, he was greeted by a stray dog, some sick workers, and the closed doors of the hut housing the 'Naxalite' union. All the workers had left for work, including those whose dear ones had died in the police firing. Mourning is a luxury, which the workers cannot afford. After a long wait, the union leaders arrived. Exhausted with my encounter with simple workers, who did not know the difference between the prime minister and the chief minister, I tried to strike up a dialogue with the union leaders in Marxist jargon, but drew a blank. There were also no photographs of Mao or Naxalite slogans within miles of the union office.

Shankar Guha Niyogi has become a household name in this industrial area of Chattisgarh. Every one talks about him, many with reverence and

affection, and some with hatred and fear. But they all - contractors, police, administration, trade union leaders, and the people of Rajahara seem to agree on two points: Niyogi is the undisputed leader of about 8,000 workers of Rajahara; and his honesty, integrity and dedication is beyond question. "You can buy every one of these trade union leaders here, but not Niyogi", a police official told this correspondent at Rajahara. "Niyogi is made of different stuff", agreed a contractor. "The new union was formed with the backing of the contractors to break the unity of the workers", alleged an AITUC leader. "Do you mean to say that Niyogi was the contractors' man?" "No, no, not Niyogi", the trade unionist hastily added, "it is the other leaders of that union who are dishonest."

Onkar Jaiswal, a local journalist said, "I know all the union leaders of this town, but I had never noticed Niyogi's presence till May 31, when he led a huge procession of workers to celebrate the acceptance of their demands after a 27-hour gherao of the contractors and the officials. It was the biggest procession in the history of Rajahara."

Shanker Guha Niyogi denies that he is a 'Naxalite'. "I have no connection with the CPIML or any of the Naxalite groups. In fact, I violently disagree with them on the issue of trade unions", said Niyogi in the first interview given by him to a newsman after his arrest.

Tall, lean and darkish, the 28-year-old Niyogi, clad in a pair of not-very-clean white pajamas and shirt, was at first a little reluctant to talk - after all, I could well have been an intelligence man - and what he said was mostly about the exploitation of the workers and the complicity of the CPI union. But, gradually, he began to talk about his work among the working class and peasantry during the last one decade. His mission, Niyogi said, was to educate the working class and make them conscious of their rights. "Once they are conscious, nothing can stop them." "Why talk about me? I am immaterial. A new wave of awareness is sweeping through the people. If I had not gone to Rajahara, they would have got some other leader."

Niyogi came to Durg, where his uncle lived, in the early sixties for studies. Since then, he has identified himself with Chattisgarh. Though there is a trace of the Bengali accent in his speech he fluently speaks Hindi and Chattisgarhi, the local dialect.

Owing to poverty, Niyogi completed his B.Sc. with difficulty, doing various odd jobs to maintain himself. As a student, he was actively associated with the student movements. He was the joint secretary of the student wing of the CPI. After his graduation, Niyogi plunged into revolutionary politics in 1966-67, the year of 'spring thunder' over India. He left the CPI(M) to join the newly formed Co-ordination Committee of Communist

Revolutionaries. However, he severed his connections with this splinter group of the CPI(ML) too, unhappy with its stand on trade unionism - "they dubbed it as economism".

As a worker of the Bhilai steel plant, Niyogi helped organise the first militant trade union there - the blast furnace action committee. Soon, he was sacked from the plant on "security grounds". His first arrest took place in 1968, when he started publishing a radical Hindi weekly from Jagdalpur, the heart of the adivasi belt. "Since then I have been arrested more than 20 times". He has spent about five years in jail altogether, the longest term being 13 months during the Emergency.

Niyogi organised the workers of the Dai Tola mines, near Rajahara. He worked there as a daily labourer, breaking stones in the quarry. "How can the workers treat you as their man, if you do not live as a worker, merge yourself with them, identify with their hopes and aspirations?" Niyogi also married a Chattisgarhi mazdoor girl, Asha, working in the quarry, "she still works there".

At Dai Tola, as elsewhere in the area, there was no honest trade union to protect the interests of the workers. Both the AITUC and the INTUC unions had become stooges of management. They served the interests of the exploiter rather than the exploited. Niyogi first joined the AITUC union - "all the workers were in their grip"- and then, through dedicated work and persuasion, organised the workers under a new union. "It was not a difficult task. I was one among them, while the other leaders were outsiders, babu sahibs". The contractors got worried over this new threat to their prosperity, and Niyogi was consequently arrested several times.

Niyogi also tried to build up a peasant movement. He worked as farm hand in Keri Jungala, a nearby village, and organised the agricultural labourers and landless peasants. "There is basically no difference between the peasants and the workers in the area. Both came from the same families. If the elder brother works in the farms, the younger one goes to the mines. If the father is a peasant, his son works as a miner to augment the family income".

After the declaration of Emergency, there was a warrant of arrest under MISA for Niyogi. He managed to evade arrest for six months, but was then arrested and was released only at the time of the Lok Sabha election. Meanwhile, the workers of Dalli-Rajahara mines, dissatisfied with the agreement on bonus signed by their recognised trade union, had started a spontaneous strike. The strike was also the product of grievances bottled up during the Emergency. The contractors and the trade union leaders thought that the disorganised movement would soon fizzle out. And so it did. On

March 23, the workers ended their 19-day strike and signed an agreement for a bonus advance of Rs. 50 as against Rs. 70 earlier negotiated by the AITUC and the INTUC.

Niyogi alleged that the workers were terrorised by the then Collector of Durg - now transferred after the institution of the judicial enquiry - to sign this agreement. "He is known for his strong-armed tactics. Do you know Durg ranked first in the country for the largest number of family planning operations performed? You can just imagine what he was like."

Things changed radically when Niyogi was released and arrived on the scene. He organised the spontaneous movement of workers into a well-knit union. The contractors, who were initially happy at the recognised union losing its hold over the workers and the split among the workers, got seriously worried when almost all the 8,000 contract labourers joined the new union *en bloc*.

The reason, felt Niyogi, was the same as in Dai Tola. The babu trade unionists had suddenly come into wealth. "What will illustrate the point better than the fact that many union men, like Jivan Mukherjee and Naseem, have left the party (CPI) to join the services of the contractors? The margin is so thin! The workers were becoming aware of this trend- the collusion of their 'leaders' with the management".

Niyogi maintains that he was arrested in order to break the morale of the workers, who were on strike at the time. He dismissed the allegation that the second firing in the noon of June 3 had become necessary because there was danger to the lives of the policemen held hostage by the workers. "Had they wanted to kill the policemen, they could have done it in the night, when five of their colleagues had already been killed in the firing". The police were in a vindictive mood, enraged by the stone throwing of the workers. "All the injured workers have received bullet injuries - and that, too, above the waist".

*Economic and Political Weekly, July 16, 1977*

# Tribal Miners: The Search for Salvation

Bharat Dogra

Five years ago a miner's family cooked only one meal every day - at night after returning from a hard day's work. The meal consisted of mostly rice - dal and vegetables were a rarity reserved only for festive occasions. The leftovers of this rice preparation - known as *basi* - were consumed the next day to assuage the pangs of hunger. On this sparse diet a miner had to work nearly thirteen hours every day. Besides, in many families the children did not recognize their father since he left early in the morning when they were asleep and returned late in the evening when they had again dropped off to sleep.

These details of a miner's hardships were narrated to me by Izaz Ahmed Qureshi, one of the activists of the Chattisgarh Mines Shramik Sangh (CMSS), an independent union of the Dalli-Rajhara and other neighbouring iron ore mines of the Durg district in the Chattisgarh region of Madhya Pradesh.

After five years of relentless battle Qureshi says: "Now the miners eat well whenever they are hungry. They have built themselves *pucca* huts with tiled roofs, instead of the mud thatch hovels that existed before. A miner's wage, for most categories of labour has increased from Rs. 5 to Rs. 19."

A woman squatting on a charpoy inside one of the huts interjected: "Don't say that our standard of living has improved because of the wage rise only. If it was not for our campaign against liquor, the men would still have squandered nearly all their earnings on alcohol."

Subsequent inquiries revealed this statement to be substantially true. The wage rise - which had taken place in various stages - as well as the better working conditions made available to the workers through the struggles waged by the CMSS meant that now they had more money in their pockets and also more leisure on their hands. So, in the evenings, most of them invariably walked towards the liquor contractor's shop (*theka desi sharab ka*) to squander their hard-earned gains.

Nearly ninety per cent of the contract labour employed in the manual mines come from the tribes living in the Chattisgarh region. They have been accustomed to the age-old practice of brewing liquor at home from *mahua*

flowers and what is more, they do not consider this as harmful to health. Of course, in those days it did not cost them any money since *mahua* flowers were freely available in the fields and forests.

Once the tribals moved into the mining townships in the mid-fifties, it was not so easy to make or obtain *mahua* liquor. Moreover, curbs were placed by the government on the home brewing of liquor. However, their yearning for intoxicants remained. This need was sought to be fulfilled by licensed liquor shops. The contractors running these shops had to pay high auction bids for the license apart from the cost of obtaining the liquor. Most of them also maintained a small group of hired *goondas* to run their shops and after meeting all these expenses they naturally ensure a fat profit for themselves.

The result was that liquor was not only sold at a high price, but also spurious liquor with harmful toxic substances was sold to the unsuspecting tribals. The result of all this was that this took away a large part of their earnings and played havoc with their health. Despite these obvious ill-effects the consumption of liquor did not decrease.

Understandably, the habit persisted even when the working conditions improved. It was at this stage that Shankar Guha Niyogi, the undisputed leader of the CMSS, decided to launch a campaign against the consumption of liquor.

Initially the idea was ridiculed - can tribals, and tribal miners at that ever be kept away from liquor? However, Niyogi persisted and the results achieved showed that the task was by no means impossible.

Niyogi did not treat the anti-alcoholism as a relatively insignificant activity of the union. In the initial phase it became a major concern of leading CMSS activists. Through repeated assertions a climate was created in which the tribal members felt the consumption of liquor was a betrayal of the union that fought for them. Once this feeling was generated the task of weaning the tribals away from alcohol was not difficult since traditionally they attached a great deal of importance to honouring trust and loyalty.

It was realized that some constructive work had to be found to occupy their leisure hours or else the idle mind would inevitably be driven back to the liquor shops.

Hence various workers were assigned specific tasks such as keeping a watch on the workers who were more prone to the various vices, others were asked to supervise the construction of schools and hospitals and the numerous other activities of the union. Bhajan and folk song evenings were

also organised and attempts were made to enact skits and dramas on the day-to-day problems of the miners and the brave exploits of their folk heroes. Correspondence has also been initiated with a Bombay-based firm for acquiring a projector, which will be used for showing documentaries and feature films.

These activities, however, were a poor substitute for the hardened alcohol addicts. Such people were approached individually by the union's activists to compel them to respect and accept the union's programme. Concessions had to be made for those who were too old and found it exceedingly difficult to give up the habit.

These people were issued special cards, which entitled them to consume a small quantity of liquor in the privacy of their homes.

The punishment given to offenders is quite unique. Initially an offender would be asked to pay a fine ranging from Rs. 50 to Rs. 100. However, behind his back, this money was returned to his wife. Soon this secret leaked out and the offenders became smug and careless. The union then reverted to imposing genuine fines.

Another interesting aspect of this experiment was that the addict's own family members were effectively used to rid him of this deadly habit. They were persuaded to report all violations of the union's regulations by the addict and continuously protest against the consumption of liquor by him. Helped by the changed climate in the labour colonies the wives and even the grown-up children could now wage their own individual battles against an alcoholic husband or father.

The overall result of this sustained campaign against liquor has been that a large number of miners have given up drinking altogether while the few who continue to drink have significantly reduced their intake. In her own simplistic way Sonaribai, a tribal woman says: "If previously we consumed one rupee's worth of liquor now we consume four annas worth." Surely, a significant gain!

The achievements are also apparent in the fact that whilst in all the previous years the leading liquor contractor of Dalli-Rajhara, one Surjit Singh Bhatia was known to make fabulous profits, during last year he was not even able to recover his investment, so rapid has been the fall in liquor sales.

Similarly a campaign against gambling was also waged. This was the next major social evil, which played havoc with the financial stability of the labourers' families. Employing similar tactics many workers were weaned away from gambling dens.

Simultaneously the union made available minimum facilities of education and medicare to the miners. While five years ago almost none of the children belonging to the families of contract labourers in manual mines went to school, now an overwhelming majority of them does so. And this was made possible by the initiative of the CMSS, which organised the construction of eight schools, some of them upto the middle level. The construction of a hospital-cum-maternity centre has also been started by them taking a more comprehensive view of the needs of labour and their families than do most other trade unions.

Another unique aspect of the CMSS has been the initiative taken by it to link the struggles of the tribals in the iron ore mines to the aspirations of the badly exploited tribals of the surrounding regions. In recent years the minerals and forests of the Chattisgarh region have been exploited on a large scale by outsiders causing a deterioration in the economic condition of the tribals. Forests play a crucial role in the life of the tribals supplying them fuel, fodder and food. With economic exploitation of forests their rights have been drastically curtailed. Several large areas of forests of broad-leafed species are being felled and replaced by the commercial varieties of trees such as pine and sagwan which do not benefit the tribals. Large-scale timber thefts by contractors go undetected, while action is taken against tribals for petty thefts of dried sticks for fuel. Moneylenders have not only been charging them exorbitant interests, but have gobbled most of the tribal land. Many of the schemes purportedly implemented for the benefit of the tribals have in fact left them more bereft and destitute than before.

To undertake a more comprehensive development programme, the CMSS sponsored the creation of the Chattisgarh Mukti Morcha (CMM). During the recent drought in the Chattisgarh region, the CMM fought against rampant malpractices in the implementation of the food-for-work programme. In addition, smaller campaigns have also been carried out against the exploitative forestry system and the oppression by moneylenders and traders. A special effort has been made to fight the repression of women who previously used to be easy game for the contractors, their ruffians and the unscrupulous officials and policemen. To fight for the dignity of tribal women a separate organisation called Mahila Mukti Morcha has been formed.

"We are still very far from our goal. We have not been able to make the desired progress in the field of helping the tribals," lamented Janak Lal Thakur, a leading CMSS activist, when I met him recently. It is true that impact has been minimal but at least it is a welcome beginning.

The CMSS has replaced a largely inactive union which seldom took up the demands of the exploited miners and has managed to convince the workers



that here at last is an organisation which really wants to bring about a change for the better in the tribal lifestyle. The CMSS leadership has won their trust by persistently and uncompromisingly fighting for the economic rights of the workers and carrying out complementary reforms to ensure that the economic gains are translated into a genuine improvement in the standard of living as well as the consciousness of the workers. Both activities have complemented each other. Asking labourers to give up alcohol without attempting to lift them from the morass would have been useless just as fighting for higher wages and then allowing them to sink this money in liquor or gamble it away would also have been useless.

*Imprint, July 1981*

### A Statistical Glimpse

State/ District	Population	% of Literates	% of SC Population	% of ST Population	Workers as % of total Population	R.I.D. *
Madhya Pradesh	66181170	35.46	14.55	23.27	42.82	73
Bastar	2271314	19.88	5.85	67.36	53.65	35
Bilaspur	3793566	36.32	18.12	23.03	44.68	57
Durg	2397134	47.87	12.76	12.43	43.92	80
Raigarh	1722291	33.79	11.38	47.70	49.16	49
Raipur	3908042	39.01	14.42	18.27	47.14	65
Rajnandgaon	1439951	35.90	10.28	25.16	52.44	52
Sarguja	2082630	23.81	5.51	53.66	47.44	46

\* Relative Index of Development

Source: 1991 Census Report and Profiles of Districts, CMIE, 1993

# Mines' Mechanisation and People

Shankar Guha Niyogi

The issue of mechanisation is closely linked, on one hand, to the question of industrial production, and on the other, to the question of the size of the organised industrial workforce and consequently, to the question of unemployment. It is therefore one of the crucial issues before the country today.

Mahatma Gandhi had said, "Mechanisation is good when the hands are too few for the work intended to be accomplished. It is an evil when there are more hands than are required for the work".

Mahatma Gandhi said this at a time when the population of India was 360 million. Today, that figure is smaller than the number of people who are living below the poverty line, out of a population of 800 million people. The number of unemployed alone exceeds 100 million people.

Mahatma Gandhi also said this at a time when the cottage industries in India had not been totally destroyed, as they have been since then.

If this opinion of Gandhiji's was important then, it is doubly so today. Because today, 36 years after independence, the country is at a crossroad where it has to choose clearly between the two roads, when it has to make its objectives and intentions clear. The people will no longer be fooled by assurances. They are wiping away the passive tears of sorrow and a deep hatred and anger burns in their hearts. There is a deep desire for a fundamental change. Whatever road we choose now must necessarily take us towards the interests of the vast masses of the people.

In India, the mining industry gives employment to a large proportion of the industrial workforce. But are the developments in the mining industry in keeping with national interests?

I think it would be useful, in this context, to consider the experience of the industrialised nations, such as England, France and the USA. At the onset of the industrial revolution, there was a great shortage of an industrial workforce. Workers were imported from the colonies - from the white, black and brown nations - and put to work at running the machines. However, the progress of machine technology and the increasing use of automated techniques rendered large part of this workforce redundant. Today these same countries are facing a massive problem of

unemployment. Millions of workers are unemployed. Race riots are taking place. Moreover, machines, by creating a cynical attitude towards work in general, are destroying the cultural life of those nations, and threatening the very fabric of their civilization.

In India, these same blindfold processes of mechanisation are today creating huge hosts of unemployed, and letting loose an epidemic of unemployment on future generations. We are engaged in erecting structures whose purpose is not to create wealth, but to create unemployment.

### **The Dalli-Rajhara Experience**

I would like to first talk about our experiences in Dalli-Rajhara, and then go on to consider some issues arising out of this experience in the context of the national mining situation.

Dalli-Rajhara is an iron ore-mining town. It meets the total iron ore requirements of the Bhilai Steel Plant (BSP), the biggest steel plant in India. In Dalli-Rajhara, the Rajhara mechanised mine has been running since 1958. The preparations for mechanising the Dalli Mine have been going on ever since our union was formed in 1977. The problem of mine mechanisation has consequently confronted the union ever since its inception.

In 1978, we were able to understand this issue even more clearly, when, at the deposit No. 5 in Bailadila, 10,000 labourers were rendered jobless at one stroke, due to mechanisation. All resistance was crushed. 10,000 huts were burnt down, numerous women raped, and labourers fired upon. The orgy of mechanisation forced 10,000 labourers to face the desperation of hunger. The fact that the machinery in question was produced in Russia, and was therefore socialistic, progressive machinery, did not mitigate the grim fate of these labourers.

The workers of Dalli-Rajhara raised black flags in anguish at the Bailadila massacre. Thousands of mazdoors defiantly declared that they would never allow Bailadila to be repeated on the soil of Dalli-Rajhara.

### **Semi-Mechanisation: The Workers' Alternative**

Ultimately the BSP management and the Ministry of Steel and Mines had to bow down before the strength of organized labour. The agreement of 20.4.79 marks a milestone on the road to an alternative mechanisation policy. The plan for the Dalli mechanised mines was altered to one for semi-mechanisation, where the raising of ore is done manually and its processing undertaken by a mechanised process. But this was accepted only as an experiment. It has been a historic, useful and successful experiment, but is yet to be accepted as such. It could have cleared the ground for fresh

thinking about the fundamental processes of mining in the present national context. The reasons behind the failure to take this opportunity for rethinking have to be analysed and exposed before the public.

In the Dalli semi-mechanised mines, the workers have been so successful in raising ore that the mechanised processing facility is unable to deal with even 30% of the production. The production power of the workers has forced the machines to accept defeat.

### Issues Arising Out of Our Experience

However, whenever we press for recognition of the success of semi-mechanisation in Dalli, and for its permanent deployment, along with the abolition of contract labour through the departmentalisation of workers, the government and management raise a number of issues.

One of these issues is that of cost of production. Let us therefore look at a comparative study of cost of production produced by the Department of Steel and Mines itself. In 1979 they convened a panel of experts to study the profitability of iron ore exports. Here is a table from that report.

**Table 1: Per tonne costs (in Rupees) of production (1978-79)**

<b>Manual Mining Private Mines</b>		<b>Mechanised Mines NMDC</b>			
1	Mining cost	18.50	1	Operating cost	39.73
2	Transport (max 28.11)	22.42	2	Depreciation & interest	66.99
3	Overheads	5.09	3	Loading & selling	0.57
4	Taxes	4.00	4	Taxes	4.00
	Total cost	50.01		Total cost	111.29
	Realisation (maximum)	38.97		Realisation (max 34.60, min 30.43)	32.50
	Loss(-) or profit(+)	or (-) 11.94		Loss(-) or profit(+)	(-) 78.79

**Source: Dept. of Steel & Mines**

And here is another comparison.

**Table 2: Per tonne costs in Rupees**

	<b>Manual Mining</b>	<b>(Lumps) Non-captive Mechanised Mining</b>
1. Production cost	15.54	55.18
2. Royalty and Cess	5.00	2.13
3. Loading samples charges	2.45	-
	22.95	57.31
4. Transport to railhead	13.00	33.90
5. Handling & moisture loss (5%)	1.50	-
Total	37.45	91.21
Realisation	35.30	78.75
Profit (+) or loss (-)	(-).2.15	(-).12.46

**Source: Federation of Mineral Industries, New Delhi and Orissa Mining Corporation**

Another tactic to rob off claims for the success of semi mechanisation is to pass off failures of mechanised technology as the failures of the workers concerned. Let us therefore look at the figures for some mechanised mines, and study their degree of success (or failure, as the case may be).

Here, we look at the capacity utilisation of production of the existing mechanised iron ore mines from May 1978 to February 1979.

**Table 3: Capacity utilisation of some iron ore mines (May '78 to Feb. '79)**

<b>Name of Mines</b>	<b>Capacity</b>	<b>Output</b>	<b>Col.3 as % of Col.2</b>
1. Bailadila - 14	4.0 MT	2.90	73
2. Bailadila - 5	4.9 MT	3.40	70
3. Kiriburu	4.3 MT	2.30	47
4. Barsua	2.1 MT	0.90	43
5. Kalta	0.9 MT	0.20	22
6. Bolani	3.5 MT	0.50	30
7. Daitari	1.5 MT	0.75	50

But our half-educated Abhimanyus, lost in the maze of mechanisation policies, cannot find their way out. We cannot now leave the critical matter

of policy formulation in their hands. We must instead prepare popular opinion to create pressures for more viable alternatives.

### **Dumping Machinery in the Third World**

It is a fact, open for all to see, that in our country, whenever the mechanisation of a mine has been undertaken, it has occurred as a result of some special binding agreement with another country. The developed countries, be they capitalist countries such as the UK, West Germany, USA or Japan, or socialist countries such as USSR or Poland - have made available to us the machinery for mine mechanisation. And, this has invariably occurred under some special conditions.

The countries selling the machinery first develop the relevant machinery. Subsequently, when they are unable to sell the machinery through ordinary channels, they cast their eyes on the developing nations. They suddenly begin to feel sympathy for the poverty of the developing nations. Shedding crocodile tears, they initiate some special agreement under which they develop a market for these machines. It matters little that the developing countries may not really need the machinery at all.

It is in this way that, in the recent past Rs.1500 crores have been spent in buying machinery for the coal mines. It is in this way that the Dalli, Kiriburu, Meghataburu, Kudremukh, or Bailadila mines have been unnecessarily mechanised. Not only has this not resulted in an increase in the output of these mines but also on the other hand, the quality of the product has deteriorated.

The coal industry is a case in point.

**Table 4: National Coal production: 1970-80 (MMT)**

<b>Before widespread mechanisation</b>	<b>After widespread mechanisation</b>
1970-71	72.45
1971-72	72.42
1972-73	77.71
1973-74	78.17
1974-75	88.41
1975-76	99.79
1976-77	101.04
1977-78	101.00
1978-79	101.95
1979-80 (Provisional)	104.00

Of course, in addition we have to keep on getting fresh machinery and spare parts from abroad - and also, celebrate the anniversaries of these special agreements in the nearest five-star hotels.

Another example, this time from Coal India Limited (CIL). The Heavy Engineering Corporation (HEC), under Russian collaboration, produces shovel machines. Instead of placing an order with the HEC, CIL has ordered Rs. 9.2 crores worth of shoveling machinery directly from the Soviet Union. And the HEC, unable to sell its shovels, has been forced to stop production.

Our mining policies keep on changing in accordance with the marketing policies of our foreign godfathers. The imperialists are not satisfied with the profits they earn by selling their goods in accordance with any settled policy. They also look for further profits by initiating technological changes and thereby disrupting the indigenous development of technology and production policy.

It is these very friends who directed the CMDA to look first, in 1974, at underground mining techniques, then in 1975 at open cast mining and in 1978 once again at the possibilities for underground mining.

Incidentally, this underground mining is conducted under conditions of work particularly of heat and atmospheric pressure that would be illegal in the countries exporting the particular technology in question - namely, the USSR and Bulgaria.

Returning, once again to Coal India, the one factor supposedly responsible for the failure of this undertaking is excessive manpower. Consequently, thousands of women have been retrenched. 50,000 labourers have already been stamped with the label, "surplus staff".

The technology employed at the Kudremukh iron ore mines also brings similar facts to light. After the nationalisation of the mines of the Marcone Corporation in Peru, this Corporation got the idea of employing the same technology in India, and with the help of the Shah of Iran, the Marcone Corporation deployed its technology in Kudermukh. Now the agreement with the Shah no longer stands. The importance of Kudermukh is finished, and the nation is left with a load of only Rs. 680 crores to bear.

If the Dalli in Dalli-Rajhara adopts the scheme of semi-mechanisation, and that too under pressure from the mine workers, then how will the sale of Russian machinery take place? How will Russia and other such machine exporting countries dump their goods in the third world?

The dumping of machinery in the third world, especially in India, is destabilising the very economy of these countries. Only an economic policy based on self-reliance can strengthen our economy. The deployment of

machinery should be undertaken only when it is keeping with the economic, social and cultural needs of our country.

### **A Brief Glance at Our Minerals and Metals Policy**

In spite of the fact that we have vast reserves of iron ore, our national steel production is only 8.6 MT. Our mines are mostly designed to produce ore for purposes of export. Only in a colonial economy can this type of policy, whereby raw materials are produced mainly for export, be carried forward. This policy is weakening our economy and, moreover, shows our lack of a sense of responsibility towards our future generations.

A glance at our minerals and metals export-import figures will make this clear. The SAIL godowns are full of export quality steel. The production of export quality steel and pig iron has been reduced by more than 50%. Nevertheless, this year we are importing 3.9 lakh tonnes of pig iron from America (Deshbandhu 28.9.83) .

This year, a new agreement has been entered for the import of coal. According to this, we will import the coal at a price of 10 dollars per tonne higher than the international market price, from Poland. The figures for the export of iron ore are even more shocking.

**Table 5: Expenditure in Rupees per tonne of export**

Paid to NMDC	31.8
Paid to Railways	61.3
Paid to Port	19.8
Paid to Government	14.8
NMDC Loss	19.6
Port Trust Loss	22.1
	169.6
Transfer	
Contributions (Taxes)	14.8
Profit of Railways	11.6
Net expenses to Nation	143.3



**Table 6: Expenditure (contd.)**

	<b>Haldia basic grade</b>	<b>Paradip basic grade</b>	<b>Low grade</b>
Ex-plot F.O.R. price paid per tonne	27.62	27.85	74.8
Leading expense development incentive	3.79	3.41	-
Railway & road transport	34.70	61.15	3.30
Port & haulage charge	20.26	24.75	22.50
Other expenses	1.55	2.00	1.08
Export duty etc.	10.75	10.75	6.25
Royalty increase	2.50	2.50	0.53
Total	101.22	132.41	108.64
MMTC commission 4%	4.05	5.22	4.34
	105.22	137.63	112.98
Net sale revenues	115.44	123.04	92.05
	(\$15.12)	(\$16.12)	

**Table 7: Export earnings and export cost profiles (1972-73—1978-79)  
for Bailadila ore (in rupees)**

<b>Year</b>	<b>Price in US\$</b>	<b>Price in Rs.</b>	<b>Paid to NMDC</b>	<b>Paid to rail- way</b>	<b>Paid to port</b>	<b>Ex- port duty</b>	<b>Total pay- ment</b>	<b>Profit &amp; loss</b>
'72- 73	9.73	77.84	23.28	35.00	9.00	10.8	78.3	-0.19
'73- 74	9.73	77.84	23.28	37.50	9.00	10.8	80.53	-3.31
'74- 75	11.8	88.24	24.85	40.70	9.00	10.8	84.70	+3.54
'75- 76	13.28	106.24	29.58	49.70			99.3	+7.21
'76- 77	13.28	106.24	29.34	53.80	10.3	10.8	112.2	+1.55
'77- 78	13.58	108.64	29.34	61.38	10.8	10.8	112.3	+3.95
'78- 79	13.58	100.64	30.31	61.38	10.8	10.8	112.3	-3.65
	14.15	113.20	31.04	61.38	16.9	10.8	120	-3.45
	14.58	116.64	31.04	61.38	16.9	10.8	120	-3.35
	15.33	122.64	33.98	61.38	19.7	10.8	125.9	-3.25

While the average production cost is Rs.140.00 per tonne our export earning is Rs.92.00 per tonne. This is only possible in an independent country like ours. The entire iron ore stock of Goa has gone to create

profits for Japan. When after 10 years, these stocks are exhausted, what will be left for the future generations of the people of Goa?

Bastar district of Madhya Pradesh has our country's largest deposit of tin. The M.P. Government-directed M.P. State Mining Corporation have been given the responsibility for mining this ores. However, till today this responsibility has not been fulfilled. Hundreds of tonnes of tin ore are being illegally smuggled out of our country. The government pretends to be blind to this enormous offence.

### **Mechanisation and Contract Labour in India**

Industrial development and the contract labour system co-exist in our country like twin brothers. More and more machines are being deployed and at the same time the number of unorganised contract labourers are increasing daily.

The numerous examples shown above go to prove that these machines and the accompanying technology have not been developed according to our special needs. And our bureaucracy is naturally unfamiliar with these forms of transplanted technology. Automatic systems exist, but we do not know how to run them properly or to maintain them adequately. Ultimately, the bureaucrats in order to camouflage their own inadequacy employ contract labourers. When we demand that these labourers be given permanent employment, our demands are not heard. We are told the cost will be excessive, and that the process will be uneconomical. These contract labourers live in dark slums, denied common human facilities like latrines, running water, or medical care. After working all day, they are often forced, along with their families, to go hungry.

We say, are these contract labourers not the children of our nation? If a young boy works in his father's garden for a few hours, and then asks his father for some money, his father would have gladly given him even some extra money, knowing that the money would go towards the welfare of his own family. A truly patriotic capitalist would have the same attitude. He would be keen to develop the internal markets in his country. But where a machine is the symbol of skill and manual labour the symbol of lack of skill, there the foundations of economic policy can only rest on this type of exploitation.

### **A Final Word**

The development of industry is intimately connected with a capitalist economic order. But our country has a bureaucracy that is steeped in feudal values. That is why the bureaucracy acts without any reference to national interest, workers' safety and other such values. An example will make this clear. A particular bureaucrat was found responsible for a fire in the

Shackarpur Colliery. The DGMS sealed the mine. 18 million tonnes of coal and Rs. 6 crores worth of machinery were lost as a result. But the concerned official was promoted to the head office of Sanotania as General Manager (Safety) (Kalyan Roy: Business Standard, 20 Oct. 1979).

I believe that the way in which our mines are being mechanised is an utterly irresponsible process. This process will increase the difference between the rich and the poor. This process will not take us towards equality, but inequality; not towards self-reliance, but towards a dependence on others; not towards a happier society but towards a more unhappy society. And our firm resolve is to base any new step on the people's true situation. If mechanisation causes retrenchment and hunger among the people today, then this step is wrong. For example, in Bailadila or the coal mines, there is such massive retrenchment and police firing, because of mechanisation. This harms both the people themselves as well as their production processes. Hence, only by keeping the people's true interests constantly in mind, and by carrying the people along can any change in the processes of production be effected.

*The Other Side, February 1984*

# The Matchbox Tipper

Ivan Fera

On a small rise above the town, dominated by the scarred hills, the mine workers' basti in Dalli-Rajhara is easily found. From bidi and chai shops, and a few thatched roofs, small flags flutter red and green - like the flesh of the mine faces themselves, raw against the forested hills; the traumatic colours of the tribal experience, blood and sal leaf.

By 1958, when the Bhilai steel plant was ready to mine these hills, in the forests, the hives and the ant-hills were already broken. In the numbers of tribals inexorably dispossessed by moneylenders and forest officials or Harijan refugees fleeing their villages and petty criminals cooling their heels, a large work force was already available. From forest communes to mine slums, even in a single generation. The weak unions that replaced the tribal communities, directly or indirectly controlled by the labour contractors could not protect them either; if the tribal communes were not unions, the unions were not communes.

With two matchboxes and a matchstick, the children in Dalli-Rajhara make a toy. A tray placed upon a box, with one end opened for a hinge, and wedged under. One box, halved and inserted into the other tray, is a driver's cabin. The matchstick, driven through the cabin, levers the hinged tray - a tipper truck, with pebbles for ore, they play with their fathers' skills, their fathers' lives.

The sole concern of the truck drivers, or the casual labour on the dumpers that haul the crushed ore from the faces to the rail sidings is to make as many trips as they can in a single working day - the truck owner is paid by the tonne. All repairs are left for after the shift - the risk is ridden through, until there is a breakdown or an accident. In the small private garages - the largest employs eight men - the ill paid mechanics work through the night to ready the truck for the morning shift, working as many as 10 to 14 hours in a day. The mechanics, like the drivers, no doubt, are forced to take some risks with the repairs - quite simply, depreciation. The truck is worth nothing apart from the tonnage delivered. Only the matchbox tipper has any value in itself. As for the men, as one unionist in Dalli-Rajhara points out "there is no depreciation for human labour."

"Drilling" and "blasting" are words the children know and use in this mining town. If there were men who knew both the forests and the mines in one lifetime, the new skills were threatened with obsolescence almost as

soon as they were learned. Drilling and blasting would soon be only words, and tipper trucks a plaything. By 1975, 8,000 miners were retrenched at the Bailadilla mines, southwest of Dalli-Rajhara.

In the view of the general manager's report on the Bhilai steel plant, manual mining on a large scale had to be resorted to only because the mines expansion programme at Dalli-Rajhara was not undertaken on schedule. Manual labour was no more than a temporary substitute for the mechanisation of the mines; the new skills had no place in the productive process itself. The case at Bailadilla was much the same. "Inadequate prospecting" had failed to notice certain geological constraints, which suddenly surfaced, temporarily delaying mechanisation. Some 8,000 manual workers were contracted meanwhile, to stand in for the machines; redundant when the mechanisation plans were rectified.

At Dalli-Rajhara, the Chattisgarh Mines Shramik Sangh's (CMSS) rebellion against the obsolescence of human labour springs in a very real sense from the child's matchbox tipper; a child's dream of work as a play of skills. The life of these deposits may be no more than 20 years, but the union's secretary Shankar Guha Niyogi says, "My concern is for the next generations."

"The technique used for the extraction of ore has been deeply internalised by the people. Most of the miners have had no schooling, but technical terms like drilling and blasting have become part of their everyday vocabulary. The English of these terms is no hindrance in any way, because the very act has become part of the concrete experience of the people. Such learning becomes socialised knowledge. The development of industry is possible," he argues "only when technology is deeply internalised by the people."

Faced with the threat of retrenchment, Niyogi, drawing upon the advice of experts, some of whom came from the BSP's management itself, drew up an alternative semi-mechanisation plan capable of delivering the requisite productivity. The union prevailed upon the Bhilai management to try out the scheme, which has been in operation ever since. The management was to review its working two years later in 1980; the revision is still due.

The primary purpose of planning for development in India, he argues, must be to provide employment. "Or why not automatize completely, why stop half-way?" Ways and means can always be created to ensure that neither productivity nor employment suffers. "But if you begin with an anti-working class attitude, then no problems about the productive process have a solution."

Productivity is, in fact, one of the keystones of the CMSS union's own approach to mining and to the use of natural resources. "To increase purchasing power you have to increase production. You can increase production only by employing human beings. Any change in the productive system is possible only if you have the people as a goal, and if you involve the people". Niyogi is not talking of production in the narrow sense of incentives to meet targets, but in the larger sense of a creative community of workers, an idea embodied in the union's thrust towards community development and the creation of community assets - a school, a hospital, a garage; or even a footbridge over a stream, all built by the workers, with their own hands. The footbridge, for instance, will be built from discarded railway sleepers, requisitioned from the BSP management.

The productivity at the mine heads has equally, been fundamental to establishing the case for semi-mechanisation. 170 drillers, the first of the contract labourers to be departmentalised in response to a long struggle by the union, delivered a record productivity - one million metres drilled, a record not surpassed by any department in the plant. Consequently, it was the only department where the cost of production came down.

In an attempt to frustrate departmentalisation, Shantilal Jain, one of the largest contractors who had been displaced, hit back through the spare parts outlets he controls. The drillers were starved for spare parts. To order fresh spares from abroad would take a year.

The workers resorted to the scrap yards for parts they could improvise, determined not to let the production bog down. "At stake was the departmentalisation of the other workers, the responsibility was theirs." A U-bolt for instance, was straightened out to provide a side rod for a Jack Hammer. Drillers, who had fixed faulty Jack Hammers themselves, were charge-sheeted for having opened them up.

There were other games. Six of the best and the most experienced drillers, Niyogi says, were demoted, upon departmentalisation, to assistants, entrusted with stoppering the drilling holes to prevent the dust from getting in. To save them from demoralisation the union entrusted them with supervising and directing the work of the others, building up the team spirit.

At Dalli-Rajhara, however, as an engineer now working with the union says, productivity is a part of the workers struggle itself.

Hence the concern as far as possible, to conduct struggles (without going on strike except where inevitable) without closing down operations - since that would run the risk of giving the BSP management what it is looking for

- and opportunity to close down the mines and introduce mechanisation. At any given time, an ore stock good for six months provides insurance against a strike.

Discipline, Niyogi says, is essential both to trade unionism and to production.

We were talking late one night outside the union's office when a worker comes up to Niyogi and says, "He's finished. He died about half an hour ago."

In the silence that grips the small group around Niyogi, the night seems suddenly to darken. Under the faint light of the stars, the mine faces, cold and steel blue, are hardly visible.

"What was it?" Niyogi asks. "He couldn't get the blood for a transfusion?" For a long while, nobody says anything. Niyogi says bitterly "All for the sake of a few rupees more. This will be a lesson to the others, at least."

It was towards the fag end of the shift, earlier that afternoon, that the workers was offered some ten rupees more, by the contractor, to work on a loose face. The others were preparing to leave; to attend a public meeting called by the union that evening to celebrate the miners' solidarity with a struggle in a nearby village. "He must have thought he'd do a quick job before leaving, and end up ten rupees richer for the evening. He was crushed under a landfall. I've told them so often" he says, "what else can one do? There are always some who are tempted."

Waiting for a jeep to leave for the worker's village to inform his family, Niyogi says: "This contract system runs counter to the basic principles of scientific mining". Since he is paid by the tonne, the contractor's sole concern is for productivity in terms of quantity torn out in the shortest possible time. He has little use for the development of a face, to allow for methodical exploitation, or for safety.

With the exception of the transport workers, who load the ore from the sidings onto the rail wagons, labour contractors through union struggles have largely been ousted from the other departments and replaced by labour cooperatives which have about 3,300 workers, as against 1,900 still controlled by contractors.

But Niyogi no longer wants to extend the process any further, to replace the remaining contractors with cooperatives. "They are everywhere," he says "the most corrupt and corruptible of organisations".

In Dalli-Rajhara, the cooperatives have largely failed because they are in no position to compete with private contractors in securing favourable contract rates for the various works undertaken, many of which are piece-rated. "Negotiating viable rates is largely a business of greasing the palms of the BSP officials concerned". Niyogi explains, and in this respect, the cooperatives are no match for the contractors. In order to survive, they are forced to corrupt, and the society's officials are no less vulnerable.

Greased palms also ensure that other necessary working conditions are provided, unless the sites are marked out and drilled and blasted in time, the raising and loading labour are rendered idle.

Consequently, the drillers' is the only viable cooperative, since drilling is the best paid of all skills in the mines. Certain deductions make for a further whittling of rates - a security deposit of 4 per cent and Income Tax of 4 per cent deducted from the variable dearness allowance - the offence under the payment of wages Act notwithstanding. There are other burdens: unless the production rises to four per cent above the norm of 3 tonnes for an 8 hour shift, the supervisory staff cannot be paid.

As against this, the contractors are in a position to extract a larger and faster turnover from each worker. Since the relations are informal, the coordination is imposed by a supervisory staff completely loyal to the contractors.

In these circumstances, the union sees departmentalisation of the miners as "one of the better practical options, though not" says Niyogi, "a solution." Why not? Are there other alternatives? "Of course there are, but to talk of any of them now would be utopian. For instance, the entire development and excavation of the mines, and the responsibility for delivering a certain productivity should be entrusted to trade unions in the mining industry. But to propose this, in the prevailing circumstances, is to dream."

As a result of a sustained movement, the limestone and dolomite miners, also organised under the CMSS flag, have been departmentalised. In 1974 a central government committee set up to investigate the situation of the iron ore miners, recommended departmentalisation. Accordingly, the BSP management assured the union that the commissioning of the mechanical mines in Dalli-Rajhara will not lead to any retrenchment. The BSP management promised an interim review of semi-mechanisation, in order to prepare the preliminaries for departmentalisation like seniority lists and service certificates. The review is yet to be undertaken. The excavation of the ore proceeds unabated, while the very fate of the labour, the relevance and the need for their skill remains very much in abeyance.



On the other hand, there is no new recruitment of manual labour. What then becomes of the next generation of the children? There is little that their fathers can pass on to them, least of all their new skills. Like the 'agariya', the tribal smelters, the miners seem already redundant. Only the names of places like Lohara and Dandi Lohara survive, to suggest the lost work sites.

The setting up of the steel plant itself caused a massive displacement of thousands, evicted from their ancestral lands. "A few were given compensation and some were given jobs. Lacking the requisite skills, they could only be absorbed as unskilled labourers."

The project has had hardly any impact on other sectors of the region's economy. Largely monocrop, agriculture still remains extensive, employing primitive methods. Several multinational interests are moving in to exploit the forests - in short, for the people of Chattisgarh, development means ever increasing displacement. Generation cut adrift from generation, the old tribal communes dissolved into a superfluous tide awash without direction.

As Niyogi sees it, it is not the people alone who suffer from this fractured history; no industrial development is possible he argues, if it does not tap the people's own creativity. "It was the enrichment of skills and crafts by every generation that made the growth of industry possible in India. The steel pillar at Qutub Minar is a living testimony of this process. One of the main factors in the development of the steel industry shall be the extent to which the common masses have assimilated the technology of steel production, in their day to day living and culture. The union hopes that the people of this iron ore township will one day speak in the language of mining."

Polytechnics and industrial training institutes, he notes, have been set up for exactly this purpose, but are largely beyond the reach of tribal or Harijan children, who never go to school, or else have to drop out at a very early age. The drop-outs have no access to technical training.

Hence the junior polytechnic which the union plans to build from its own resources, incorporating an auto garage and a machine shop, thus enabling on-the-job training. The machine shop for instance, would undertake fabrication and machining of spare parts for the Bhilai steel plant. The profits from customer jobs would partly go into paying stipends to the trainees, the rest being ploughed back for further expansion of the polytechnic. To begin with, the institute will train fitters, electricians, motor mechanics, carpenters, welders, forge and black smiths, machinists, miners, sculptors and stone polishers.

The idea for the institute itself was born out of a recent struggle. Backed by the CMSS, 70 mechanics in Dalli-Rajhara employed by small private garages that service the mine fleet of some 250 trucks rebelled against their awful working conditions. Meagre salaries, for 10 to 14 hours of work a day, with no regular weekly offs or medical aid. The garage owners were backed by contractors who - displaced from the mines, and hit hard by the union's anti-alcohol campaigns - were determined to fight a last-ditch battle.

At the end of a relentless struggle, 30 of the mechanics were taken back, and 40 were retrenched. It was at this stage that the union came forward with a proposal to absorb these 40 mechanics - which in turn led to the junior polytechnic. The garage, already set up, is the biggest in the town - the largest of the private garages employed no more than eight mechanics.

The union now has an IIT graduate, an engineer with four years of shop floor experience, working full time to develop both the garage and the polytechnic.

"Beyond repairing any part of the trucks" Gupta, the engineer says, "they know nothing. They can put a gearbox together but they knew nothing of the principles on which it functions. In the small garages they worked in, they had no opportunity to develop their skills. They never consulted each other, or pooled their knowledge as a group. Their employers' interest of course, lay in dividing them. They have only the vaguest notion of how they themselves are used in the larger organisation of the mines and the steel plant."

Gupta, who has spent four years in Kishore Bharati, developing a new method of teaching science in rural schools, has joined the union because only a mass movement, he says, offers any opportunity for the actual implementation of these methods. It would be impossible to introduce these methods in the existing educational structures, because of the resistance it would provoke. "Even to dispense humanism," he says, "would need a structure."

"The education currently being dispensed in local schools is totally alienating, especially for a tribal child" - in that it bears no relation whatsoever to his situation and to his environment.

Gupta's own method in contrast, is rooted in situations and objects culled from the child's own everyday experience.

Milk bottles and matchbox trays for example, as precise units of measure - the milk bottle measures a litre of any liquid, the matchbox tray precisely 20 cc. Using shirt buttons and pins Gupta has developed tools for a whole

series of experiments to illustrate the mechanics of pulleys. Buttons for instance, placed back to back and bored through with a heated needle make pulleys turned on an axle made from a paper clip opened into an S shaped handle.

With sections of cycle valve tubes, babul thorns are joined to make geometrical figures of all types, whose mathematical properties and relations the child can discover for himself in playing with and manipulating these constructions. He sees for instance, that all geometrical figures, with the exception of the triangle, as a basic principle of construction in civil engineering - in the construction of bridges for example. The babul thorn and cycle valve models are capable of vast variations, and can even be used to construct and understand Buckminster Fuller's geodesic dome, comprised of hexagonal joints, or replicate molecular structures.

In other words, the child holds the concept in his hands, like a toy. The chapter on machines begins with an analysis of basic tools like the hammer and the screwdriver. Starting with a hand held rock, bound later to a stick, the hammer is understood basically as an extension and a model of the forearm-with-fist. Progressing further, the turning of the central shaft of a lathe on which steel jobs are shaped with bit-tools, is related to spindle of a potter's wheel on which clay is moulded into forms.

In other words, the demystification of science, liberated from the abstract invocations and the ritual tools of the class room - its universality unleashed, by a child's fingers, from the simplest of human environments, rather than the alienation of these possibilities from the most rudimentary means of existence - a thatched hut, potter's wheel, a match box. It is not the poverty of these means, but the inhibiting of the creativity of the people, forced to manifest itself through tools beyond their reach that constitutes their impoverishment.

Above all, says Gupta, the tribal's kinship with the jungle, his sense of oneness with the natural kingdom, destroyed by the fractured development that he has been subjected to, is recovered and revived. A new vision, a new possibility seized - "that the old social values of community life can be preserved in transition to a more modern era."

It is at this point in the new education, that the miner's trade union struggle comes full circle: born of the struggle against the obsolescence of human labour and the vindication of semi-mechanisation, is a larger movement to create and to preserve the wholeness of community, and a vision of development and progress as a tradition through creative generations - a struggle against the dissolution and the dispersal that the kind of technology introduced into the region has unleashed.

An alternative vision of development, that taps and springs from the workers own resourcefulness, the creation of their own institutions, is evident from the four schools, the garage and the hospital now under construction, all built by the miners themselves. "We needed money only to buy the raw material" Niyogi says, "bricks, sand, cement, wood, the transport was free - truck owners were persuaded to run a few trips, free of cost, for a social cause. The labour was plentiful. Brick by brick, we built it with our own hands."

The 40-bed single-storeyed hospital housing two maternity clinics, an operation theatre and a general ward with three staff doctors will cater primarily for the surrounding villages - which have no access to the steel plants hospital in Dalli-Rajhara, meant for the plants staff and for the mines.

According to Ashish Kundu, one of the two doctors now working full-time with the union's clinic, the attempt is to develop a form of health care that is sensitive to the individual economic, family and psychological situations.

The workers are however acutely aware that their creations are vulnerable to the larger economic and political compulsions unleashed by the kind of development they are in rebellion against. They have no illusions of permanence. "That it is not viable is no reason not to build it" says Ashish Kundu. "It is important to concretely imagine an alternative and to build up struggles to sustain it."

"It is not the structures themselves that are important," Gupta says. "What are they after all, poised against the might of the state? The union office or the hospital can be bulldozed down. You should have seen this place last year when Niyogi was arrested under the NSA. It was a police camp, the whole area was under siege. The greatest asset is that the people know that they can create their own institutions, they can create a new community for themselves. Even if all this is destroyed, that truth will remain. These are only manifestations. The workers, the most creative class, are not yet aware of its own phenomenal creativity".

In order to protect the hospital and the garage from the vicissitudes of an on-going political struggle, Niyogi plans to de-link them formally from the union - through setting up of some kind of formally independent trusts. While their orientation will be controlled by the workers movement, they will at the same time be protected from the repression that the struggles of the workers might invite.

As the thrust of these creations would indicate, the union has concretised its vision in terms of an alternative plan of development for the entire

region. In the Chattisgarh Mukti Morcha, which Niyogi describes as “a movement against atrocities perpetuated on the poor peasantry,” the union has already developed a rural base for the struggle.

One of the major incursions in terms of agrarian development that the union will soon embark upon, is the introduction of cotton cultivation in the region, to break the peasants’ dependence on a single crop - paddy. Experiments that the union has already conducted, Niyogi says, reveal that the scarce rainfall and the black soil are ideal for growing cotton.

Above all, an alternative crop will give the poor peasant what he vitally needs - the capacity to hold out against indebtedness and a wayward climate. Preliminary calculations indicate a net profit of Rs. 500 per acre of cotton now under paddy.

The smaller land holdings will be insured by the union - the peasants have been offered compensation against any loss they might incur from the introduction of cotton - an offer, Niyogi says, that has already been accepted by many. We are ready to compete with the larger landowners, Niyogi says.

The cotton produced will be purchased by the union as raw material for a cottage handloom industry producing cloth on ambar charkhas, a more efficient model of the traditional charkha. An order for the initial consignment of a 100 ambar charkhas has already been placed with the Paunar Ashram.

Niyogi is acutely aware of what such a thrust would unleash. “The monocrop cultivation of paddy” he says, is the very basis of the peasant’s indebtedness and of the exploitative politics in the region, dominated by the class of moneylenders. “Our only allies against the traders in this struggle towards development can be the industrialists,” he says. “But I can see what is coming. We will be attacked by them without provocation. This struggle will provoke a total crackdown on the union. It will be the last straw.”

*The Sunday Observer, 25 July 1982*

# Pathbreaking Union's Health Programme

Sevanti Ninan

How do you lay the ideological basis for a trade union's health programme? Shankar Guha Niyogi's Chatusgath Mines Shramik Sangh is showing the country how, and proving once again that it is a very different kind of trade union.

Two months ago Shahid Hospital, born of contributions from more than 5000 mine workers, opened its doors. Run by a "classless" team, it has three doctors who wash sheets and sweep floors in between tending to patients, a little-educated miner's wife who does the dispensing, and five miners who shed their hard hats after the day shift to pitch in and do whatever needs doing, including handling accounts and keeping patient records.

When the hospital can afford to pay them, salaries will be the same for everybody, upholding the principle that cerebral and manual work have equal value. For the present, there are no salaries. A tiffin carrier and some chipped pewter plates are sent across by the union office at mealtimes and when the out-patients stop coming, two of the doctors stretch out for the night on beds meant for examining patients.

For all that, it is a very business-like hospital. Though billed as a gift from the organised to the unorganised sector, it has tended to draw a large number of miners who are entitled to free medicare at the Bhilai Steel Plant Hospital at the other end of the town.

This is partly because it is closer to the workers' mohalla so that people coming here don't have to miss a day's wages, but also because the medicare is good and costs little.

The treatment also feels different. Explained Alpana Bai whose child had double pneumonia: "In the steel plant hospital the doctors don't touch our children, here I've seen doctors pick them up and hold them."

The hospital has grown out of a dispensary and a community outreach programme run by trained union members.

For the Chattisgarh Mines Shramik Sangh (CMSS), health, translated as a worker's total well being, is a vital issue. Declares one of its pamphlets loftily: "The working class is the vanguard and prime agent of social change. This imposes upon it a responsibility of exploring and experimenting with alternative and more progressive social systems including health system".

In 1977, when this union was being formed to take up the cause of contract labour, health problems in this area were very basic. Belief in primitive medicine was strong, particularly among those who could not afford allopathy. Consequently quacks did a lot of damage. Workers who were entitled to treatment at the steel plant hospital had the greatest difficulty obtaining it.

Above all, says Niyogi, the peasantry and unorganised labour on the fringe of Dalli- Rajhara had access to no health facilities at all. He says these are the people the new hospital is primarily meant for.

Another needy category are the transport workers who get parchis from the steel plant authorities for private treatment, which in Dalli is the monopoly of quacks.

Says Binayak Sen, the Vellore-trained doctor, who together with Niyogi conceptualised the health programme, "in taking up the issue of health we are broadening the political basis of the movement, retrieving it from the pitfalls of economism".

This is a recurring theme with the CMSS leaders. A trade union that really cares about workers' welfare has to go beyond wage-related issues. Hence its protracted campaign against liquor, its efforts to run a school, a co-operative garage and a technical training institute.

Says Niyogi, "Our union is concerned about people's greatest problems. Why shouldn't an unskilled labourer's son have a better future? The industrial training institute wants candidates to be matriculates. It is not easy for an unskilled worker to educate his children up to that level".

With a total membership touching 8000 in Dalli Rajhara, the CMSS umbrella is now rapidly taking in other towns and villages, embracing other categories of workers such as rice mill workers, saw mill workers and those employed on forest department works. Niyogi describes this reaching out as an effort to achieve emotional unity of exploited classes. "The quality of the movement is what we pay attention to," he says, "whether it is anti-establishment or not."

The establishment meanwhile, regards each fresh development involving the CMSS with trepidation. Two weeks ago when cholera broke out for a second time this monsoon at Dalli-Rajhara, two workers died despite an SOS sent out by the CMSS to the medical authorities at Durg.

In the wake of the deaths, the Shahid Hospital saw a flurry of visits by panicky district officials. Said one of the doctors wryly, "We are generally regarded as a subversive force here. When we report cases they fly into a panic. Instead of trying to contain the cholera, they are trying to contain us."

Given the scale of worker involvement, nothing that the union does can be easy to contain. The hospital symbolises such involvement. The building is worth Rs. 6.5 lakh but actually cost only Rs. 2.5 lakh to build. Transport workers diverted their owners' trucks to bring bricks and cement to the site, the loading and unloading was done by shramdan.

Union workers missed a day's work to lay the roof, they donated purloined wood from nearby forests so that raw material costs were reduced. But the biggest chunk came from a tripartite settlement the union arrived at with contractors. Five thousand workers were to be paid Rs. 2 lakh as part of the settlement. They gave up that money for the hospital.

How did they get the land? Says Niyogi: "we haven't got land, either for the union building or for the hospital - we just built them."

***Indian Express, 22 August 1983***



# Women Fight Back in the Mazdoor Bastis

Rajendra K. Sail

More than 3,000 textile workers are on an indefinite strike since July 13 at the Bombay-Nagpur Cotton Mills at Rajnandgaon, about 40 kms away from the steel city of Bhilai in Chattisgarh. The management - National Textile Corporation - is shrugging off its responsibility to settle the most prolonged strike in its history. Says the general manager, Santosh Kumar Gupta, "We are duty bound to negotiate with the recognised union, INTUC." The administration has mobilised the biggest ever police force in this otherwise sleepy town of Madhya Pradesh to systematically break the newly organised Rajnandgaon Kapda Mazdoor Saugh.

Getting the union registered on July 8 this year, this militant trade union has emerged as the workers' alternative to the compromising and self-defeating attitude of the traditional trade unions in the region. Frustrated with the political vacuum for nearly two decades, the mill workers approached the region's emerging labour leader, Shankar Guha Niyogi, to successfully combine the trade union's economic battle with socio-cultural reforms.

The fifty day-old strike has its genesis in a gherao of three officers of the mill on July 13 by 1,700 workers, including women. Starting at 3 pm with the workers' expectation of getting some definite commitment, the gherao ended only at little after midnight. The management was not averse to "having discussion and dialogue" with the newly formed union but expressed its inability to enter into any agreement in the absence of the general manager. Seeing a stalemate, the administration ordered the police force to rescue the gheraoed officers around 1.15 am. What followed was chaos.

According to a woman worker Thela Bai, "the lights went off suddenly and the police started beating the workers, due to which we ran helter-skelter. Many hid inside the mill and in water tanks. Police formed a cordon around the officers and took them out of the room. Later they announced that the workers hiding inside could come out and that nothing would be done to them. After many such announcements when workers came out of their hiding, the police started beating them so savagely that a number of them fainted on the spot. About 100 got injured."

In response to the Collector's appeal to disperse, the women retorted, "Why was Section 144 imposed only for the workers? How about you and hundreds of policemen standing here?" The women started beating the iron gate with the bamboo poles of flags and shouted slogans. This infuriated the police who beat them up mercilessly. From inside the Collectorate, 30 tear-gas shells were broken. Women started falling upon each other. Those women who still held their ground were kicked and beaten. Women were forcibly thrown inside the van by policemen.

The arrested women were first taken to Lal Bagh and then to the PTS. "We women started shouting slogans in PTS. The police asked us to stop, but we did not obey them. Thus police started abusing and snatching away our flags which we resisted. Many women were hurt in the tussle."

A team of Chattisgarh Mahila Jagriti Sangathan visited the spot on August 16 and interviewed the arrested and wounded women in Durg jail on August 18. The team found out that of the 23 arrested, seven had their thighs swollen and bruised. Vijay Bai, badly beaten on her back with lathis, said angrily, "I was beaten so mercilessly by a Bihari policeman that I cannot forget it in my life. Whenever I find him, I will get hold of him in such a manner that he will remember his grandmother."

The workers-peasants are looking upon this struggle as a new alternative to "trade unionism" to end their age-old exploitation. Attaching little importance to electoral policies, Niyogi says, that "the prolonged struggle will prepare the workers peasants alliance to stand against the oppressive nexus of political and money power in the region."

***The Sunday Observer, September 9, 1984***

Government sources put the number of injured to 28 workers and 12 policemen including one executive magistrate. The unofficial estimate of seriously injured workers is not less than 60. A team of journalists and social workers identified not less than 25 injured even after one month of the incident.

Since July 14, about 4,500 workers and peasants have been constantly demonstrating for implementation of their demands: wages and improvement in working condition. On July 23, a massive procession of 3,500 workers and peasants shook the town. About 70 per cent of them were women and children. Having collected also from neighbouring villages from where the mill workers are mostly drawn, they rent the air with slogans, "Mazdoor Kisan Ekta Zindabad."

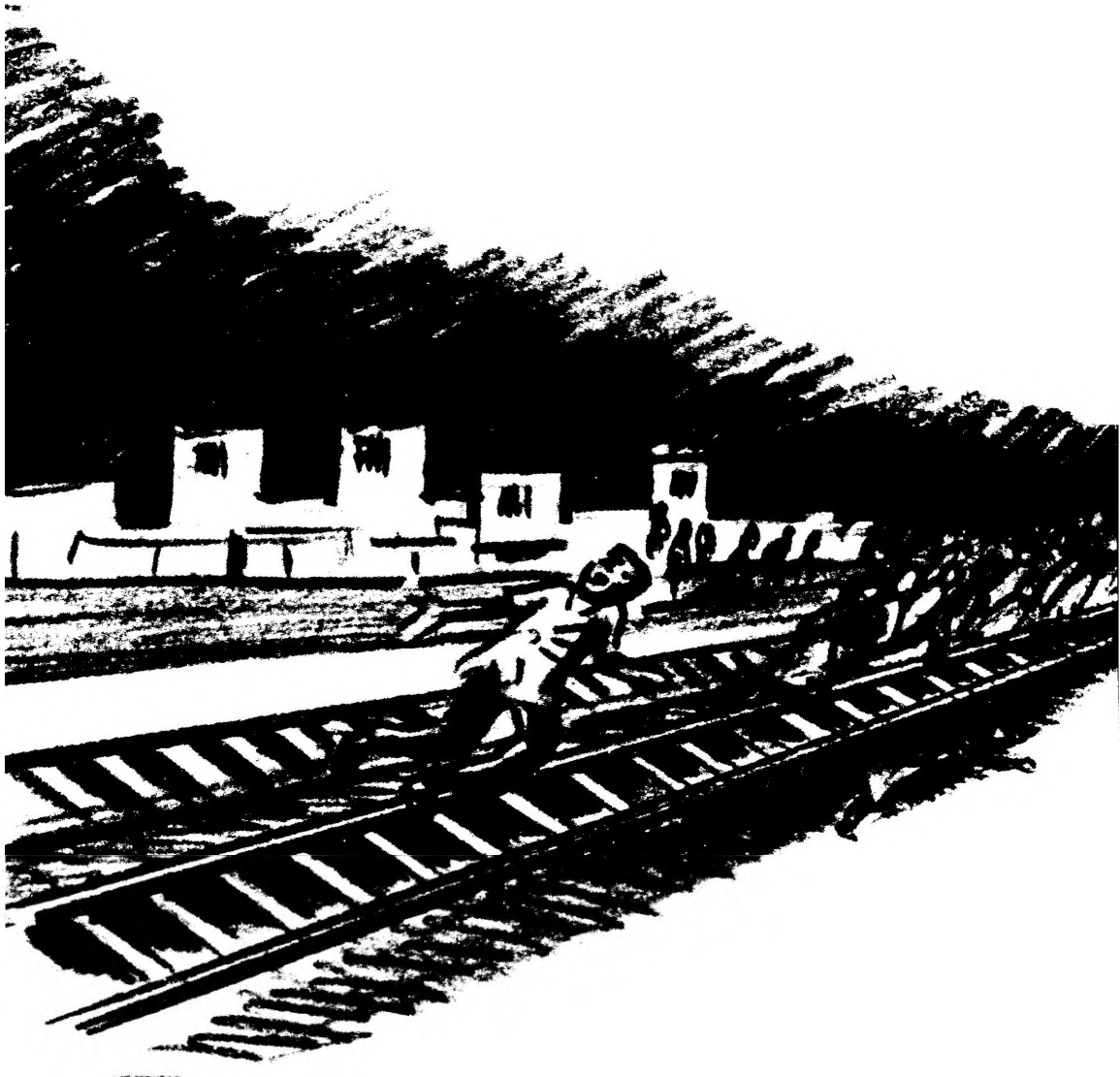
In a memorandum to the Collector, the women representatives demanded unconditional release of 75 workers arrested on July 13, reinstatement of 17 workers whose services were terminated on July 21, withdrawal of the police force from mazdoor bastis in order to create a terror-free atmosphere for negotiations, etc. 73 workers were ultimately released on personal bonds on August 22 but the RKMS president Prem Narain, along with another office-bearer of the union Santosh Kumar Nayak were not released. Further, the management is "not ready to reinstate the 17 retrenched workers, and 3 suspended workers at any cost", said the general manager.

Workers continued to press for their demands and demonstrate their growing strength. On August 14, 1,000 women and children gheraoed the Collectorate in spite of Section 144 in force. The gherao was announced in a public meeting on August 9 by Niyogi, but Section 144 was promulgated only around 8 am on August 14 itself. In spite of heavy police bandobast the women and children came out in large numbers. "While the police were trying to check the procession of women and children at Motipur, they suddenly broke into smaller groups of 10-15 and ran towards the Collectorate", said the Collector.

"Sensing the militant mood of about 400 women and 200 children with danda-jhanda in their hands, the 200 strong police force retreated, leaving no choice but to break tear-gas shells to control the charging women", said the SP V. R. Pendharkar.

Pendharkar claimed that "the women were no ordinary ladies, but trained by Niyogi in commando style. In my twenty years of experience of gheraos in industrial towns, I have never seen one like that. Unless we are very strong we will be trapped."

# Into the Labyrinth of Bhilai





# Feeding the Crisis

Shankar Guha Niyogi

The Bhilai Steel Plant – a public sector undertaking started in 1958 in joint collaboration with the USSR – had started producing steel with the hope that it would turn out to be a milestone in promoting people's development in Chattisgarh. Slowly, the ancillary industries came up. From the initial production of 10 lakh tonnes, the Bhilai Steel Plant was turning over some 42 lakh tonnes of steel every year. There were about 140 registered industrial units in Bhilai, out of which only 105 were functioning, while the remaining 35 remained on paper as symbol of yet another form of corruption.

Bhilai has rather emerged as a symbol of *vinash* (destruction) not *vikas* (development) in the eyes of the Chattisgarhia, who view it with disgust and hatred. One could look at Abhujmar in Bastar district, hardly 100 kilometres south of Bhilai, where the Maria and Muria tribals were dying of blood dysentery in thousands. In the north, 85 kilometers off Bhilai, was Mandla district, where Baiga adivasis were being treated as museum pieces due to their primitive civilisation. Some 100 kilometres east of Bhilai was located Pithora-Basna-Saraipalli of Raipur district, where 5,000 bonded labourers were recently released at the intervention of the Supreme Court of India at the initiative of social action groups. Merely 25 kilometers west of Bhilai was the district of Rajnandgaon – famous for famine-stricken strips of land without water, while Bhilai Steel Plant and its township were flooded with water.

The mushroom growth of Re-rolling Steel Mills in and around Bhilai – which were thriving on theft and corruption in the Bhilai Steel Plant – was supporting an age-old view that the Public Sector in India was meant to feed the private sector for profiteering at the cost of the people.

There are some five prominent industrialists, each of whom has become owner of an estimated Rs. 1000 crores of assets within thirty years. Prominent among them were the Shah Family of Simplex Group of Industries, Jain Family of BEC, Kedia Family of Chattisgarh Distilleries. They are the rising industrial giants. How could one explain the phenomenon that Heera Bhai Shah of Simplex Group of Industries was establishing a Sponge Iron Factory in collaboration with China with an investment of Rs. 1000 crore? It is public knowledge that Heera Bhai had merely a Drill and a Lathe Machine when he started his industrial venture in 1968 in Bhilai. During the Arjun Singh Ministry in Bhilai, Kedia Family had



The Simplex Group of Industries claim with pride that there was no need for a trade union in their units. Recently they claimed that "Safdar Hashmi was blown to pieces near Delhi. In Bhilai, even a Mahatma Gandhi will be finished in no time". In early eighties, the CITU made an attempt to form a trade union in Simplex, but had to retreat steps when their ace leader P. K. Moitra was falsely implicated in a bomb explosion case inside the factory. The fact remains that the management had conspired to create such a situation to crush the trade union movement.

## PESS

After years of inaction, the workers of Bhilai formed the Pragatisheel Engineering Shramik Sangh under the leadership of Chattisgarh Mukti Morcha. These workers were no longer ready to tolerate injustice and repression. At one go, thousands of workers formed trade unions in 50 industrial units in Bhilai. The demonstration of their strength, from time to time, through processions and strikes sent shock waves in the rank and file of these industrialists. Taking the Inspector General of Police into confidence, these industrialists are carrying a campaign to mark the trade union leaders as "criminals" and glorifying the "goondas".

The vice-president of PESS, Ravindra Shukla and another office-bearer named Jagdish Verma were fatally attacked by knives and lathis. Four other active members of this trade union were brutally attacked during the past one month. In a recent frenzy of violence, Dr. Devi Das, editor of an evening newspaper – *Bhilai Times* – was attacked with knives and lathis on December 11 by the goondas of the industrialists. His fault was that he had dared to expose the farce behind the fire in the R. K. Industries, in which 15 members of this trade union were being falsely implicated by the police.

More than 700 workers, associated with the union, were retrenched since the inception of this trade union. Illegal and arbitrary imposition of ban on the democratic activities of this trade union by the district administration is setting new trends in curbing the democratic rights of the workers. While on the one hand, the other trade unions – like the AITUC – are permitted to stage dharna in front of the Bhilai Steel Plant gate, the workers of the Pragatisheel Engineering Shramik Sangh are arrested under Section 144 without any notice for going on strike. The Gandhi Jayanti celebrations this year, under the joint auspices of the Chattisgarh Mukti Morcha and 14 other social action groups were not permitted by the district administration under the pretext of law and order problem, thus forcing some 1,00,000 peasants-workers of Chattisgarh to move some 40 kilometers east of Bhilai to celebrate the birthday of the Father of the Nation at Raipur.



shot into fame because of Aswani Liquor Scandal. This Kedia Family had an annual income of Rs. 36 crore.

### **Plight of Workers**

The Simplex Group of Industries were running seven industrial units in three districts in engineering and casting. Expansion of these industrial units is un-explainable by normal standards of growth. These industries are major suppliers for the Steel Authority of India (SAIL)-run Steel Plants all over India – e.g. Bhilai, Rourkela, Vishakhapatnam, Durgapur and Bokaro. In addition, their products were exported to Japan and USSR.

In spite of such gigantic operations, the Simplex Group of Industries have only 150 permanent workers out of a total strength of 2000 workers in Chattisgarh. The remaining 1895 workers are temporary and contract labour. The workers are hired and fired at the whim and fancy of the management. Contractors are mostly “goondas” of the region, each engaging 4 to 5 labourers. These contract workers have no right to even let out their cries of freedom. Contractors use their musclemen to set right the workers raising their voices against exploitation. All these industries employ such tactics.

The cost of almost all items of living is very high in Bhilai, due to considerably higher salary and wage of Bhilai Steel Plant employees. Comparatively, the labourers in the ancillary industries get low wages of Rs. 500 to Rs. 600 per month. House rent for an ordinary dwelling at Bhilai is not less than Rs. 300 per month. But the workers in these industries are paid a meagre sum of Rs. 20 or Rs. 25 as monthly house rent. How is it possible then for these labourers to live a descent life?

Due to regular rotation of workers from one workshop to another, under the policy of permanently keeping them “temporary”, every industry has become a death trap. Loss of limbs, injury to the eyes are common incidents. On top of it all, no compensation is paid to them in the name of contract labour.

There has not been a single trade union in any of these industrial units till the Chattisgarh Mukti Morcha entered the scene. With its own experience of combining trade union activities with social reforms among the 15,000 mine workers in Dalli-Rajhara (the captive mines of the Bhilai Steel Plant are located here – some 120 kms away), the Chattisgarh Mukti Morcha immediately struck a note with thousands of workers in Bhilai early this year. But, the industrialists were familiar only with their own version of “pocket trade union”. It is really strange that the industrialists in the mega-industrial town of Bhilai were forming and breaking trade unions at their own sweet will till the Chattisgarh Mukti Morcha became vocal.

The entire area is in the grip of terror let loose by the goondas of these industrialists. But, not a single person was arrested, till date, although six members of the trade union and one press person have been brutally attacked by the goondas. The Bharatiya Janata Party-led government in Madhya Pradesh is protecting the interests of these Industrial Houses in Bhilai. Everyday, the stooges of the present government and industrialists are demanding stern action against the prominent labour leaders including N. R. Ghoshal, Janak Lal Thakur. To judge the audacity of some of these political touts, it may not be out of place to say that they have openly demanded their arrests under the National Security Act (NSA). To set the stage for such arrests, the BJP government has arrested 3 citizens of Durg district and 2 citizens of Raipur district under the NSA during the past fortnight – an act condemned by the People's Union for Civil Liberties.

The Assistant Labour Commissioner (State) has convened five meetings for conciliation, till date. But the industrialists have flatly refused to accept the intervention of a statutory body in utter disregard for democratic processes in the country.

Despite such terror and torture, the workers of this industrial town are holding their ground and marching forward in their resolve to restore their dignity and democratic rights. The supportive action of several sections of progressive organisations in the country has encouraged the workers to fight the forces of death and destruction in Bhilai.

Yet, the basic question that remains to be answered is: What is the role and place of Bhilai Steel Plant in promoting development of backward Chattisgarh? Is it a symbol of internal colonialism, where the natural resources of the region are being siphoned off without any relationship to the plight of the people?

Even the avowed aim of providing employment to the people has not been fulfilled till date by the Bhilai Steel Plant. On the contrary, the employment potential is being deliberately decreased in the name of mechanisation and 'automation' in the Bhilai Steel Plant. The present work force in the Bhilai Steel Plant is 72,000 (including the contractual workers). This has been reduced from 96,000 in the year 1986. A gigantic number of 24,000 citizens of our country have, thus, been rendered jobless within a span of five years by one of the biggest public sector undertakings! This is indeed a matter of concern for those who stand for socio-economic justice and people-oriented development.

***Frontier, March 16, 1991***

### Important Industrial Units of Chattisgarh

Name	Product	Production Capacity (Per Annum)
1. Bhilai Steel Plant, Bhilai	Steel & Steel Products	40 lakh TPA
2. Bharat Aluminium Co., Korba	Aluminium	2.15 lakh TPA
3. ACC Cement Plant, Jamul, Durg	Cement	4.00 lakh TPA
4. CCI-Cement Plant, Mandhar	Cement	4.00 lakh TPA
5. CCI-Cement Plant, Akaltara	Cement	4.00 lakh TPA
6. Century Cement Plant, Baikunth	Cement	8.00 lakh TPA
7. Raymond Cement Works, Bilaspur	Cement	4.00 lakh TPA
8. Modi Cement Plant, Balodabazar	Cement	10.00 lakh TPA
9. B.N. Cotton Mills, Rajnandgaon	Textiles	30180 spindles
10. Raigarh Jute Mills, Raigarh	Jute	14.00 TPA
11. Bilaspur Spinning Mill, Bilaspur	Yarn	25000 Spindles
12. DM Chemicals, Kunhai (Durg)	S. Phosphate	61000TPA
13. BEC Fertiliser, Bilaspur	S. Phosphate	60000TPA
14. Brook Bard Paper, Chanpa	Paper	10000TPA
15. Bhilai Refractories, Bhilai	Fire Clay, Silica	110000 TPA

Chhattisgarh region has more than 100 steel based industrial units (Mini Steel Plants, Castings, Foundries, Re-rolling Mills). Some of the MP Steel based units are Raipur Alloys & Steels, Raipur, Bhilai Engineering Corp., BECO Steel Casting, Bhilai, Simplex Castings, Bhilai, Allied Steels Ltd., Raipur, Himmat Steel Foundry, Kumhari, Bhilai Wires Ltd., Bhilai.

Among one dozen Solvent Extraction Plants notable are: MP Oil Extractions, Raipur, MARKFED Solvent Extraction Plant, Durg, Bastar Oil Mills, Sal Udyog, Raipur.

Oxygen & Gas Plants: Asiatic Oxygen, Pankaj Oxygen Ltd., Raipur, Rishi Gases, Bilaspur.

Mill Cement Plants: Jai Bajrang Cement Plant, Dinesh Cement, Calcar Products, Raigarh, Rudra Cement.

**Source: M.P. Chronicle, Raipur, September 30, 1991 quoted in Behind The Industrial Smokescreen, A Citizen's Committee Report, New Delhi, March 1992**

20.11.91	Indefinite jail bhara programme cancelled on assurance from administration for immediate action.	Bhilai
23.11.91	Tripartite negotiations began in Indore in the presence of the Upper Labour Commissioner, union and the five industrialists asked to submit their lists of retrenched workers within 7 days which the union complied with.	Indore
12.12.91	Industrialists submitted their list after 20 days, talks failed.	Indore
19.12.91	Over 50,000 workers and peasants assembled in Bhilai to observe Shaheed Vir Narayan Singh Divas; a mass meeting was held at the Civic Centre Ground.	Bhilai
26.12.91	CMM allowed the Ekta Yatra of Murali Manohar Joshi to pass through Durg after administration initiated another round of talks. Kedia Group agreed to reinstate the retrenched workers in principle but talks failed when Kedia Group wanted to take back only a few.	Durg
25.1.92	CMM called for direct action but the programme was cancelled on assurance from the administration; Janak Lal Thakur started hunger strike to press the demands; third round of talks began.	Bhilai
31.1.92	In the presence of A. R. Mohile, Commissioner of Raipur, the district Collectors and SPs of Durg, Raipur and Rajnandgaon, union representatives and industrialists prepared a draft agreement on the reinstatement of victimised workers in 2 phases but the industrialists refused to follow the draft afterwards.	Raipur
7.2.92	CMM lifted the indefinite hungerstrike of Janak Lal Thakur; the hunger strike is carried on by Bhim Rao Bagre, Ram Bilas Mandal and	Khursipar Gate, Bhilai

# Aftermath of Niyogi's Murder

Date	Description of events/struggles/repression	Place
Oct. 91	7 days industrial strike in Bhilai.	Bhilai
13.10.91	Over one lakh people assembled in Bhilai demanding immediate punishment of Niyogi's murderers and immediate settlement of the workers' demands.	Bhilai
	A 5-km long rally led by CMM leaders Janak Lal Thakur, Ganesh Ram Choudhury and NR Ghosal reached Raban Bhata, Jamul; the rally was joined by Bandhua Mukti Morcha, Ekta Parishad, IPF and Trade Union Centre of India.	Jamul
	A mass meeting held at Raban Bhata was addressed by Dilip Swamy and N. D. Pancholi of CFD, Dr. Brahm Dev Sharma, Anand Mahato, MLA, Bihar, Philip Koshi of TUCI, Ram Balak Nishad of IPF, Swamy Agnivesh, Purushottam Koushik of Janata Dal and Kanak Tewari of Cong (I).	Jamul
28.10.91	All democratic and progressive forces in the country including individuals observe protest day to press for the immediate arrests of culprits named in the FIR filed by Asha Guha Niyogi, institution of investigation by the CBI covering all aspects of the crime including economic offenses by the industrialists named in the FIR, fulfillment of the demands of the striking industrial workers and dismissal of the BJP government in Madhya Pradesh.	
15.11.91	CMM's call for gherao of Nehru Nagar, where most of the industrialists reside, withdrawn when the administration assured to initiate negotiations but there was no progress in that direction.	Bhilai

commencement of Bhilai blockade as May 25.

- |                          |   |  |
|--------------------------|---|--|
| 25.5.92                  | 4,200 victimised workers from Bhilai, Urla, Tedesara, Kumhari and Riwagahan alongwith their families stationed at Bhilai for their final battle.<br>Due to the intervention of State Industries Minister Kailash Joshi asking CMM to come to the negotiating table, the Bhilai blockade was changed into a mass meeting.  | Bhilai<br>Jamul,<br>Raban<br>Bhata     |
| 31.5.92<br>to<br>16.6.92 | Tripartite negotiations regarding reinstatement of victimised workers held in Bhilai, Raipur and Indore.<br>Janak Lal Thakur and Ganesh Ram Choudhary met Industries Minister Kailash Joshi and expressed their grave doubts about the negotiations being inconclusive owing to the attitude of the industrialists.<br>Industrialists backtracked on the implementation of the January draft agreement, talks failed. | Bhilai,<br>Raipur,<br>Indore<br>Bhopal |
| 16.6.92                  | CMM leaders and the mukhiyas from Bhilai, Urla, Tedesara, Kumhari and Riwagahan decided to go back to the people for their support and opt for direct action.   | Bhilai                                 |
| 25.6.92                  | Workers camp shifted to an open maidan in Sector 1 close to the railway track.<br>Notices were sent by the Assistant Labour Commissioner for resumption of dialogue.  | Bhilai                                 |
| 30.6.92                  | Reconciliation attempt failed at Raipur; CMM took decision of railway line blockade.  | Raipur                                 |

### **July 1, 1992, Bhilai**

- |         |   |
|---------|---|
| 9-30 am | Workers and their families camping at Bhilai moved from Sector 1 to the railway lines.  |
| 2-30 pm | Workers squatted peacefully on the railway lines; the Superintendent of Police and the District Collector were on the spot with a large deployment of force; administration |

Bal Kishan.

- 14.2.92 CMM observed the 50<sup>th</sup> birthday of Shankar Guha Niyogi as oath taking day; massive rallies and mass meetings were organised. Bhilai
- 22.2.92 Janal Lal Thakur met Madhya Pradesh CM Sunder Lal Patwa; had a long meeting regarding implementation of labour laws in Bhilai. Bhopal
- 26.2.92 State Labour Commissioner Mohan Gupta and Upper Labour Commissioner R. L. Jain met representatives of union and the industrialists separately; no tripartite negotiations held. Bhilai
- 28.2.92 In a mammoth mass meeting Janak Lal Thakur and other CMM leaders declared the programme of indefinite Bhilai blockade; B. D. Sharma of Bharat Jan Andolan, Thomas Kocherry of NFF, friends from Narmada Bachao Andolan, Kerala Fishermen's Movement and South Bengal Fishermen's Federation attended the mass meeting to express their solidarity. Khursipar Gate, Bhilai
- 28.3.92 A campaign team of 1000 workers fanned out to 10.4.92 in 5 districts and toured more than 3,000 villages to organise people in favour of Bhilai blockade. Chattisgarh
- 14.4.92 Kunj Lal Sahu, leader of PESS and worker of Bhilai Engineering Company (BEC) beaten to death. Devaloda
- 25.4.92 Industrial strike observed to protest against the anti-encroachment drive of the Special Area Development Authority in the name of the beautification of the city. Bhilai  
Chandra Kant Shah, one of the main accused in the Niyogi murder case escaped from hospital ward in Raipur. Raipur
- 17.5.92 Janak Lal Thakur announced the date of Bhilai

27.7.92	A dharna was organised at Ambedkar Chowk in front of the Commissioner's office jointly by CMM, CPI, CPI(M) and Janata Dal.	Ambedkar Chowk
3.9.92	Different peoples' movements and peoples' organisations joined a massive rally at Bhopal at the call of the CMM to protest Niyogi's murder, July 1 genocide and to support Bhilai workers' struggle.	Bhopal
Jan. 1993	150 workers of Modi Cement join Pragatisheel Cement Shramik Sangh (PCSS).	Modigram, Baloda Bazaar
4.1.93	Workers of B. K. Surgical were retrenched. Police assault N. R. Ghosal, Bhim Rao Bagre, B. B. Pandey and 5 other CMM leaders in Durg district court.	Bhilai Durg
5.1.93	Workers protest assault on their leaders, rally from BEC chawk to Ghasidas Nagar.	Bhilai
12.1.93	Accident at Simplex Casting in which 3 unskilled workers seriously injured. PESS protested.	Urla, Bhilai
13.1.93	Peasants meeting organised in Kachandur. B. B. Pandey, Ramgopal, Arun Tiwari and 4 others released on bail.	Durg
14.1.93	Heroes welcome to the released leaders. Thousands brought the leaders from Durg to Ghasidas Nagar in a procession. Mass meeting at Ghasidas Nagar.	Ghasidas Nagar, Bhilai
15.1.93	Accident at Simplex Casting killing one worker.	Urla
17.1.93	Mahila Mukti Morcha took out a procession demanding release of jailed leaders.	Casting chowk, Bhilai
18.1.93	Death of Dhirpal who was seriously injured in July firing at Shaheed Hospital. 37 workers retrenched from Jaisawal Enterprise.	Dalli-Rajhara, Durg Bhilai



invited Janak Lal Thakur for talks. Anoop Singh left for talks.

4-00 pm Talks yielded no result; administration insisted that demonstrators move away from the railway tracks; the demonstrators refused to oblige; demonstrators encircled by the police contingent.

5-30 pm Protestors lathicharged and teargas shells lobbed; workers resisted the police brutality, Janak Lal Thakur was seen leading the demonstrators.

5-45 pm Police opened fire and shot at indiscriminately from a very close range; till 7-00 pm police refused to divulge the number of dead and injured; Shaheed Hospital Medical team confirmed – 15 CMM workers died in police firing, more than 40 seriously injured. CMM HUDCO Colony office sealed by the administration.

2.7.92	CMSS called Rajhara bandh. CMM called Chattisgarh bandh on July 15.	Dalli-Rajhara
6.7.92	Nag Bhushan Patnaik of IPF broke the 144 prohibitory orders leading a silent procession.	Bhilai
8.7.92	CMM office Secretary Basant and CCMMS leader Bhim Rao Bagde arrested.	Kotwali
11.7.92	Kapil Dev and six others arrested at night.	Jamul
15.7.92	Bandh call successful, an all-party meeting held amidst unexpectedly big gathering of workers. CMM HUDCO Colony office unlocked, much of the police force withdrawn from Bhilai.	Bhilai
19.7.92	N. R. Ghosal and 3 others arrested at 11 am.	Bhilai

15.3.93	B. K. Casting Management was planning to engage a new contractor basically to employ new workers. Workers resisted and started 'tools down', cease-work continued for 2 days whereupon the management retracted its earlier step.	Bhilai
16.3.93	Accident in Bhilai Wires injuring a worker.	Bhilai
3.4.93	Leaders of B. K. Casting suspended and 10 others were served with show-cause notices.	Bhilai
4.4.93	Two massive rallies, one from Ghasidas Nagar and another from Bijli Nagar Chhawani merged at Simplex Casting Chowk to hold a mass meeting	Bhilai
6.4.93	Workers of all the shifts in Simplex Engineering staged tools down in protest against suspension of 2 of their comrades.	Bhilai
8.4.93	Workers from Bhilai, Urla, Tedesara, Kumhari, Dalli-Rajhara, Rajnandgaon and Baloda Bazaar joined a protest rally from Battish Bunglow ground to Durg Collectorate, programme of 'chakka jam' at 36 points all over Chattisgarh on April 13 announced demanding the release of arrested leaders.	Durg
13.4.93	Programme of 'chakka jam' postponed as the administration promised not to oppose the bail of the CMM leaders and to start tripartite meetings to fulfill the workers 9-point charter of demands; rallies and meetings were held all over Chattisgarh.	Chattisgarh
26.4.93	Workers and peasants participate in a discussion on Dunkel Draft.	Nehru Bhavan
28.4.93	Workers held a massive meeting to welcome Bhim Rao Bagre, Rambilas Mondal and Sudama Prasad.	

19.1.93	More than 2,500 workers joined the funeral procession of Dhirpal.	Dalli-Rajhara and Bhilai
3.2.93	Assault on CMM activists by BJP goons at Indira Nagar.	Hathkhoj, Bhilai
10.2.93	5,000 workers rallied from Durg railway station to the Collectorate to present a memorandum demanding the release of the CMM leaders.	Durg
14.2.93	Undeclared cease-work in the industrial area, workers assembled at Ghasidas Nagar to welcome Janaklal Thakur. Shaheed Hospital, Bhilai inaugurated.	Bhilai
March 1993	PCSS members launched massive campaign among the peasants of neighbouring villages of Modigram demanding job to a member of each displaced family and adequate compensation to the displaced peasants.	Modigram, Baloda Bazaar
2.3.93	7 workers retrenched from Jaisawal Enterprises. 1 killed and 3 injured in Kedia Distilleries explosion.	Bhilai
4.3.93	8 workers retrenched from Jyoti Mineral Fibres, 5 workers retrenched from Jaisawal, workers staged a total cease-work forcing the Management to reinstate the retrenched workers.	Bhilai
9.3.93	In BEC, the workers refused to work on Wednesday, the weekly holiday. On Thursday, the workers found the factory gate locked.	Bhilai
12.3.93	3 iron-cutting workers retrenched from Jaisawal.	Bhilai
14.3.93	3 workers retrenched from Jaisawal. Workers participated in thousands in a peasant meeting.	Bhilai Dhour

homage at the site of martyrdom, railway ministry shifted the inauguration ceremony to Nagpur.

- 1.7.93 Thousands of people from villages and major industrial centres of Chattisgarh reached Bhillai and paid homages to the martyrs of police firing and attended the mass meeting in the afternoon. Power House Station, Bhillai  
Shardapara  
After the meeting a group of armed miscreants attacked CMM members and Atma Ram and Ashok were stabbed by hired goons of Abhay Singh, the prime accused in the Niyogi murder case.
- 19.7.93 N. R. Ghosal completed one year of imprisonment. Durg

**Source: Issues of Update from Chattisgarh, Peoples' Tribunal On Bhillai Police Firing, APDR Report On Bhillai Firing, IPF Report on Bhillai Massacre**

1.5.93	Workers of Mahasamund court arrest to protest against the highhandedness of the district administration and sacking of 424 workers of K. N. Oil Mill since March 1993.	Mahasamund, Raipur
7.5.93	Hearing on bail petitions of Ghosal, Ansar and Meghdas were postponed till the end of summer vacation.	Durg
12.5.93	Indefinite hungerstrike by workers in Modigram.	Baloda Bazaar
13 & 14.5.93	Leaders from Tedesara, Urla, Kumhari, Bhilai, and central leadership of CMM met to chalk out future programmes.	Dalli-Rajhara, Durg
19.5.93	Rallies and mass meetings at 8 zones of Bhilai industrial area.	Bhilai
21.5.93	Workers from Bhilai, Urla, Tedesara and Kumhari assembled in a massive rally demanding Governor's permission to start criminal proceedings against the officials responsible for Niyogi's murder, July 1 massacre and illegal detention of CMM leaders.	Bhilai
26.5.93	Unemployed youths demonstrate at Dalli-Rajhara demanding employment in the iron ore mines and creation of new jobs by scrapping mechanisation.	Durg
1-3.6.93	The martyrs of Dalli-Rajhara firing in 1977 remembered. Shaheed Hospital, Dalli-Rajhara completes 10 years.	Durg
23.6.93 to 3.7.93	District administration clamped Sec. 144 in the twin cities of Durg and Bhilai; railway ministry plan to inaugurate a new train on July 1 at Bilaspur station; severe public protest and threats from CMM to disrupt the inauguration ceremony. District authorities forced to issue formal permission to hold July 1 rally and pay	Durg and Bhilai, Hirri, Bardwar, Champa, Baloda Bazaar

face the police again. Abhi hamara scena baki hai tumhari golion ke liye (our chest is still left for you to shoot at), they said.

But for every home where this fervour is the breath of life, there are as many others where the magnetism of the CMM's struggle competes unfavourably with compulsions of everyday survival. These are the homes from which men are flocking to fill the vacancies created by the dismissal of workers who are actively involved in the CMM unions.

Apart from seeking speedy prosecution of Niyogi's killers, the predominant demand of the CMM is the reinstatement of these victimised workers - who in August were said to number about 4000. In recent weeks the stalemate in negotiations derives ostensibly from the management's refusal to recognise the full list of workers given by the CMM unions. The actual struggle in Bhilai is precisely against such obscure terms of employment, through contractors, which gives a worker no legal proof of being employed by the company in which he works.

Owners of the leading industrial units in Bhilai seem confident of being able to outwait the CMM, given the evident support they enjoy from the state administration. Three such industrialists have been named in the charge-sheet filed by the Central Bureau of Investigation (CBI), in the Niyogi murder case. Moolchand Shah and Navin Shah are members of family which owns the Simplex Group of industries. They have not, however, been arrested or put up for trial yet. The third, a Chandrakant Shah, was arrested and then escaped soon after the CBI handed him over to the custody of the Madhya Pradesh police. The CMM believes that given these industrialists' dependence on contracts from various public sector units, the government has sufficient leverage to ensure that the managements work towards a negotiated settlement. The primary hurdle in that direction, they argue, is the state government's determination to crush the movement.

In an interview, the divisional commissioner's description of Niyogi's rise and the emerging conflict in Bhilai ran almost para-by-para in common with a document recovered by the CBI from the files of industrialists. The 'Confidential - For Internal Circulation Only' dossier on Niyogi included a prescriptive part titled 'An Action Plan for Combating Niyogi'. The commissioner is quoted in the Citizens Committee Report on Bhilai as being satisfied with a verbal assurance from leading industrialists of Bhilai that safety conditions in their units were satisfactory. Interviews with other administration representatives indicate that they are keen to discredit Niyogi by projecting him as the limited leader of a narrow section of mining-workers, who had grown politically over-ambitious. Additionally, they argue

# A Year after Niyogi's Murder

Rajni Bakshi

The crudely made, high wooden bed is still lying beside the window through which the assassin fired a 12 bore gun at point-blank range, into the back of the man lying asleep there. Like the rest of the small house in Bhilai's HUDCO colony, the room lies unswept and un-lived. If the lingering aura of death in those rooms bothered the boy deputed to accompany me on the ritual journalistic visit to the house, he did not show it. Suresh quietly guided me through the place and then looked at the mournful house with the matter of fact calm of someone who has overcome shock and not permitted to turn to despair. Like many of those who shared the delights and mundane routines of every day life with Shankar Guha Niyogi, Suresh seems to be grappling with the transformation of a friend and boyhood hero into legend. Personal memories of shared laughter, and the lost friend's limitless gusto and enthusiasm, jostle with images of the towering historical figure to which the legend is giving birth.

A year after the murder, as this legendary persona continues to evolve in the 'bastis' of Bhilai and across the Chhatisgarh region, the force of Niyogi's martyrdom is undiminished. Thus thousands gathered for the 'dharna' in Bhilai in June this year, to protest against government inaction on the Chhatisgarh Mukti Morcha's (CMM) demands. Thousands came from the villages in spite of a sustained effort by the administration to discourage people from going to Bhilai. Villagers had even been told that there was every chance of bullets flying at the Bhilai protest.

Dhirpal, a contract worker at the Associated Cement Companies (ACC) plant, was in that resolute crowd which occupied the rail tracks on July 1, at Bhilai. Just before sunset, the police fired at the protesters. By the time Dhirpal was hit there was a wild stampede all around him as protesters and spectators fled the unrelenting gunfire. Dhirpal clutched his wound and fell to the ground thinking of Niyogi. There is no mention, in his description, of the pain he must have felt. Instead his words convey only the calm satisfaction of thinking that he was about to join his leader into the ranks of the 'shaheed'.

In the sprawling slums of Bhilai there are many such people. Others who were shot in the limbs and survived did not hesitate to tell chief minister Sunderlal Patwa, when he visited them in hospital, that they are willing to

# Why Did I Decide to Go on Fast-Unto-Death?

*(This is a statement issued by the President of Chattisgarh Mukti Morcha, Janak Lal Thakur, on the eve of his deciding to go on fast-unto-death from 25<sup>th</sup> January, 1992 in Bhilai)*

The forces of death and violence represented by the neo-industrialists of Chattisgarh are out-and-out to destroy the industrial peace with the tacit approval of some politicians, and active connivance of a section of the bureaucracy in Madhya Pradesh. In their vulgar display of greed, and in pursuit for profit-making, these neo-industrialists have thrown to the dustbin all legal provisions of industrial relations, and are showing scant regard for the role and place of trade unions in the region. The destruction of the democratic movement has been the sole aim of these neo-industrialists and political party in power in Madhya Pradesh.

It is now well established, through various studies conducted by reputed organisations/academics/journalists/social workers, that there is a large-scale violation of labour laws in the entire industrial belt of Chattisgarh. The Central Bureau of Investigation (CBI) has now put up a case in the court in the Comrade Niyogi Murder Case that these neo-industrialists have indeed been maintaining private armies of their own to deal with the labour movement. The active connivance of the police in these brutal attacks on working class movement in Chattisgarh has also been documented. The failure of the BJP administration in taking any action against these neo-industrialists indulging in mafia-style operations is proof enough of their indulgence in such criminal activities. In spite of all these factors pointing to the fascist approach/attitude of the neo-industrialists to deal with the genuine demands of the workers, the Central and State Governments have chosen to glorify them through the Doordarshan, and by appointing them on influential Government Committees. As for example, the Doordarshan interviewed the Liquor King of Madhya Pradesh projecting him as a social worker, hiding the truth that he was the owner of the largest chain of liquor manufacturing units and distributor in Madhya Pradesh. Similarly, one of the members of Shah Family of Simplex Group of Industries has been invited by the Finance Ministry to give advice on the Agricultural Policy, while competent and committed farmers in Chattisgarh have been totally ignored for such advice. The Managing Director of Bhilai Engineering Company has been appointed the Vice-Chairman of the Customs Advisory Board and all this happened just after the world came to know of their involvement in the Niyogi Murder Case!



that after Niyogi's death the CMM is in the throes of a leadership crisis and will not long be able to sustain a momentum of action.

The intricacies of the CMM's decision-making processes and problems were not possible to investigate on the brief visit to Bhilai and Dalli-Rajhara and Raipur, on which this report is based. But in the week-long stay among CMM activists and supporters there was nothing to indicate a 'crisis' of any kind. Its various layers of responsibility appear clearly assigned and functioning marked by seasoned practice. Janaklal Thakur, who now heads the CMM, wears Niyogi's mantle with an unassuming ease. He has no illusions about the challenges before them or the many ways in which the odds are stacked against the struggle. Thakur says, "We will have to fight on, make the struggle stronger and wider. We are sending activists to the villages all over Chattisgarh to talk to people and tell them about the struggle in Bhilai in the context of the new economic policy".

Thakur, who was the CMM's MLA from 1985 to 1990, has been underground ever since the Bhilai firing. In that period he has travelled and met with leaders of various other movements and political parties. Even though these efforts have not yielded any significant results or promised a strong basis for wider linkages with forces in electoral politics he appears undaunted. Certainly the CMM enjoys a great deal of support from the wide array of groups, trade unions and mass organisations all over the country. Many of them participated in the Bhilai rally on September 28, to mark the first anniversary of Niyogi's martyrdom.

The frequent presence of representatives of such formations in Bhilai does not go unnoticed by the administration. And the fact that the CMM has such supporters seems irksome to the officials. It is unclear whether this kind of support will, in the long run, be sufficient to bolster the CMM in its long-entrenched battle.

But of one thing there is no doubt, those who revere Niyogi's memory are in large numbers and they mean to fight on. Siyaram is among them. A miner who befriended Niyogi in the early 1970s. Siyaram later also became Niyogi's father-in-law. Says Siyaram: "You'll never meet another like him (Niyogi), with so much kindness and intelligence. He taught us, showed us that we could also fight... The sangathan will go on, because his ideas have entered people's heart."

*Economic and Political Weekly, October 3, 1992*

It is in order to strengthen these peaceful processes and democratic movement that I have chosen to raise the voice of my conscience through fast-unto-death. I hope that this act of mine would enable the patriotic people with a democratic consciousness to join the forces of life against the forces of death in Chattisgarh. I appeal to workers-peasants, students-academics, professionals-politicians who have faith in Democracy and Socialism to come forward to save Chattisgarh from the greed and anti-national desire of the gang of five neo-industrialists in Chattisgarh.

The Chattisgarh Mukti Morcha believes in life, and life in its fullness. Sacrificing one's life for a better tomorrow is ingrained in the culture and history of Chattisgarh. Beginning with the martyrdom of Shaheed Veer Narain Singh to the supreme sacrifice of Comrade Shankar Guha Niyogi, our history is full of faith in the people's power for victory of good over evil.

I undertake this fast-unto-death till the following genuine demands of the workers are fulfilled:-

1. Abolition of illegal Contract Labour System and Regularisation of all workers
2. All workers must be provided with the Living Wages
3. All standing orders and provisions of the Labour Laws must be enforced
4. All victimised workers must be re-instated with retrospective effect
5. The Private Armies and the Arms of these industrialists must be destroyed.

**LAL JOHAR! LONG LIVE THE RED-GREEN FLAG!!**

It has now been clearly demonstrated that these neo-industrialists are using the negotiations through the State Labour Department only as a means to gain time to re-organise their death-squads against the democratic movement led under the banner of the CMM. During the past fortnight, the sudden unleashing of their blood-hounds on the striking/victimised workers in their factories with police standing by as spectators is enough indication of their future strategy to deal with the labour problems.

The New Industrial & Economic Policies are promoting development which is clearly anti-people and anti-worker. The Congress (I) and the Bharatiya Janata Party are jointly promoting such a sale of our country to the foreign countries and companies. The free and open-door policy promoted for industrial development of Chattisgarh are inviting large-scale exploitation and repression of the poor and oppressed. The speed with which the monopoly capitalists like Birla, Tata, Ambani, Singhanian, Modi, Goenka and Bajaj are moving in to Chattisgarh to build up their empires is undoubtedly alarming. The privatisation and open-door policies to Multi-National Corporations are going to spell doom for small and cottage industries in Chattisgarh. The level of technology and mechanisation/automation by big business are going to render many jobless. Such a trend has been evident in the Bhilai Steel Plant (BSP) - which has been projected as a symbol of prosperity for Chattisgarh - which has successfully manipulated to reduce its work force from 96,000 in 1984 to 55,000 in 1992! Now, the privatisation efforts for BSP will ultimately render the small engineering and steel re-rolling mills out of business, thus resulting in un-employment.

The vengeance with which those neo-industrialists are moving to murder the movement for construction of a new Chattisgarh needs no further elaboration at this stage. It is evident in the death of Comrade Niyogi. Information is available with the press and politicians that many more people's leaders are on the hit-list of these neo-industrialists. The blind eye being turned by the police against the enrolment of known anti-social elements, and large-scale compilation of arms by these neo-industrialists is acquiring dangerous proportions.

The battle for "BREAD AND FREEDOM" launched by the poor and oppressed under the leadership of the industrial workers of Chattisgarh is the only hope for defeating such destructive designs of these mercenaries of death. The peaceful and parliamentary processes practised by the Chattisgarh Mukti Morcha to achieve the goals of a healthy industrial growth are to be strengthened. This is the only creative and lasting method to deal with the draconian designs of the neo-industrialists. This is the only path to peace and a just social order!

# BJP Govt's Criminal Move to Suppress the Workers

As is well established now, reckless firing by the Madhya Pradesh police on agitating workers at Bhilai on July 1 has killed over 25 workers and injured scores of others who are lying at hospitals in serious condition. It is apprehended that the death toll may increase further.

The agitating workers were demanding nothing more than implementation of existing labour laws, including the Minimum Wages Act, which in practice are shelved and ignored by the BJP government in M.P., in order to perpetuate the inhuman exploitation on the mass of the workers in the Bhilai industrial belt, all predominantly Adivasis and Scheduled Caste/Scheduled Tribe workers. The agitating workers were also demanding implementation of the earlier order of the Labour Commissioner for the reinstatement of a few thousand workers illegally retrenched, as well as the arrest and punishment of the culprits in the murder of trade union leader Shankar Guha Neogi almost a year ago.

Reports suggest that the M.P. government was well informed of the prevailing tense situation at Bhilai and if it had wanted, the incident of killing of workers could have been avoided. It may be recalled that the workers had organised a massive rally and a Chattisgarh Bandh on May 25, on the same demands, with the Patwa Government paying no heed to the building tension. On the day of the incident also no senior official of the administration visited the spot till the evening, even though the agitation commenced in the morning around 9.30 a.m.

M.A. Baby, Member of the Rajya Sabha, and Jibon Roy, Secretary CITU visited Bhilai on July 3 and filed the following report.

A horrendous crime has been perpetrated against the most downtrodden sections of the working class in Bhilai who work in the industrial estates and surrounding ancillary workshops. On the evening of July 1, some three to five thousand workers were squatting peacefully on the railway tracks when the Madhya Pradesh Armed Constabulary started teargassing and lathi charging, followed by incessant, indiscriminate firing. Although the police continue to declare the number of dead to be 16, eyewitness believe that the exact number of the dead would not be less than 50.

## The Fruits Of Underpayment

### Extra Profits Accruing From Non Payment Of Minimum Wages

1. Unskilled minimum wage/worker	Rs.21.80
Actually paid	Rs.16.00
Daily difference	Rs.5.80
Weekly difference	Rs.34.80
Annual difference (46 weeks)	Rs.1600.80
2. Working day permissible	08 hours
Actually paid for	5.86 hours
Unpaid labour time	2.14 hours
Weekly unpaid labour time	12.84 hours
Annual unpaid labour time	591 hours or 73.83 days

### Extra Profits Accruing From Unpaid Overtime

1. Overtime to be paid per hour/worker	Rs.2.73
Weekly profit from unpaid overtime	Rs.16.36
Annual profit from unpaid overtime	Rs.753.48
2. Alternately, unpaid overtime per day	One hour
Weekly unpaid labour time	6 hours
Annual unpaid labour time	276 hours or 34.5 days

### Extra Profits Accruing from Wages not Being Commensurate With

1. Wage difference not paid per day	Rs.3.50
Annual difference	Rs.966.00
2. Work time not paid for per day	1.28 hours
Annual unpaid labour time	354 hours or 44.23 days

Source : *Tall Chimneys Dark Shadows*, PUDR, New Delhi, June 1991

We saw both workers and police men injured in the stone throwing, accusing each other. Some shop owners too complained that they were looted by the police at a distance of more than one and a half kms. from the site of the violence, before the police action even started. Firing had begun at about six-fifteen in the evening.

### **Police Went Berserk**

The police and administration claim that 71 rounds were fired, 16 died, two in the hospital. But circumstantial evidence and the testimony of the local people confirm that the number of dead and the rounds fired was much more. In a situation when curfew has been clamped in the localities from where the workers came to participate in the action, and the Chattisgarh Mukti Morcha office has been locked by the police, it is very difficult to assess the extent of casualties. We came to know of at least two workers who were killed at least one and half km. from the railway track; Pradip Kutty fell down at the Fourth Road Crossing south of the Power House railway station with multiple bullet injuries; Ashim Das, an employee of the water works was shot dead near Bijay Talkies, one and a half km. away, north east of the area; one Suresh Kr. Soni, a businessman, whom we met in the BSP hospital, had been hit by a bullet when he was going on his scooter, with his sister on the pillion; Shri Uttam, a student of Raipur has been admitted with multiple bullet injuries in the lower part of the abdomen, hit by bullets as he was getting down from a bus at a stop a long distance from the station; attending doctors at Bhilai hospital told us that he would have died if he had been brought a few minutes later to the hospital. We found Smt. Dewati Bhawan lying in Durg district hospital with bullet injuries in the left thigh. She was shot near Chattisgarh hospital, two km. away from the spot, whilst collecting water from a municipality tap.

Quite a substantial number of women workers have been shot and physically assaulted. Dewati and five other women workers are still lying in the district hospital at Durg. Smt. Beshahin, a tribal woman, had been dragged out of her quarters in a nearby locality and mercilessly beaten up. The police pushed a lathi into her mouth breaking many of her teeth. The intensity of the police repression was such that they carried out house-to-house searches mercilessly beating up the inhabitants.

### **Deliberate Act of Killing**

Those who died, and the injured in the hospital were mostly hit in the abdomen and above. Bullet injuries in the abdomen, intestines, chest and head do not bear out the claim of the police that the firing was in self-defence. When we visited the BSP hospital on July 4, there were 28 injured. The doctors and nurses had done commendable work in ensuring immediate medical treatment, and saving many lives. In the district hospital

The BJP-led administration has no doubt set a record in arranging a mass massacre.

### **Premeditated Attack**

From the evidence gathered, we are convinced that this killing of workers was engineered with cold-blooded premeditation. The workers were allowed to gather just at the head of the main road which is bounded on one side by the Power House railway station, two minutes away, and on the west by the main gate of the steel factory, a distance of 15<sup>2</sup> minutes walk. The administration silently watched the demonstrators going to the railway track in the busy early morning hours. Although squatting began in the early hours of the day, no important official of the state government, nor any minister visited the spot to speak to the squatting workers. The State Education Minister in whose constituency this area falls, is reported to have made a number of clandestine visits to the area during the days preceding the incident, *but was conspicuously absent that morning.*

In spite of having full knowledge of the long pending ultimatum, this evasiveness speaks of the conspiracy behind the massacre. They saw the rail roko programme as an opportunity to destroy the workers resistance against mass termination and low wages. It is all the more important to record that the Chattisgarh Mukti Morcha, which was leading the movement, had informed the administration earlier that if its grievances were not settled, it would be going for more serious forms of agitation.

The government kept the leaders busy during the day in a drama of negotiations with some junior officials, and waited for sunset. By this time, the most atrocious decision of opening fire came from Bhopal and the top police officials appeared on the spot around dusk to implement the order.

### **No Provocation**

As it is a lie to say that the government did not know about the programme of the CMM, so again it is a blatant lie to say that stone throwing prompted the police to start the firing. These stories were cooked-up to hoodwink the press and the people. We came across a number of eye witnesses who have affirmed that when the lathi-charged on the workers failed to provoke them, or get them to disperse, agent provocateurs were brought in to the operation. It has been generally accepted by almost all sections of the local press that the firing followed within 10 minutes of the start of the teargassing, and that it was indiscriminate. The throwing of stones started together with the teargassing and the area was partly covered with gas smoke. Quite a good number of workers present in the area vouched that the stone-throwing began from a place some distance away from the railway track, where many anti-social and policemen in civilian dress had gathered.

## **Freedom is Suppressed**

Severe discontent has spread among the mass of the people from all walks of life - employees, doctors, shopkeepers, small businessmen, teachers, etc., in the locality, against such heinous terrorism engineered by the police force on the workers. It is perhaps for this reason that curfew is still continuing in the locality, while Section 144 has been declared in the steel township, to block the possibility of any mass agitation by the democratic people. Despite this, different trade union organisations including the CITU, AITUC, HMS, HMKP, AICTU and political parties like the CPI(M), CPI, Janata Dal and others, along with the democratic mass organisations, have protested against the action. The trade unions have submitted a memorandum to the district administration against such dastardly killings and demanded immediate withdrawal of all prohibitory orders. As decided by these organisations, a joint demonstration was to take place in Bhilai on July 6 and massive preparations for observing an all-India protest day on July 8 have already begun. Steel workers have also come forward in large numbers to protest against the massacre. Surprisingly, the INTUC has kept itself away from protesting against such brutal murderous action on the workers by the BJP government.

***People's Democracy, July 12, 1992***



also, the staff acted promptly, but the dearth of medicines adversely affected the treatment.

### **A Calculated Move to Suppress the Workers**

Available indications confirm that the Madhya Pradesh government, arming itself with NEP and the notorious MPIR ACT was out to avenge the awakening of the tribal workers in the industrial complex, and the decision for a *rail roko* by the Chattisgarh Mukti Morcha had been a step to foil this game. The government was confident of success as its predecessor, the Congress(I) government in Madhya Pradesh, had succeeded through strong-arm tactics. Moreover, it was sure of central government support for its move to retrench labour.

On the other hand, for the Morcha which drew strength from the tribal awakening in the area, particularly against the savage wage slavery introduced by the private industrialists, it was a matter of survival if it could not bring back those who had been thrown out of employment during the struggle against Shankar Guha Neogi's murder. This leader of the Morcha had been assassinated about a year back, and it was only later revealed that the murder had been engineered by the leading industrialists of the area.

According to one estimate, around 3000 workers have been thrown out by the industrialists taking advantage of the continuous strike call by the Morcha. The Morcha took up the issue of wage negotiations along with the demand for taking the workers back.

The BJP government had taken the plea that since the INTUC is the major recognised union in the industry, there could not be any purposeful talk with the Morcha. Subsequently, however, some discussion was initiated by the labour minister which turned out to be meaningless because of the lack of seriousness of the BJP government-industrialist combine. Taking advantage of the long-drawn negotiations, the industrialists continued their rampage against militant workers, and introduced the INTUC and a splinter union of Dangeites.

On the other hand, the CMM leadership unfortunately failed to see the sinister design of the government in trapping the Morcha in protracted negotiations, or realise the urgent necessity of uniting all trade unions and democratic opinion in their support. Rather, it distanced itself from the general trade union movement and the democratic mass, allowing the government to paint the movement as a tribal outfit. This failure was utilised by the BJP government.

# In the Eye of the Storm

Raju Kane

On September 28 last year, charismatic trade unionist and leader of the Chattisgarh Mukti Morcha, Shankar Guha Niyogi, was shot with a .12 bore country-made revolver while asleep in his union office at Bhilai. At the time of his death Niyogi was engaged in a bitter struggle with the managements of the four largest private-sector industrial groups of the Durg-Bhilai-Raipur region, trying to get justice to the thousands of contract workers employed by these groups - Simplex Engineering, Bhilai Engineering Corporation, Beekay Engineering Corporation, Beekay Engineering and Kedia group of distilleries.

A CBI investigation subsequently charged two directors of Simplex Engineering - M. R. Shah and Navin Shah - of complicity in Niyogi's murder, both of whom subsequently obtained anticipatory bail. Another member of the family, Chandrakant Shah, has been absconding. While there seems to be no evidence to implicate any of the other industrialists, in the common people's perception, there is not a shadow of doubt that they are all involved.

Six months after Niyogi's murder, police fired on a group of demonstrating workers owing allegiance to the unions he founded. Thirteen persons, including a police officer, were killed in the firing and the violence that ensued. Despite this unrest, an air of calm prevails in the region. It is business as usual at the ten-hectare Simplex Engineering complex. Workers are busy machining, tooling and otherwise completing job orders, while busy sales executives rush in and out of offices. All the three units of Simplex Engineering and its sister concerns are working at full blast, producing castings, forgings and machinery for the public sector steel plants. Both the directors implicated in Niyogi's murder attend their offices and are ready to speak to visiting journalists.

"Our work schedule was affected only for a week or so after the murder when the entire area observed a bandh. After that things have been all right and, by and large, we have been able to stick to our delivery schedules," says M. R. Shah, vice-chairman of the Simplex group.

Not just their delivery schedules. The power that these industrialists wield in the area also remains unaffected. Mention the name Vinoo Jain, deputy managing director of the Bhilai Engineering Corporation, and things start to happen in the otherwise lethargic Durg-Bhilai region. The surly hotel

## Martyrs of July 1 Firing

**Keshav Gupta**, a driver working under contractual system in ACC Cement Factory, was the founder member of CMM unit in Jamul. He was the man who contacted Niyogi in early '89 for formation of Red Green union in his unit. On the day of firing, Gupta was in the forefront of the morcha.

**Asim Das** was an active PESS member in Simplex Engg.

**K.M. Kutty** was a worker in Kedia Distillery.

**Madhukar**, a barber by profession, was shot dead when he was returning from his saloon. His son, a MPEB worker is sympathetic to CMM movement.

**Prem Narayan**, resident of Panchdeori, was an active CCMMS member retrenched from Chattisgarh Distillery, Kumhari.

**Joga Yadav**, a rickshaw puller, was shot dead when police started indiscriminate firing on the by-standers.

**Manharan**, was a PESS activist in Simplex Casting.

**Kishori**, was a CCMMS activist in Kedia Distillery.

**Lakshman Verma**, was a PESS leader in B.E.C. He accompanied Anoop Singh to the Police Control Room on 1.7.92 when called by the Commissioner. Police attack started as they alighted from the police vehicle after a fruitless talk in the Control Room.

**Puranik Lal**, resident of village Sankra, was a retrenched worker of Chattisgarh Distillery, Kumhari, and a CCMMS member.

**Kumar Verma**, resident of village Pahanda and CCMMS leader in Chattisgarh Distillery, was a member of the negotiating team to Indore in June.

**Ramagna**, a tractor trolley driver, was shot dead when he was repairing his vehicle in a nearby garage.

**Indra Dev** was a CCMMS member retrenched from Kedia Distillery.

**Ram Kripal** was a CCMMS member retrenched from Kedia Distillery.

**Hirau Ram** was a PESS activist in ACC Jamul.

crore, this huge plant kick-started the industrialisation process in the area and transformed Bhilai from a sleepy little village to an enormous industrial centre. Several contractors were involved in its construction, including B. R. Jain of the BEC and the Shahs of Simplex Engineering. The Guptas of Beekay Engineering moved into the area in 1965.

Once the plant was commissioned, it became obvious to senior BSP managers that spares and ancillary items would constantly have to be imported. To reduce this dependence on imports, the BSP embarked on a policy of actively encouraging and supporting growth of ancillary industry around Bhilai. The Soviet experts working with the plant were directed to also provide technical assistance to the fledging ancillary units. This was exactly the kind of opportunity that people like the Jains and Shahs were waiting for.

Starting with small machining jobs and minor castings and forgings, BEC soon embarked upon more and more complex jobs. From small shed the works spread to a sprawling 14.4-hectare complex. The Bhilai Engineering Corporation, that he founded with 12 employees, has now spawned ten other firms with 15 manufacturing units spread across Bhilai, Raipur, Kandla and Nagpur.

From castings and forgings the company has gone on to making several finished product lines. These include complex systems for steel plants like coke oven machines, pig casting machines and casenub bogies for railways. It has diversified from castings and entered into turnkey projects and has been intimately linked with the modernisation programmes of SAIL's steel plants.

In 1983, the group moved into a totally unrelated area, fertilisers. The 66,000-tonne per annum superphosphates plant has been producing at 130 per cent of its capacity, producing 86,000 tonnes of fertilisers every year. According to Vinoo Jain, the group is now moving into another unrelated area - food processing - and the plant is to be commissioned by the middle of next year.

The Simplex group has grown on similar lines. The group began its industrial activities at Jabalpur, manufacturing umbrella sticks and galvanised buckets. The group's founder H.B. Shah moved into Bhilai in 1958 and started operating from a small shed, fabricating minor spares for the BSP construction, before gradually moving on to more complex systems for steel plants all over the country.

Among its major product lines are slag ladle cars, cast house granulation plants and mini blast furnaces, for which it has a technical tie-up with a

staff open the best rooms for you. Soon, an air-conditioned limousine is standing by to take you to his palatial mansion.

It could well be a set for a Bollywood film. An artificial waterfall cascades down a grotto in one corner of a well-kept lawn. Inside, in a jewel box of a room, mirrored walls reflect crystal chandeliers. Sitting in deep leather upholstered chair, Vinoo Jain tries unconvincingly to explain how Rs. 1,100 can be deemed a fair wage.

For someone hailing from a family of small-time civil contractors to the army in 1940s, and whose first industrial venture was making manhole covers, B. R. Jain, Vinoo Jain's father and chairman of the Bhilai Engineering Corporation, has done pretty well for himself. Thirty-six years since he moved to Bhilai from Agra, he now heads an industrial group with a combined turnover of Rs. 100 crore with interests as varied as forging and castings to fertilisers and food processing.

Adjoining the Jain residence stands a palatial mansion, owned by Kailashpati Kedia owner of the Kedia group of distilleries. In the past two decades, Kailashpati Kedia has been recognised as the biggest liquor lobby. His fortress-like mansion in Bhilai is the nerve centre of an empire which extends all over the country. Kedia himself is rarely there, jetting around the country as he manages his far-flung affairs.

His companies and associates have a virtual monopoly in supplying country liquor to the MP government, raking him a huge fortune. Besides, the group has also been distilling and bottling Indian-made foreign liquor for top groups like Shaw Wallace and the UB Group. His political contacts in the state are legendary and have gone a long way in helping him in business. At one time he was a close associate of Arjun Singh and has now managed to win favour with Sunderlal Patwa's BJP government.

According to activists of the Chattisgarh Mukti Morcha, Niyogi believed that some industrialists had put out a contract for his killing. They claim that Kailashpati Kedia was among the people he had named. The CBI investigation, however, found no evidence to link the liquor baron to the killing. Kedia continues to rule the state's liquor trade and industry circles talk in whispers about the influence he wields on the state government policies. Perhaps it is just a coincidence that the Patwa government lifted the ban on the sale of distilled spirits in the state's tribal districts following Niyogi's death.

The story of the rise to prominence of these groups really begins in 1956 with the construction of the public sector Bhilai Steel Plant set up with Soviet collaboration. Established at the (then) stupendous cost of Rs. 200

should know. As state general secretary of the Centre of Indian Trade Unions, he had led a militant workers' struggle in 1982. A decade later, he has crossed the fence and joined the same industrialists whom he once fought.

"During my time as a trade unionist I tried to change some of the policies, though rather unsuccessfully. But now, as a labour adviser, I am in a better position to convince the management of our company that cordial labour relations make economic sense for both the company and the management."

But, if the attitude of Vinoo Jain is any indication, Moitra doesn't seem to have really succeeded. He claims that the managements of the Bhilai industrial houses were willing to concede every demand of Niyogi – except reinstating those workers whom the union claimed were victimised for joining Niyogi and the management said were sacked for indiscipline. "They wanted us to reinstate every worker whom we had sacked for indiscipline. This is direct interference in management policies. I am not willing to grant that right to any one," Jain says.

This attitude is best reflected in the wide prevalence of the contract system in the industrial belt around Bhilai. According to the union activists, no more than 5 per cent to 10 per cent of workers in any factory in or around Bhilai are on the regular payroll of the management. These contract workers are not given the benefits accruing to regular employees and, in most cases, they are not even in a position to produce any proof of their having worked in a factory, although they might have done so for over a decade. These workers also do not have job security and can easily be sacked, in most cases by a verbal order from the factory watchman!

One of Niyogi's chief demands was the regularisation of these contract workers. This, according to the managements, is not possible because most of the work is done on a job-work basis and the requirement of workers varies depending on the order position. The industrialists also have another, rather unusual, explanation for the existence of the contract system.

"Most of the contractors are really old workers who have been with the company for the past two or three decades," says Jain. "While the company grew, due to lack of training and literacy the growth prospects for these workers were limited. Since we did not want to lose them, we worked out a deal with them. They were to recruit and train a group of four or five workers who would report to them. We would pay them a commission for each worker under their control, to ensure that their income also rises," he says.

Chinese company. The two major firms in the groups, Simplex Engineering & Foundry Works Pvt. Ltd. and Simplex Castings, have a combined turnover of Rs. 40 crore, while the smaller firms in the group account for another Rs. 10 crore.

The Beekay group started its activity essentially as an industrial construction firm before branching off into the engineering and foundry business. Like its neighbours Simplex and BEC, the Beekay group has grown primarily supplying equipment to the public-sector steel industry. The company, now spread over a sprawling 20-hectare area in the Bhilai industrial estate, has a turnover of over Rs. 50 crore and employs over 1,500 workers.

These industries then represent what would seem the success of Nehru's vision of how huge public investment in a resource-rich, though economically backward, area would lead to development and industrialisation of the entire region. Beyond the industrial smoke screen the reality is, however, quite different.

The benefits that successive generations of planners imagined would flow into the region, have more or less been hijacked by a very small section of the community, mostly comprising contractors-turned-industrialists. The local people continue to live in grinding poverty as they did back in 1956 when the plant was being built.

A study commissioned by the BSP authorities on the socio-economic impact of the plant brings out the failure of Nehru's vision in a startling manner. The study, conducted by N.R. Srinivasan, points out that between 74 per cent and 85 per cent of the population of the villages around Durg and Bhilai townships have an income of less than Rs. 500 per month and less than 5 per cent have an income more than Rs. 3,000. While the study does not exactly say so, it is pretty evident that this 5 per cent of the population controls the bulk of the resources in the area.

Nehru's vision seems to have failed in another important respect. Apart from the 'trickle-down' of economic benefits, of which there is little evidence, the establishment of modern industry was to lead to a social transformation of the region. But, if labour management policies in Bhilai are any indication, it would seem that the feudal order which existed in the agrarian economy prior to the establishment of the BSP, has now been transferred to the industrial sector.

"Most of the industrialists in the area have been unable to come out of the feudal mould. Modern-day labour management practices were unknown to them. Their reaction to a workers' struggle is hence predictable," says P.K. Moitra, a former trade unionist and now a labour adviser to BEC. Moitra

government headquarters, to the local administration is clear: brook no opposition and maintain industrial harmony in the region at all costs. This will make it even more difficult for the workers to sustain their struggle for an end to their exploitation.

In several ways the situation in Bhilai more or less reflects what has been happening in several economically backward yet resource-rich areas of the country, whether the Chottanagpur plateau in Bihar or the Santhal Parganas. In every one of these areas, the industrial exploitation of natural resource by forces outside the region has led to further deprivation of the local people rather than to their economic betterment. It was Niyogi's extraordinary courage and tenacity, and the terrible price he paid for these, that brought the situation in Bhilai into the limelight.

But the solution does not lie in disallowing the exploitation of these natural resources, as certain radical elements would argue. It lies in giving the local people a larger say in, and more direct benefits from the economic development that results. The best way to achieve this is certainly debatable but, as the strife in Chattisgarh demonstrates the question of equity and social justice can no longer be subordinated to the goal of rapid economic growth.

***Business India, December 7-20, 1992***



Jain is, of course, quick to point out that the salary and benefits enjoyed by the regular workers and contract workers are the same, a contention disputed not just by the union but by successive independent citizen's committees which have investigated the issue and detailed the industrialists' violation of labour laws. According to Jain, the problem in the region was created by Niyogi's inability to understand the difference between the working of the public and private sectors and the relative inability of small-sector units to adhere to all labour laws. "If any small-scale industrialist adheres to all these laws, he would be driven out of the market", he believes.

The exploitative contract labour system has fostered a deep sense of grievance and insecurity among the workers and this provides a fertile breeding ground for violence. In a region of high unemployment, it is quite easy to find replacements for striking workers. As a result, most of the industrial actions called by Niyogi failed to seriously affect the working of industry. Defeated, most of the workers have returned to work but with an even deeper sense of alienation.

There have already been two major outbreaks of violence. Soon after Niyogi's murder, Navin Shah, a Simplex Engineering director and co-accused in the case, was attacked and severely injured by workers owing allegiance to the union. In another instance in July this year, police had to open fire to control a mob of workers who stoned a police officer to death. Twelve persons died in the firing. According to union members, unless this sense of frustration is reversed, the possibility of workers going on the rampage again cannot be ruled out.

Arvind Shah sees this violence as a direct result of Niyogi's class-based politics. "That man was interested in a class war and not the workers' benefit. Till Niyogi's advent in the area, there was no trouble, despite the strong presence of central trade unions of all political hues. He reaped as he sowed," is the simple explanation Shah gives for Niyogi's murder.

This precarious situation assumes great significance in the light of the vast amount of private sector investment that is poised to flow into the Chattisgarh region. According to MP government sources, in the next five years Rs. 16,000 crore will be invested in the five districts of Durg, Raipur, Bastar, Bilaspur and Rajnandgaon. This would include the setting up of four integrated steel plants and 14 mega-cement plants.

Investment on such an enormous scale is likely to spark a second industrial revolution in the area, which could dwarf that which BSP brought in its wake. The state government cannot afford to jeopardise these developments and hence the diktat from Vallabh Bhavan, the state

# Trouble in Chattisgarh

Arun Kumar Singh

The Chattisgarh area of Madhya Pradesh is known for its natural resources and the rapid pace of industrialisation over the last two decades. But, the lust of businessmen to earn fat profits fast, has only resulted in impoverishment and pauperisation of native tribals as their survival base has been gradually and systematically annexed. Today, with most of their forests and community lands, first taken by the Government and then handed over to industrialists, the inhabitants have been forced to work as labour. The only community resources now available to them, is water, in the form of river flow, but it appears, this too is being snatched away from them.

There are two distilleries of Kedia Kilol Dilon Company; one in village Kumhari of Durg district, and the other Chattisgarh distillery in Bhilai, both in Madhya Pradesh. Kharun is an important river in this area as it is the only source of potable water for hundreds of villages sustaining villagers and their cattle.

In the night of March 29, 1995 several thousand gallons of waste water from the Kumhari distillery entered Kharun river, sneaking through an inter-connecting Khapri *nala*. It constituted a dark black 12-km. long strip in the river. Its immediate impacts were thousands of quintals of dead fish, hundreds of intoxicated cattles, many of which later succumbed to death, wilted grass along the banks of river and extremely foul ambience. The death of the riverine fisheries is an indication of the extreme toxicity of this waste water as fish for their survival need only four litters of dissolved oxygen per ten lakh litres of water.

On a conservative estimate, about 125 villages were affected, many of them critically, like Achholi, Akola, Atari, Bahesar, Balodikhurd, Bana, Baratnara, Belna, Bedri, Bharewa, Bhumia, Birgaon, Chandri, Chikhali, Gomchi, Guma, Hatbandh, Kara, Khamaria, Kharkhuta, Kumhari, Lakhna, Mundrethi, Mura, Pandarbhatta, Parastarai, Pathardoh, Sarora, Shivrinarayan, Siltara, Simga, Urla and others. Persons using this toxic water become victims of ailments like respiratory problems, rashes, itching, headache, vomiting and mental tension. Roughly 50,000 people were affected by this pollution.

**Maximum and Minimum Wages Prior to Unionisation by CMM**

Sl. No.	Industry	Minimum Wage (Rs./month)	Maximum Wage (Rs./month)
1	Simplex Casting Ltd.	550.00	1000.00
2	Simplex Udyog Ltd.	550.00	1200.00
3	Simplex Engineering Ltd.	550.00	1200.00
4	Simplex Steel Casting Ltd. Urla	525.00	1100.00
5	Simplex Engineering Unit-III, Tedesara	400.00	912.00
6	Bhilai Engineering Corporation-I	525.00	N.A.
7	Bhilai Engineering Corporation-II	525.00	1002.00
8	Bhilai Engineering Corporation	525.00	1002.00
9	Vishwa Vishal Ltd.	546.00	1040.00
10	Beekay Engineering Corporation	540.00	1200.00
11	Beekay Engineering Casting Pvt. Ltd.	540.00	1100.00
12	B.K. Surgical Pvt. Ltd.	450.00	667.00
13	Bhilai Wires Ltd.	525.00	1000.00
14	Nagpur Engineering Pvt. Ltd.	300.00	587.50
15	Jaiswal Industry Pvt. Ltd.	300.00	550.00
16	General Fabrications Pvt. Ltd.	350.00	700.00
17	Punj Star Pvt. Ltd.	487.00	750.00
18	Gyan Re-Rolling Mill Pvt. Ltd.	300.00	500.00
19	Rana Udyog Pvt. Ltd.	350.00	928.00
20	Vishal Engineering Pvt. Ltd.	350.00	818.00
21	Techno Instruments Pvt. Ltd.	350.00	928.00
22	B. Tex Pvt. Ltd.	350.00	818.00
23	R.K. Industries Pvt. Ltd.	300.00	500.00
24	Tek Steel Re-Rolling Mill	300.00	500.00
25	Kedia Distilleries Pvt. Ltd.	375.00	1200.00
26	Chattisgarh Distilleries Pvt. Ltd.	450.00	1800.00
27	Golcha Chemicals Pvt. Ltd.	350.00	800.00
28	Bhilai Auxillary	500.00	800.00
29	Maheshwari Industries	325.00	800.00

**Source: *Behind The Industrial Smokescreen, A Citizen's Committee Report, New Delhi, March 1992***

There are unconfirmed reports that the waste water released into river has a BOD of upto 2,000-3,000 ppm.

The role of the State Pollution Control Board has also come under severe criticism. In the past, there have been a number of complaints about pollution, albeit on a smaller scale, but each time the management of distillery "managed" to get a clean chit from SPCB. But this time, it was compelled to take some action, as the sheer scale of the tragedy made it impossible to bury it under the carpet.

Nevertheless, the episode is not an isolated one, as it appears, but there are other bizarre twists and turns. The owner of the Kedia distillery, Kailashpati Kedia has been named in the murder of Shankar Guha Niyogi by the slain leader's wife Asha Niyogi, in the FIR lodged by her. Shankar Guha Niyogi was spearheading the labour struggle in the region since the last two decades. In the crux of the struggle there were only two basic demands: implement minimum wages act and reinstate workers expelled from factories. Both the demands are yet to be fulfilled.

The cryptic political patronage to the industrialists of Chattisgarh came to open light when yet another industrialist from the area, S.K. Jain, chief accused in the now ill-famed "havala racket" claimed that none other than the Prime Minister of India along with ten Cabinet ministers were on his payrolls. Entries in his diary have testified that obscene amounts of money have been paid to the politicians. This has not only exposed the nefarious politician-businessman nexus, but also provided answers to many of the questions nagging the concerned citizens. Now it becomes self-explanatory that why no action has been taken against the industrialists of Chattisgarh, despite repeated blatant violations of the existing labour laws by them; why the lawful demands of the workers remain unfulfilled and why those industrialists who hatched the conspiracy of murdering Shankar Guha Niyogi, as revealed by the CBI inquiries, are still outside the ambit of law.

***The Pioneer, November 16, 1995***

The waste water emanating from any distillery, acquires a highly toxic nature as a result of various ongoing chemical processes within the plant. As per the legislation controlling water pollution, this water cannot be directly released and must be treated. If need be, in various phases. Hence, the waste water of the Kurnhari distillery too, is stored in an adjacent dam, sent to a treatment plant and released only after treatment. In the night of March 29, one embankment of this storage dam broke, instantly releasing thousands of gallons of waste water - at least that is what has been given out for public consumption.

Subsequent investigations revealed a host of irregularities in the treatment plant too. This waste water, after being stored in the dam, is treated in three stages. The BOD (biological oxygen demand) of the stored waste water (stored in dam and awaiting treatment) is about 40,000-50,000 ppm (parts per million). In the first phase, the digesters reduce the BOD of this waste water upto 4,000-5,000 ppm, in ideal conditions. In the second stage, oxygen under extremely high pressure is passed through this waste water in the aerators, which further reduces the BOD of the waste water. In ideal conditions, the waste water coming out of aerators should have a BOD of 1,000-1,500 ppm. In the last stage, the waste water released from aerators is stored in open small tanks, within the compound of the distillery, where the sunlight and air further reduce the oxygen absorbing capacity of this waste water.

In the aftermath of the March incident, a team of scientists from the Pollution Control Board, carried out their investigation in greater detail and found severe lapses from second stage of treatment and onwards. The team found that the waste water being released from aerators has a BOD of 3,000-4,000 ppm. The team also found that waste water having a BOD of 200-300 ppm is being discharged in the river when it should be no more than 60 ppm.

But more startling is the functioning of the treatment plant itself. The aerators of the plant have only two pumps of 25 horsepower each whereas there should have been at least eight pumps of 25 horsepower each and two pumps of 15 horsepower each, considering the amount of waste water being generated. The two pumps, operating in the aerators at present, are also very old and their capacity to function at full efficiency is under grave doubts. In an identical manner, the storage tanks, under third stage of treatment, have been constructed in a highly unscientific manner. There is no mechanism to know the amount of waste entering in and getting out.

## List of Workers Victimized by Various Industries

(Submitted by CMM to Asst. Labour Commissioner, Raipur)

Sl. No.	Name of Company	No. of Victimized Workers	Period of Victimization
1.	Kedia Distilleries	395	From 21.2.91 To 28.9.91
2.	Chattishgarh Distilleries	345	From 7.10.89 To 26.10.91
3.	Simplex Castings Ltd.	414	From 15.8.90 To 23.12.90
4.	Simplex Udyog Unit II	204	From 22.3.90 To 23.12.90
5.	Simplex Engg. Unit I	008	From 9.8.90 To 20.9.91
6.	Simplex Engg. & Foundry Works	208	19.11.90 onwards
7.	Simplex Metal	012	19.11.90 onwards
8.	Sangam Forgings	031	19.11.90 onwards
9.	Simplex Castings Ltd.	311	18.12.90 onwards
10.	Bhilai Wires Ltd.	169	From 23.11.90 To 21.2.91
11.	Bhilai Engg. Corp. Unit I	060	From Jan.'90 To 3.6.91
	Bhilai Regular Works	010	From 7.7.91 To 16.7.91
12.	Bhilai Engg. Corp. Impax-4	057	From 21.2.90 To 17.3.91
13.	Bhilai Engg. Corp.	131	From 19.5.91 To 26.9.91
14.	Khetawat Cables	019	From 13.7.91 To 15.7.91
15.	Khetawat wire Rope & Cables	039	From 14.7.91 To 16.7.91
16.	Khetawat Ltd.	045	16.7.91 onwards
17.	Vishwa Vishal Engg.	065	From 2.3.90 To 25.7.91
18.	Punjab Star	099	From 17.4.90 To 20.11.90
19.	Beekay Castings	010	From 13.6.90 To 24.10.91
20.	Beekay Engg. Co.	013	From 31.12.90 To 24.10.91
21.	Beekay-II (Women)	007	N.A.
22.	General Fabricators	062	From 11.8.89 To 19.9.91
23.	R.K. Industries	043	From 13.11.90 To 30.11.90
24.	Nagpur Engg. Co.	067	30.9.90 Onwards
25.	Maheshwari Industries	045	From 11.10.90 To March '91
26.	Gyan Re-rolling Mills	034	From 10.6.90 To 20.12.90
27.	Tek-Steel Technologists	035	From 19.12.90 To 12.4.91
28.	Jaiswal Steel Enterprises Co.	089	From 28.8.90 To 7.10.90
29.	Bhilai Auxillaries	018	From 10.6.89 To 29.10.91
30.	Golcha Chemicals	030	From 1.2.90 To 16.10.90
31.	Rana Udyog	002	From 7.3.91 To 18.5.91
32.	Jyoti Minerals	004	N.A.
	<b>Total</b>	<b>3081</b>	

**Source: Behind The Industrial Smokescreen, A Citizen's Committee Report, New Delhi, March 1992**

## Inside the Chattisgarh Distilleries

- Broken glass pieces are scattered all over the floor and corridors of workshop. Workers are often injured while washing bottles in the water-filled tanks.
- Workers suffer from chronic skin diseases due to prolonged contact with acids and other strong chemicals, as they have to stand upto waist deep water tanks to clean the old liquor bottles. These diseases have acquired almost epidemic proportions in the nearby workers' settlements.
- Often burning coals from the boilers fall on the workers burning them.
- Acid burns are common, as the workers have to carry 50-60 kg of strong acids with the aid of sticks up the staircases.
- Workers have to crossover the tanks of hot water or boiling molasses, tiptoeing over wooden beams.
- Molasses fermentation leads discharge of injurious gases in the floor shop.
- Electrical shocks and injuries are common during repairing and maintenance of electrical installations.
- Workers have to wade through tanks storing effluents to build bunds drains etc. consequently the incidence of skin diseases is high among them.
- Saris of women workers often get caught in the rotating, giant-sized motor-driven bottle brushes.
- Two unhygienic, stinking toilets, lacking light and running water with heaps of glass at the entrance are supposed to be adequate for 400 workers per shift.

**Source: *Behind The Industrial Smokescreen*, A Citizen's Committee Report New Delhi, March 1992**

The commission, in the same vein, it is alleged, has also refused to take into account the brutality and torture following the police firing.

It is reported that the commission refused to look into complaints of victims during this period by saying that it is empowered only to look into the incident of July 1, 1992. The commission, it is alleged, has outrightly rejected the applications of eminent citizens like Kuldeep Nayar, Praful Bidwai and Anil Sadgopal, who have investigated the incident and wanted to present their testimonies before the commission.

On the other hand, the commission, it is said, has accepted the false testimonies of the S.P. and the collector that no children were involved in the firing. This despite the fact that media has recorded photographic evidence of the children's presence at the site.

But the grave lapse of the commission is in overlooking the role of Kailash Joshi, the then Industry Minister and Pradeep Bajjal, the then Industry Secretary in this incident.

The commission, it is said, has not bothered to call them.

It will be relevant to mention here that in the aftermath of firing, several investigations were conducted by concerned citizens like Peoples' Tribunal on Bhilai Police Firing and the Fact Finding Committee of Trade Union Solidarity Bombay.

All these reports have found industrialists of Chattisgarh guilty of grossly violating labour laws in connivance with politicians and bureaucrats.

The most significant fact-finding committee was constituted by Digvijay Singh, the then president, Madhya Pradesh Congress and presently Chief Minister, Madhya Pradesh.

The members of this high-powered committee were: Motilal Vora, Arvind Netam, late Chandulal Chandrakar, Vasudeve Chandrakar and advocate Kanak Tiwari.

The important findings of this high level committee were: the police firing was unjustified and uncalled for and Surendra Singh, the then SP Durg, was directly responsible for the incident. Industrialists are blatantly violating labour laws, the labour department has failed in solving industrial disputes, in the 10-day post firing period ordinary citizens were harassed, tortured and arrested under the pretext of curfew, and about 153 persons were injured.



# Waiting for a Reprieve

Arun Kumar Singh

Chattisgarh means different things to different people. For the common man, it is a place inhabited by tribals, for the industrialists it means an endless bounty of natural resources awaiting exploitation, and for the natives it means sheer exploitation and dispossession.

The last two perceptions have made Chattisgarh the hot-spot it has become today: industrialists hell-bent on flooding their coffers, by means, fair or foul, and natives determined to fight for their legal rights and quest for justice.

It was in this backdrop that 5,000-odd retrenched workers sat on the railway track of the Bhilai steel plant railway station four years ago for a *rail roko* agitation.

This extreme step was taken after industrialists backed out of promises made to the workers. Unfortunately, high-handedness, callousness and apathy of the police converted this peaceful protest into a bloody incident, leading to the death of 11 on the spot, six succumbing to injuries later. The last victim breathed his last three months ago.

This gory episode, drew nation-wide attention, forcing the then BJP Government of Madhya Pradesh to appoint a one-man commission to probe the matter. However, the commission did not start its work for a long time, and became functional only after the Chattisgarh Mukti Morcha (CMM) filed a petition in the Jabalpur High Court and obtained the order to initiate the proceedings of the commission.

Nevertheless, the way the commission is conducting its exercise, the final hearing culminating on July 19, 1996, raises grave doubts about the impartiality of the commission. It is important to see the reasons that have given rise to this apprehension.

The commission, it is alleged, has repeatedly refused to look into events prior to the firing incident, basically related to industrial disputes, by reiterating that it is outside the purview of the terms of references of the commission. This, it is being said, is being done to shield the industrialists of the area as it was their backing out of promises made which led workers to adopt the *rail-roko* agitation.

# Movements Beyond Chattisgarh



The report recommended that a commission of inquiry be set up under a sitting judge of high court, empowered to go to the background of the trouble and the compensation being awarded to victims should be looked into and enhanced suitably.

After coming to power in Madhya Pradesh, the Congress Government, though it provided enhanced compensation to victims, too failed to enlarge the scope of the commission, giving rise to speculation about the nefarious nexus between politicians and industrialists.

The Commission on Bhilai police firing was to complete its final hearing on July 18 with the high court spelling its verdict on the retrenchment of 5,000-odd workers.

It has now been deferred till the third week of August. On July 1, more than 60,000 workers gathered at the Bhilai steel plant railway station to honour the memory of people who died in the firing.

Leaders of the CMM gave a call for independent Chattisgarh State based on equity and justice.

The leaders also asked the workers to prepare themselves for a fresh round of struggle. Chattisgarh is yet another example which further reiterates that all governments, irrespective of their ideological hues, are bound to be anti-people, by virtue of their governance.

***The Pioneer, August 8, 1996***

# Voices of Dissent

14, Willington Street,  
Richmond Town,  
Bangalore-560 025

October 12, 1991

Shri Venkataraman  
President  
Government of India  
Rashtrapathi Bhavan  
New Delhi

Respected Sir :

*"How can I loose faith in the justice of life; when the dreams of those who sleep up on feathers are not more beautiful than the dreams of those who sleep upon the earth?"*

**-Khalil Gibran**

We the undersigned wish to bring to your kind notice, that Shankar Guha Niyogi, aged 48 years and renowned trade union leader of Chattisgarh Mukti Morcha (CMM) was brutally shot dead on September 28, 1991. His assassination drew little attention from the mainstream media until protests began to be raised from all democratic sections of our society. The government media, both Doordarshan and All India Radio did not find the assassination of a trade unionist and social reformer who dedicated his life for the poorest of the poor in our country newsworthy.

Actively engaged in organising workers in the Bhilai and Dalli Rajhara mining region, his was a voice that had increasingly begun to threaten the mighty combine of industrialists, State administration and politicians who have unleashed a reign of terror in retaliation. Over the last nine months this terror had intensified following an intense struggle launched by thousands of workers in the Chattisgarh region under the leadership of CMM and Niyogi, for permanency in jobs, better wages, better working conditions and trade union rights - for the right simply, to live in dignity and with self respect.

The assassination of Niyogi reveals not only the extent of growing political repression in the State of Madhya Pradesh but all over the country over the last decade.



# Chattisgarh Andolan Samarthan Morcha (Delhi)

**Resolution passed at the Public Meeting held in Delhi on 14  
November 1991**

We, the undersigned express our deep anguish and concern over the apathetic attitude of the Madhya Pradesh Government as well as the Central Government and the inordinate delay in bringing to book the culprits responsible for the murder of Shri Shankar Guha Niyogi the founder of Chattisgarh Mines Shramik Sangh (CMSS). We equally condemn the callous and inhuman attitude of the State Government in not taking any tangible initiative in addressing the long drawn out struggle of thousands of industrial workers in Bhilai and adjoining areas.

While the demand namely the implementation of minimum wages and social security measures as well as the method of the workers struggles were well within the legal and constitutional norms, the BJP Government in collusion with the industrialists have been employing violent and undemocratic means to suppress the worker's movement. Since its inception, the BJP Government has unleashed a reign of terror all over Madhya Pradesh.

We hold it one of the finest moments in the workers' struggles in the country that contrary to the expectations of the industrialists, the final act of the murder of Niyogi acted as an instance of further awakening of the workers in the industrial and unorganised sector.

While we assure our active and continued support to the struggles of the workers and people in Chattisgarh, we warn the industrialists and Government that any infringement on the democratic trade unions rights of the people will not be tolerated.

The government should acknowledge the tremendous support Asha Niyogi and the team have received all over the country, from Trade Unions, Peoples' Movements, Democratic Rights Organisations, Students & Women's Organisations. Alongwith them we demand that :

The murderers of Niyogi and industrialists namely Moolchand Shah of Simplex Group, Kailash Pati Kedia of Kedia Distilleries, B.R. Jain of Bhilai Engineering Corporation, Vijay Gupta of Beekay Engineering Corporation and H. P. Khetawat of Bhilai Wires, as mentioned in the FIR lodged by

Shocked and stunned by the extent of political and social repression in the country which culminated in the assassination of a peaceful seeker of justice, several Human Rights organisations, Women's organisations, Labour Unions and Voluntary organisations organised a protest rally and condolence public meeting on Saturday 5<sup>th</sup> October at Bangalore. The public meeting strongly condemned this heinous crime and the government's delay in bringing the culprits to book. Though two weeks have passed since this shocking murder has taken place no one suspected in the crime has been detained for questioning and no interest seems to be forthcoming for finding the culprits from the concerned authorities at Madhya Pradesh. Hence we urge your goodself to consider the following demands put forward by the forum at the public meeting on Saturday 5 October 1991 and restore peace and democratic spaces for the people of our country:

The setting up of a judicial enquiry by a sitting judge of the Supreme Court *to not only apprehend the killers of Niyogi, but to also fix responsibility* for the absence of rule of law in the state.

The simultaneous institution of a People's Tribunal consisting of activists, workers and judges of unimpeachable standing to also go into the ramifications of the conspiracy to kill Niyogi.

That the state concedes to all the just demands of the workers of Chattisgarh.

Please find enclosed the pamphlet and the press release issued by the forum.

Thanking you,

Yours sincerely,

P.U.C.L. Karnataka;  
Indian Social Institute, Bangalore;  
Vimochana;  
Women's Voice, Bangalore;  
Manini;  
S.C.I., Bangalore;  
Domestic Workers Union,  
Bangalore;

Peoples Rights Committee,  
Visthar, Bangalore;  
C.F.D., Karnataka;  
Madhyam, Bangalore;  
K.K.N.S.S.;  
Shudra, Bangalore;  
Samajavadi Adhyayana Kendra,  
Bangalore.

# Solidarity Dharna at Boat Club

Over 50 members from 16 trade unions and mass organisations and solidarity organisations sat in a day long 'dharna' organised by the Chattisgarh Andolan Samarthan Morcha, Delhi, at the Boat Club today. The dharna was organised to express solidarity with over 25,000 contract workers of Bhilai who have been struggling for the last 20 months for regularisation of jobs, comparable wages, reinstatement of victimised workers and safe working conditions. Despite brutal repression by the industrialists and the BJP state government and the assassination of the respected trade unionist Shri Shankar Guha Niyogi, the workers' resolve is stronger than ever before. Today thousands of workers have converged in Bhilai for a day-long dharna and it is understood that the state government has responded to this collective pressure by initiating conciliatory moves. Representatives from other mass movements and workers organisations from different parts of the country have all come to Bhilai to participate in the mass action programme of the Bhilai Workers.

The solidarity dharna at the Boat club was joined by prominent Members of Parliament including Basudev Acharya, Saifuddin Choudhury, Subrata Mukherjee, Asim Bala and others. Sri Surendra Mohan, Sri Jaipal Reddy and Swamy Agnivesh also participated in the Dharna.

## **Organisations which participated:**

1. Mazdoor Ekta Committee
2. Indian Peoples Front
3. Kamani Employees Union
4. Indian Federation of Trade Unions
5. All Jharkhand Students Union
6. All India Central Council of Trade Unions
7. Nirman Mazdoor Panchayat
8. IDEA
9. DTC Workers Unity Centre
10. Sampradayikta Virodhi Andolan
11. Bhopal Group for Information and Action
12. Jan Kalyan Manch
13. Naga People's Movement for Human Rights
14. Sahavikas
15. Bunkar Bihar
16. Legal Aid and Advice Centre

D. Thankappan  
February 29, 1992



Asha Niyogi and in the declaration of Shankar Guha Niyogi, be arrested immediately.

While we welcome the initiation of CBI enquiry into the matter we demand that the administrative and police officials responsible for the present state of affairs should be immediately transferred to ensure unimpeded and impartial investigation.

We demand that the Government must take immediate steps to see that the demands of the struggling workers of Bhilai are conceded.

We also demand that the Central Government must invoke constitutional provision to dismiss the Madhya Pradesh Government if Shri Sunderlal Patwa does not resign by owning moral responsibility for Niyogi's assassination.

1. CITU
2. AITUC
3. HMS
4. HMKP
5. UTUC (LS)
6. UTUC
7. IFTU
8. AICCTU
9. MEC
10. K E U
11. NIRMAN MAZDOOR PANCHAYAT SANGHAM
12. JNUTA
13. DISHA

### **Niyogi's Murder**

The Central Executive Committee of the Communist Party of India strongly condemns the foul murder of Shankar Guha Niyogi, the well-known labour leader of Chattisgarh, Madhya Pradesh. He is suspected to have been shot while asleep by agents of some factory owners and contractor with whom labour disputes were going on. This type of planned killing of those working for the uplift of the working class and the tribal people is a heinous attack on the democratic movement and must be denounced by all.

The Communist Party of India demands that the BJP Ministry of M.P. must take the help of the CBI for investigating the crime, getting the culprits arrested and punished as early as possible.

The Communist Party of India sends its condolences to the members of the bereaved family.

**New Age, October 6, 1991**

# MP Govt. Dismissal Sought; Bhilai Firing Condemned

The killing of 13 workers including a 12-year-old child in Bhilai by the police on Wednesday has evoked widespread condemnation. A protest demonstration was organised by the Solidarity Committee for Chattisgarh Workers Struggle in the Capital on Thursday.

A memorandum was later submitted by leaders of the Janata Dal, Communist Party of India (CPI) and Communist Party of India-Marxist (CPI-M) to the Home Minister, demanding an enquiry by a Supreme Court judge into the incident. Asking for the dismissal of the Sunderlal Patwa government in Madhya Pradesh, the memorandum also demanded adequate compensation to the families of the victims and the reinstatement of all retrenched workers.

The workers in the sprawling industrial complex of Bhilai have been waging a two-year long struggle for minimum wages, which subsequently also led to the assassination of labour leader Shankar Guha Niyogi last year. The five industrial barons denying the workers minimum wages are Kailashpati Kedia of Kedia Distilleries, B R Jain of Bhilai Engineering Corporation, Shah family of Simplex Engineering and Vijay Gupta of Beekay Engineering Corporation.

On assurances of settling their demands within a month, the agitating workers had called off the proposed blockade in Bhilai on May 25. The plans of blockade were changed to a peaceful dharna of 'satyagrahis'.

The memorandum pointed out that the labour department "unequivocally recommended an acceptance of the workers' demands", also suggesting a formula for the reinstatement of the retrenched workers. Even as the workers accepted it, the industrialists went back on their assurances of meeting the long pending demands.

Provoked by this, the workers extended the area of its agitation. On July 1, the workers squatted on the railway lines, blocking all rail traffic. Initial lathicharge by the police proved ineffective to disperse the workers, who expressed their no confidence in the assurances of the collector for a settlement.

Following the setting of a jeep on fire by some miscreants, the police opened fire, killing 13 workers and injuring hundreds of others.

# Marchers Demand Patwa Ouster

Hundreds of people representing political parties and students organisations held a rally from India Gate to Gole Methi Chowk in the Capital on Monday, protesting against the neglect of the Madhya Pradesh Government in apprehending the assassins of Shankar Guha Niyogi, leader of the Chattisgarh Mines Shramik Sangh.

The rally organised by the Solidarity Committee in support of the Chattisgarh Movement demanded the dismissal of the Patwa Ministry and appealed for the Prime Minister's intervention in this matter. It also expressed support to the demands of contract workers of Bhilai for implementation of minimum wages and social security legislation.

The rally which ended in a dharna in front of the Prime Minister's residence was addressed by representatives of different organisations including IPF, AICCTU, HMKP, Mazdoor Ekta Committee, NFTU and IFTU.

Speaking on the occasion, Janata Dal leader George Fernandes announced that 25 batches of 20 workers each from 18 States were ready to offer Satyagraha at Bhilai.

Later, a delegation of the Solidarity Committee consisting of D. Thankappan, Surendra Mohan, Prakash Rao, R. K. Sharma, Subba Rao and Purushottam Sharma submitted a memorandum to the Prime Minister. It urged the Central government to dismiss the Madhya Pradesh Government, if Patwa Ministry does not resign owning moral responsibility in the assassination of Mr. Niyogi. The CBI should also be given the charge of investigating Mr. Niyogi's murder, it demanded.

The memorandum further demanded the immediate arrest of the accused industrialists in the case, namely that of Kailashpati Kedia of Kedia Distilleries, Mulchand Shah of Simplex Group, B. R. Jain and Kuldip Gupta of B. K. Industries and S. P. Sekhawat of Bhilai Wires. The administrative and police officials responsible for the present state of affairs should be immediately transferred to ensure impartial investigation.

The memorandum further appealed to the Government to direct the authorities of the Bhilai Steel Plant to make it mandatory for its contractor, sub-contractors, and owners of ancillary industries to implement minimum wages and all other social security legislation.

***Patriot, October 29, 1991***

hues also blamed the Patwa government for its alleged mishandling of the labour problems of Chattisgarh workers ever since the murder of the labour leader Shankar Guha Niyogi.

The Bharatiya Mazdoor Sangh, the labour wing of the ruling party, also joined in the condemnation and flayed the government for what it described the 'slaughter of unarmed workers'.

The State Chief Secretary, Mrs. Nirmala Buch, while expressing her anguish at the deaths, pointed out that the workers in their thousands had squatted on the rail track from about 9.30 a.m. paralysing the rail services and a large number of long distance trains on the trunk routes were held up at different places on either side of Bhilai. "Persuasive efforts were made throughout the day, but the demonstrators did not relent. A lathi charge and bursting of tear gas shells had no effect and the police were ultimately forced to open fire as a last resort, late in the evening, to clear the tracks and facilitate resumption of the stranded train services," she maintained.

While the State BJP leadership fully shares the view that the police had no alternative but to resort to firing to bring the situation under control, it is painfully aware of the political repercussions of the Bhilai incidents. The prompt announcement of a judicial inquiry by the State Government is seen in this light.

While the nomination of a high court judge to head the inquiry commission will take time, its terms of reference have also been announced - the circumstances, background and events as a result of which the police resorted to firing; the justification of the force used by the police to meet the situation and whether the force used by the police was 'sufficient or insufficient'.

*The Hindu, July 4, 1992*

## TUs to Observe July 8 as 'Protest Day'

The Sponsoring Committee of Indian Trade Unions has decided to observe July 8 as All-India Protest Day against police firing in Bhilai on July 1 in which many workers were killed and injured. The Left parties have also decided to follow suit on July 15.

The delegation submitting the memorandum included CPI-M MPs Saifuddin Choudhury, M A Baby, CPI leader N E Balram, Janata Dal leader Surendra Mohan and journalist Anjali Deshpande.

Charging the BJP-ruled State governments of repressing workers' struggles, the CPI-M politburo has demanded immediate action against police and district officials responsible for the killings. It has also pointed out that there can be no further delay in meeting the workers' demands.

Blaming the Madhya Pradesh Chief Minister squarely for the killings, the politburo has alleged that the Government has adamantly refused to abide by the minimum wage legislation. Referring to the repressive tactics adopted against the striking workers by the BJP government of Himachal Pradesh, the CPI-M has said that these governments "have become notorious for their reactionary anti-worker policies".

The party has also accused the BJP government of having no concern for ordinary people. "It is a government only interested in propagating a communal platform" it has said.

The CPI central secretariat, while condemning the killings, has urged all trade unions and political parties to denounce the incident. The sum of compensation announced by the Madhya Pradesh government to the families of the deceased, has been described as 'ludicrous' by the All India Trade Union Congress (AITUC).

*Patriot*, July 3, 1992

## Parties, Unions Protest Police Firing in Bhilai

Political parties and trade union bodies across Madhya Pradesh today joined in the protest over the police firing at Bhilai steel town on Wednesday, which had resulted in the death of 15 persons besides a sub-inspector in mob violence.

Congressmen, including the Leader of Opposition, Mr. S.C. Shukla, and the MPCC chief, Mr. Digvijay Singh, described the firing as 'inhuman and barbaric', while Janata Dal leaders called it 'anti-labour and anti-people'. Trade unions affiliated to various political parties of different shades and

police firing on Chattisgarh Mukti Morcha (CMM) workers yesterday in Bhilai.

Addressing the rally under the banner of Solidarity Committee for Chattisgarh Workers' Struggle (SCCWS), the leaders condemned the "unprovoked firing" on the workers. They also charged the Madhya Pradesh Government with "resorting to collusion" with industrialists.

The leaders who addressed the meeting were representatives from the All-India Coordination Committee of Trade Unions, Indian People's Front, All-India League for Revolutionary Culture, Disha Chhatra Samudaya, Indian Federation of Trade Union, People's Union for Civil Liberties and several labour organisations.

While demanding immediate action against the erring police and civil authorities, the leaders of the various organisations demanded an inquiry by a Supreme Court judge into the circumstances prevailing in Bhilai and the background of the "inhuman murder" of the workers.

The Samajwadi Janata party, Janata Dal and the Bandhua Mukti Morcha also condemned the firing and demanded urgent disbursement of relief in cash to the victims.

*Hindustan Times*, July 3, 1992

## Furore in RS over Bhilai Killings

The recent police firing on trade union workers in Bhilai raised a virtual storm in the Rajya Sabha on Wednesday as the Congress and the Opposition members, save those of the BJP, put the BJP government of Madhya Pradesh on the mat and its party supporters could only put up a feeble defense in its support.

The issue, which cropped up in the House through a special mention of CPI-M member M A Baby, soon found members, except those of the BJP, cutting across the party lines to express their anguish over the police and administration's brutality against the tribal trade union workers who were demanding minimum wages that, the members said, had been denied to them by the industrialists for decades.

The Sponsoring Committee has demanded immediate suspension of the officials responsible for the firing and severe punishment to the “culprits” and higher compensation for the kith and kin of the deceased and injured workers.

It has also asked the Madhya Pradesh Government to take necessary steps for the implementation of the labour laws, including the minimum wage regulations, reinstatement of the retrenched workers and punishment of the murderers of Shankar Guha Niyogi.

In a statement here on Saturday, the Committee said the workers were agitating only for the implementation of the existing labour laws, which they alleged, were “practically shelved” and ignored by the MP Government to “perpetuate inhuman exploitation” on the mass of workers, predominantly Scheduled castes and tribes, in the Bhilai industrial belt.

Accusing the State Government of indifference, the statement observed that reports suggested that the administration was informed in advance of the prevailing tense situation there and had it acted in time the killings could have been avoided. On the day of the incident, senior officials did not care to visit the spot till evening though the agitation had commenced in the morning, the statement said.

“Even the Chief Minister cannot absolve himself of the responsibility”, the Committee charged adding that “he gave blanket authority to the police over telephone”.

The Committee comprises among others the Hind Mazdoor Sabha, the All India Trade Union Congress, the Centre of Indian Trade Unions, the United Trade Union Congress and the United Trade Union Congress (Lenin Sarani) and national federations of many industries including, banking, insurance and the public sector officers.

*Financial Express, July 5, 1992*

## Resignation Sought of Patwa Govt.

Several members of Parliament, academicians, leaders of Left parties, trade unions and human rights organisations today in a rally demanded the resignation of the Sunderlal Patwa Government in Madhya Pradesh for the

BJP backbenchers began shouting him down and continued to protest when Mr Chitta Basu (Forward Bloc), Mr Basudev Acharia, Saifuddin Chowdhury and Somnath Chatterjee (CPM), Mr Paswan and Mr Dilip Singh Bhuria also criticised what had happened in Bhilai.

They were particularly incensed when Mr Acharia demanded that the judicial inquiry into the incident should be conducted by a Supreme Court judge rather than a judge of the Madhya Pradesh High Court, and also described the Bajrang Dal as an agent provocateur in the entire episode.

Mr Basu said that the demonstration fired upon was a peaceful one, consisting mostly of poor labourers, and charged that the State Government had acted under pressure from the powerful industrialist lobby in the area. Stating that an assurance was given to the workers that they would be taken back in their jobs, he said that the assurances had not been honoured, and demanded Central intervention to resolve the issue.

Mr Acharia recalled the murder of CMM leader Shankar Guha Niyogi and said that one of the complaints of the Morcha was that the government had done nothing to apprehend his killers.

In a defensive counter-attack, the leader of the Opposition, Mr. L.K. Advani, said that only a judicial inquiry could determine whether the police firing was unprovoked or not and the government had done the only right thing possible by ordering the inquiry. Flaying Mr Chandrakar and Mr Acharia, he said "baseless allegations" were being leveled about the involvement of the Bajrang Dal in the incident, and said the House should not be used for such a purpose. He pointed out that police officials had also been killed in the firing.

Mr. Advani charged that the State Government had been under severe pressure from the railways (i.e. the Central government) to clear the tracks on which the labourers had been squatting. Railway authorities had repeatedly insisted that the tracks be cleared.

Mrs Sumitra Mahajan, also of the BJP, said that there was no connection between this incident and the Niyogi murder, and other MPs were painting a false picture. According to her, the demonstration had not been a peaceful one. The demonstrators had thrown stones and the labourers had even "attacked" the police. She said asking for a Supreme Court judge to investigate the manner was tantamount to casting aspersions on the judiciary.

Opposition members, including Mr. Chatterjee and Mr. Choudhary, tried to wrest a statement on the issue from the Home Minister, who was present in



Mr. Baby gave graphic details as to how the police and the administration of Bhilai connived with the local industrialists on the covert encouragement of the State Government to move against the workers.

CPI member Gurudas Das Gupta, who associated with the special mention, said the Bhilai incident would not find a parallel in the post-independence era of India.

Mr. V. Narayanswamy of the Congress sought a probe by a parliamentary committee. His party colleague, Mr. Suresh Pachuri, who hails from the State, charged that a State repression had been let loose over the hapless workers. He wanted a Supreme Court judge to inquire into the incident.

Mr. Kailash Sarang of the BJP, however, attempted to give point to point rejoinder to the allegations raised against the State Government that made Home Minister S. B. Chavan to remark: "If the BJP member is replying on behalf of the State then what reply would the Centre get from the State Government".

*Patriot, July 9, 1992*

## Din over Bhilai Killings in Lok Sabha

It was rest of the political parties vs. the Bharatiya Janata Party (BJP) once again on Thursday in the Lok Sabha. Coming on the heels of Wednesday's furore over the Kumer caste riots in BJP-ruled Rajasthan, there were angry clashes between the BJP, on one side, and the Janata Dal, Left and ruling party, on the other, over the recent firings in Bhilai.

The wrangle, which took up most of the zero hour, degenerated at one stage into utter pandemonium, with BJP backbenchers from Madhya Pradesh loudly heckling the Janata Dal leader, Mr Ram Vilas Paswan, who was trying to speak on the issue. Nothing could be heard in the din.

The row was sparked off by an agitated Mr Chandulal Chandrakar (Congress) who called for the dismissal of the BJP government in Madhya Pradesh, accusing it of spreading terror and creating a Jallianwala Bagh situation in Bhilai. He sharply criticised the State Government for its mishandling of the agitation by the Chattisgarh Mukti Morcha, and said that the police firing, which had killed a large number of people and injured several others, was unprovoked.

Mr. Advani said that while the members condemned the State government, he was amazed that none of them referred to a police inspector who had gone to negotiate with the workers being stoned to death. Whether this fact was correct or not, or a justification by the police to open fire would be decided by the Judicial Inquiry.

*The Pioneer, July 10, 1992*

## Remembering Shankar Guha Niyogi

The All India Agricultural Workers' Union (AIAWU) recalls the murder of trade unionist Shankar Guha Niyogi and the recent acquittal of his murderers, including a man notorious for strong arm tactics to keep wages down and two industrialists, in the context of many dangerous trends that show us how the lives of honest hard-working people are becoming increasingly cheap in a climate of globalization and liberalisation of capital, investment and profit, with the enslavement of labour.

The same semi-slaves who Guha-Niyogi fought for and died for were allowed to die like animals in Gujarat in the cyclone. The state officials never informed the workers of the threat posed by the cyclone although they themselves had been warned in advance. Moreover, Vipul Mitra, a government official, even dared to state the cyclone was "a blessing in disguise" as it removed the shantytowns. The home minister, L. K. Advani went further, saying that only those whose bodies were recognised by their relatives would be numbered among the dead. In other words, a large number of human beings are now officially "invisible".

This state of affairs is chronic in BJP-ruled states. In UP, according to police figures, between January and May this year, dacoities have increased by 20.97 per cent over the same period last year, looting by 19.72 per cent, murders by 8.65 per cent, riot cases by 43.97 per cent. Today in that state there is a murder every hour and a rape every six hours; but it does not merit the Centre's enquiries. Brushing the rights of ordinary citizens under the carpet has gone to the extent of destroying innocent girls like Pragati Vyas who no longer are able to relate to their bodies as their own as a result of mass and serial rape in the capital of Rajasthan, Jaipur, with matters coming to such a pass that Lakshman Khichi, a municipal councillor of the BJP at Sriganganagar was forced to immolate himself on June 27 in desperation when the people's demands were not met only because the interests of a BJP leader, Gurjat Singh, were involved.

the House, but Mr. Chavan escaped with the promise that he would provide an explanation later.

*Indian Express*, July 10, 1997

## Advani Defends Madhya Pradesh Government

Forced to react to the strong condemnation by Congress, Left Front and Janata members over the police firing on protesting workers in Bhilai, Leader of Opposition L K Advani defended the BJP Government in Madhya Pradesh in the Lok Sabha on Thursday.

The Patwa Government had done the correct thing in ordering a judicial inquiry into the incident in which 17 persons were killed. The Commission would inquire whether there had been excessive use of force by the police against the demonstrators squatting on the rail tracks, Mr. Advani said. The railway authorities had asked the State Government in writing to get the rail tracks cleared, he said.

At one stage, the visibly excited BJP leader who seldom loses his cool in Parliament, asked whether the Lok Sabha had become the forum to discuss only the actions of the Madhya Pradesh, Rajasthan and Uttar Pradesh governments. He said that absolutely baseless, slanderous accusations had been made in Parliament.

The subject was raised by Mr Chandulal Chandrakar of the Congress who said that the injured were being discharged from hospital and arrested by the police. The State Government was still to name a judge to head the inquiry, he added, comparing the police firing to the Jallianwala Bagh massacre.

Mr Basudev Acharya said that the Chattisgarh Mukti Morcha agitation was linked with the murder of trade union leader Shanker Guha Niyogi. He said that the Bajrang Dal agent provocateurs had been at work and demanded that the inquiry be conducted by a judge of the Supreme Court. The discussion continued with the BJP on the defensive and interrupting members from the Left Front, JD and a section of the Congress and exchanging heated words.

mode of labour hiring for what are essentially 'permanent and perennial' jobs in clear violation of existing labour laws. In these units working conditions are unsafe, workers get paid a pittance and receive very paltry social security and other benefits. On the other hand Chattisgarh is being extensively marketed as an ideal industrial location with its vast mineral resources and what has been widely touted as a 'cheap and docile labour force'. The region, has, as a result seen the establishing of a few mega-projects almost all of which are highly mechanised and as a result offer far lower employment per unit of output than earlier plants producing similar products. Hence with older factories reducing their labour force and newer ones employing relatively fewer people the rapidly growing labour force sees stretching before it a vista of diminishing options.

It is in this context that one must view the nearly three year long agitation led by the CMM and its affiliated unions with two major demands - first, the reinstatement of dismissed workers who dared to protest against the illegal contract system and second, the abolition of contract labour for performing permanent and perennial jobs. It is on the first demand, that of reinstatement, that negotiation has repeatedly failed. The industrialists of the region see the right to hire and fire at will as a constituent of their "unfettered right to conduct business and trade" and what is more claim this to be a necessary condition for rapid industrialisation to take place. The CMM is thus branded as being anti-industrialisation and anti-progress. But this according to the Tribunal is a willful misrepresentation of the issue. The CMM clearly believes that a strategy of capital-intensive industrialisation which even if resulting in high rates of growth of output results as well in high rates of unemployment, creates more problems than it solves.

Giving in on reinstatement is then perceived as capital irreversibly losing ground to labour and hence an attack on the "unfettered right to business and trade". Equally important, labour, it is implied, would no longer remain cheap and docile. Their docility it seems is dear to the hearts of both the capitalists and the state, forming perhaps the cornerstone of the current industrialisation strategy, where competitiveness has become synonymous with allowing only the barest minimum return to labour and efficiency with restraining the legal rights of labour. But within the framework of a democratic polity, such as ours, if capital has the right to conduct business without hindrance then labour too has a right to a living wage, to a life with dignity and the right to freedom of speech and association. But for the industrialists of Chattisgarh, labour is but cannon fodder in a strategy of industrialisation, which is not only economically ruinous but also socially volatile.

All trade unionists must understand that conditions are being created in which even existing rights of a section of the Indian people will be trampled underfoot. And the best way to honour the memory of this profoundly human trade unionist is to raise the demand for the punishment of his murderers by the Supreme Court and to take up more struggles for the human rights of the vast majority of our people, the citizens, declared invisible by our home minister, and those who think like him. Let us commit ourselves to fight these struggles to the finish and ensure that the values of our long struggle against British colonialism are brought up to date in defense of the mass of Indian workers against their exploiters.

**Suneet Chopra, Joint Secretary, AIAWU, in a statement issued on July 1, 1998**

## Findings of the Peoples' Tribunal<sup>2</sup> on Bhilai Firing

Chattisgarh today is driven by, in terms of both its economics and politics, divergent if not contradictory forces. On the one hand, the public sector units in the region have undergone some degree of 'rationalisation' and levels of mechanisation of production processes have increased significantly. As a result of both these tendencies, over a reasonably short period of time, public sector units have seen large-scale retrenchment of their workforce. This retrenchment has created a miasma of insecurity for the labour force of the region, for whom industrialisation or its expansion is no longer a process by which jobs are created but also one by which jobs are lost. The private sector units in the region, as has been extensively documented in the CCR and PUDR reports and corroborated in depositions made to this Tribunal, use contract labour as the preferred

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<sup>2</sup> The People's Tribunal was an inquiry into the failure of governance in the Chattisgarh region of Madhya Pradesh. The immediate reason for the appointment of the Tribunal was to investigate the unfortunate events of 1 July 1992, when the police opened fire on a crowd of protesting women, men and children who had gathered on the railway line passing Bhilai. The People's Tribunal was formed by a number of eminent citizens, trade unions and social action groups, who gathered to express their shock after the widespread media coverage of the firing. Members of this Tribunal were Justice Rajinder Sachar (Ex Chief Justice, Delhi High Court and President, PUCL), Shri Rajeev Dhawan (Lawyer and author), Shri Rajendra Yadav (author) and Shri Praful Bidwai (Senior journalist of the Times of India). Shri Avinash Deshpande (Film maker) was appointed member secretary of the Tribunal.

which the workers under the leadership of CMM have continued to agitate in a peaceful and disciplined manner;

Third, the industrialists were clearly uninterested in reaching any kind of meaningful agreement with the workers on the dispute in question, in particular, reinstatement of victimised workers;

Fourth, the dispute was placed before the relevant state authorities who failed to bring it to a successful resolution;

Lastly, it is not only the case that the state as represented by departmental and district level functionaries of the Government of Madhya Pradesh failed but even at the highest level, as symbolised by a cabinet level minister of the state government, it did not ensure that the management complied with the legal processes through which an effective agreement could be reached.

Keeping the above findings in mind that we turn to the fateful day on which the firing occurred.

At the outset the Tribunal would like to make the following observations. As would be suggested by the findings of the Tribunal on the process of negotiations, it was felt that the decision to protest was entirely justified. The CMM-led workers had explored every avenue open to them but to no avail. Therefore, the only other thing to do was to carry out a non-violent protest of sufficient magnitude. The intention of the union was clearly a protest on the lines of civil disobedience. The protest was peaceful, was conducted with admirable restraint and the CMM leaders were in full control of the five thousand odd workers squatting on the rail tracks. It is also patently clear that the CMM was not insistent on a final settlement but demanded that by implementation of the 4 June draft agreement, the issue of reinstatement be resolved in principle, thus paving the way for a resumption of meaningful and effective talks.

The initial response of the police and the district administration seems, at best, confused, suggesting an inability to grasp the gravity of the situation, and at worst, perverse. No attempt was made to disperse the sizable number of bystanders who had gathered around. This was a serious lapse as among those who died were also innocent bystanders. Lathicharge on the demonstrators itself was quite brutal - leaving many injured and some seriously so - and the behaviour of the police during this can only be termed as barbarous. This was accompanied by the amazing incident of stone throwing by the police, an act which is completely illegal. The

Time and again, in deposition after deposition, the picture, which emerged, was that industrialists behaving as if they were above law, using extra-legal, coercive means to cow down a mass of peaceful but determined workers, struggling to achieve rights which are legally theirs. The state, a mute spectator for the most part intervened in a manner so lackadaisical that it bordered on tokenism, stands guilty of complicity in allowing this industrial dispute to drag on for so long. The Tribunal is left with little recourse but to note that a more firm and evenhanded intervention by the state would certainly have obviated the bloody denouncement of 1 July 1992.

In studying the process of negotiation and the repeated instances where an agreement seemed within grasp only to recede like a mirage, the Tribunal would emphatically agree with the alleged statement of the Labour Commissioners, Shri Mohan Gupta in a press conference that, "industrialists don't seem in a mood to negotiate." A careful study of the negotiations - where each one of the industrial groups involved, barring one, reached agreements with CMM only to back out of implementing it through farcical and non-serious responses on the issue of reinstatement - would suggest that negotiations were merely a ploy for time in the hope that as negotiations dragged on the agitation would simply fizzle out under the burden of unfulfilled expectations. Between any two rounds of negotiations, strong-arm tactics by industrialists were thrown in for good measure. But in this instance they had not bargained for the fact that the workers were a determined lot, gathering strength at each point and forcing the industrialists back to the negotiating table. It is in this context that it appears strange that the state could not use its enormous powers of persuasion to see that an agreement was reached and implemented. Even after the Minister of Industries Shri Kailash Joshi, in the presence of senior bureaucrats of the Govt. of Madhya Pradesh, promised to intervene personally to resolve the industrial dispute there was no evidence of any change in the attitude of the industrialists. If any thing they were even more recalcitrant. Is one to conclude that the state is completely powerless to enforce labour legislation? On the other hand the incidents of 1 July and thereafter, were a terrifying display of the state's enormous coercive powers. Hence, after a careful perusal of the evidence on the nature of negotiations brought before it, the Tribunal would like to put forward the following findings:

First, there exists a genuine dispute and a clear case of flagrant violation of existing labour laws;

Second, grave and intolerable injustices have been perpetrated on the agitating workers by industrialists (or their agents) inspite of

clamped as a cover, the police let loose a virtual reign of terror for more than two weeks after the firing targeting CMM members and sympathisers to harass, beat and intimidate. They dealt in the most callous manner imaginable with the kin of those who died in the firing. They denied access to hospitals to the injured. The hundreds arrested were denied access to their lawyers. In short, for almost three weeks, Bilai and adjoining areas were transformed into a police state. It was a long nightmare, which the people of Chattisgarh are unlikely to forget in a hurry.

The Tribunal would like to make the following observations regards the firing and its aftermath:

First, the level of force used was unnecessary, unjustified and far in excess of what might have required to disperse the agitating workers; firing was not restricted or controlled, but indiscriminate.

Second, from the nature of the firing it appears that it was not merely intended to disperse the workers who had occupied the rail tracks but to intimidate, threaten and terrorise them;

Third, there was a virtual 'police raj' in the aftermath and harassment was continued after the immediate operation, which was neither necessary nor commensurate with the circumstances;

Fourth, the medical and rehabilitation programme was punitive rather than ameliorative;

Fifth, the compensatory provisions were discriminatory, grossly inadequate and in no way dealt with the problem of providing a decent living to the injured and families of the injured or deceased.

The failure occurred at various levels. First, there is the failure of governance in being unable to secure for an important segment of society what are its legal entitlements. Second, there is a failure in even-handed arbitration in a dispute between workers and industrialists. Third, is the complete breakdown of civil authority in its control over the coercive arm of the state. The coercive power of the state is terrifyingly enormous and unless kept within strict limits and sparingly used it can become far worse than the problems it is meant to tackle. It is for this reason that in democratic societies the use of state coercive power is so heavily circumscribed, with very clear guidelines laid down as to when and how it has to be used. But in times like ours, where the gains from growth and industrialisation have bypassed the many, where the many have only



incident should have been thoroughly investigated for if those responsible go unreprimanded it has very dangerous portents for the functioning of the police in a democratic society. No arrangements were made for first-aid, ambulances or any other form of transport to take the wounded to the hospitals.

On the two incidents, which were subsequently given as justifications for firing, the Tribunal has the following comments to make. First, the burning of the bus has all the makings of an incident contrived to provide an ex-post justification for the extreme use of force. It seems reasonably clear that none of the workers on the track or the CMM leaders were involved in this incident. Second, the murder of Sub-Inspector Singh remains shrouded in mystery. There seems to exist some evidence to suggest that hands other than those of the CMM demonstrators were involved in this murder. Also there seems to be some ground to doubt the veracity of the statements made by a few police personnel which has been made the basis for charging the CMM leaders with the murder of the Sub-Inspector.

It cannot be too emphatically stated by the Tribunal that in the Bhilai firing incident of 1 July 1992 the legal test of reasonable force had been violated. Furthermore, the firing itself flouted almost every rule in the book. Section IV of the Madhya Pradesh Police Regulations clearly lays down conditions under which firing may be resorted to as well as nature of the firing in case the police is compelled to do so. Beginning with the first instruction that a distinct and clear warning must be issued (the warning was unclear and inaudible), to the regulation that the fire-arm be pointed below the knee to cripple the ring leaders (demonstrators and bystanders were shot in the head, chest, back and abdomen, they were shot upto 3 kms away from the tracks and often shot at more than once), right down to the last that the firing must cease the moment the crowd starts dispersing (police fired at dispersing people) and adequate arrangements must be made for first-aid, ambulances, doctors etc. (there were no such arrangements), every rule was flouted. The police chased dispersing agitators shooting at them pulled them out of nearby houses etc. where they had run to hide, to brutally beat them up; and rounded off their excesses by a spree of arson and looting. In short, the police ran amok.

In terms of accountability to the people, both directly and through their elected representatives, to this date no explanation was given as to who gave the order to fire and why. Injustice was compounded by secrecy.

But the worst was not over as yet. The aftermath was perhaps even more horrific than the firing itself. Using the curfew, which was immediately

# Elusive Justice



overarching expectations with daily diminishing options with which to fulfill them, society is far more permissive about both private and state violence. But therein lies the danger. If as a society we are unable to see that a failure of governance and an increase in the use of the coercive power of the state are symbiotically linked then a severe blow will be dealt to our democratic polity. It is in this context that the struggles of the people of Chattisgarh led by the CMM or the struggles of the people of Narmada Valley take on an added significance. For they are, in the end, struggles for democracy. They are struggles for a right to live, to be productively employed, and to live with dignity.

### **Recommendations**

In the light of the above conclusions, the Tribunal suggests the following recommendations:

1. A central task force be set up for speedy and effective resolution of the *industrial dispute*.
2. A clear code be formulated to govern and discipline the use of arms by Police against civil demonstrations.
3. In the event of firing resulting in death, the government should accept full responsibility, immediately commission an inquiry by at least a High Court Judge, and the Minister in charge of Law and Order should resign during the pendency of the inquiry.
4. (a) When death and injuries result from state action, prompt and non-discriminatory steps should immediately be taken to provide necessary medical assistance and rehabilitation. Victims should not be denied such measures irrespective of their background.  
(b) Compensation is a matter of entitlement and not largesse and it must be promptly given to genuine claimants. Such compensation levels should be realistic and provide decent living and medical support to the injured and the families of the injured or deceased.
5. In the light of the recommendations of the inquiry constituted by the Congress-I to look into the Bhilai firing, all the evidences and information available must be made public.

**Source: Peoples' Tribunal On Bhilai Police Firing, A Report, Chattisgarh Andolan Samarthan Morcha, Delhi, 1992**

# Court Chronicle of a Murder Foretold

**Rakesh Shukla**

In a recent decision, the Madhya Pradesh high court overturned the trial court's verdict and acquitted all the accused in the Shankar Guha Niyogi murder case. The persons convicted by the trial court included Moolchand Shah, owner of the Simplex group of industries and Chandrakant Shah, owner of Oswal Iron and Steel Private Ltd. The conviction of the two industrialists appears to be the only known instance in Independent India of the punishment of someone powerful for the murder of a social crusader fighting for the exploited.

Niyogi, known for his brilliant combination of struggle with constructive work, was shot dead at Bhilai on September 28, 1991 by a hired assassin. In an audio tape discovered within days of his assassination by his children, Niyogi named Moolchand Shah, Kailashpati Kedia of the Chattisgarh Distilleries and an IG of police as persons conspiring to eliminate him.

## **The Conspiracy**

The "contract killing" of Niyogi was ordered because he was organising the contract workers and demanding implementation of labour laws. The first charter of demands submitted by Niyogi to Simplex asked for an eight-hour working day, regularisation of contract labour for work of a permanent nature, living wages, safety appliances, medical and earned leave. The industrialists reacted by dismissing 4,200 workers. In addition, attacks were launched on workers by hired thugs.

As per a document seized from the house of Moolchand Shah, an "action plan to combat Niyogi" was formulated. Pressure was brought to bear and in February 1991 Niyogi was arrested. In July 1991, proceedings to extern Niyogi from Chattisgarh were initiated. However, both these attempts failed to check the workers movement. This failure of the arrest and externment seems to have led to the conspiracy which resulted in Niyogi's assassination.

The trial court, on the basis of ballistic evidence, incriminating documents, extra-judicial confession, witnesses, Niyogi's cassette and diaries, convicted Moolchand Shah, Chandrakant Shah, the hired assassin Paltan Mallah and three others of murder. Paltan was sentenced to death and the rest were awarded life imprisonment.

The high court has, by a stroke of the pen, let all of them go scot-free. The court has chosen to interpret the torn letter, recovered from the office



# Thus Spoke The Hon'ble High Court

**Cr. Ref. No.5/97: State of M. P. vs. Paltan Mallah alias Ravi**

**Cr. A. No.1278/97: Moolchand Shah vs. State of M. P.**

**Cr. A. No.1371/97: Paltan Mallah alias Ravi vs. State of M. P.**

**Cr. A. No.1441/97: Gyanprakash Mishra & 2 others vs. State of M. P.**

**Cr. A. No.1442/97: Chandrakant Shah vs. State of M. P.**

**Cr. A. No.1863/97: State of M. P. vs. Naveen Shah and 2 others**

## **High Court of Madhya Pradesh, Jabalpur**

### **Judgement Delivered by Justice Miss Usha Shukla and Justice Shri S. K. Dubey**

On a careful analysis of the evidence on record, we find only the following circumstances proved in this case:

- Niyogi was a popular labour leader who was carrying on labour movement for the welfare of labour.
- Simplex Group of Companies was one of the Industries affected by this movement.
- Simplex Engineering had filed Civil Suits for injunction against several persons including the deceased, alleging that they were suffering loss on account of the agitations.
- Niyogi had expressed apprehensions for his life from the Industrialists including Shah's of Simplex.
- Accused Chandrakant, Abhay Singh, Gyanprakash and Avadhesh Rai had together gone to Nepal in March 91.
- Soon after the murder of Niyogi Chandrakant Shah absconded from Bhilai and accused Gyanprakash and Abhay Singh left for Pachmarhi.
- Chandrakant Shah stayed in different hotels at different places.
- Accused Paltan also fled from his home in Nibahi in U. P. in his bid to escape from the police.
- On 30-9-91, accused Avadhesh Rai took cycle stand contract at the rate of Rs. 25,000/- per month.
- The income of the cycle stand used to be deposited in the Syndicate bank in the account of accused Gyanprakash.

The first four of these circumstances only go to show that the agitation and labour movement carried on by the deceased was proving inconvenient to

dustbin, written by accused Gyan Prakash Mishra on the day of the murder, to Naveen Shah stating that Rs 20,000 had been paid for the job, as innocuous on the ground that if it pertained to the murder of Niyogi then "the accused would not have committed this utter folly of preserving it with them for the benefit of the investigating agency". But murderers get caught because they do make mistakes. The logic of the court can be used to discredit almost any evidence of a crime.

The extra-judicial confessions of Paltan Mallah have been dismissed on grounds like lack of a necessity to confess. The expert evidence that the pellets recovered from the body of Niyogi were fired from the country-made pistol recovered has also not been believed. In fact, the high court has held that the prosecution has not even been able to establish that Paltan Mallah resided in Bhilai. Totally ignoring the reality of the power of money and muscle, the court has disbelieved the sole witness who had the courage to testify to Paltan's residence on the ground that three others had denied it. These three witnesses in their statement to the CBI in the course of investigation had categorically identified Paltan Mallah. However, they changed their testimony at the time of deposing before the court. Niyogi's cassette and diaries have been held to be not sufficient for conviction.

### **Final Judgment**

In a case of circumstantial evidence, there is no direct evidence of eye-witnesses to the murder. The trial court examined the evidence against each of the accused and in fact acquitted three out of the nine persons chargesheeted by the CBI. Each link in the chain of evidence from the hatching of the conspiracy to its culmination and the subsequent absconding of the accused has been meticulously established by the prosecution.

The approach of the high court raises doubts about the sustainability of the judgment. The conviction by the trial court and the acquittal by the high court now awaits the wisdom of the Supreme Court. The workers of Chattisgarh have struggled for decades for the rights that are theirs as per the laws of the land. Far more than a verdict in a criminal case of murder is at stake. Faith in the rule of law and the direction of the struggles of the workers is bound to be affected by the final judgment.

*Times of India*, August 3, 1998

## Niyogi's Self-recorded Statement...

The way the capitalists of Bhilai are running the regime of lies and fraud, the way they are pressurising the district administration, the way they are instigating goondas to fatally attack the supporters of the union or the union leaders, from that it is becoming clear that in the near future some such wrong action would be organised there by, to shatter, to finish it through a brutal attack on the workers movement, as a last attempt.

But the working class knows that the capitalists, howsoever powerful they may be, we have to confront them. If we do not resist them in the proper manner, if we do not muster all our strength against these ferocious owners, goondaism of a few such capitalists would continue for all the time and these ferocious beasts would keep on attacking the movement of democratic process as always. So there is need to confront them and we have to confront them.

I know that these people are after my life. I know this very well, that it is possible that during this movement, they could kill me. Death comes to all, it will come to me also. If not today then tomorrow, or after a year, or the next day. I know that this world is very beautiful. I sincerely wish to establish such an order in this world where there would be no exploitation, where toiling workers and peasants would lead a peaceful life. But everything is not going to happen as I wish it. I have to live my life. I certainly love this beautiful world, but my duty, my work is dearest to me. The responsibility, I have taken up, that responsibility I have got to fulfill, and these people will kill me. Despite this I know that by killing me, no one can finish our movement. I, after my death, it is definite that the question would certainly arise "Who killed me", and who are those behind, who are responsible for my death.

The way the people of Simplex are doing mischief, specially Moolchand, the way he is collecting, criminals, there is Prabhunath Mishra who is a friend of Shantilal Jain also. He, the way his brother is a goonda, is making full efforts to create some untoward incident here. Kedia is a very cunning man. Because of this today at this time it is my belief that those two persons, Moolchand and Kedia, are behind all the conspiracies. By apprehension, I am becoming continuously aware that these two persons in collaboration with I. G. of police Mr. Singh are involved in a big conspiracy. And therefore I am getting this fact, my heart-felt feelings, my sentiments recorded because perhaps very soon, something is going to happen. Therefore this record would help my comrades to understand all the things.



the Simplex Group of industries. But the prosecution's own case shows that the same was also true for several other industries of that area. And if Niyogi had apprehensions from the Shahs of Simplex, he had also expressed the same fear from other industrialists also, as has been deposed by Narendra Kumar Singh, Rajendra Kumar Sail and others.

We are also unable to appreciate the visit of Chandrakant, Abhay Singh, Gyan Prakash and Avadhesh Rai to Nepal as evidence of conspiracy to kill Niyogi. As argued on behalf of the accused persons, this visit was wholly innocuous. The Prosecution could not prove that any of these accused persons had purchased any firearms from Nepal. Ex.P.393 (8) on which the prosecution had relied contains a list of foreign made pistols. We agree with the defence argument that, firstly, there is no evidence to show that any of the accused persons had purchased any of these weapons. And secondly, since it is established that Niyogi was murdered by a country-made pistol, the evidence relating to foreign-made weapons is of no avail.

Some evidence is there about Chandrakant Shah's absconion from Bhilai and his stay at different hotels at different places. But his learned counsel has tried to explain this circumstance by arguing that he was trying to escape torture at the hands of the police. We, however, think that this circumstance alone is not sufficient to hold this accused guilty in this case. The same is also true about accused Gyan Prakash and Abhay Singh's escape to Pachmarhi.

Against accused Paltan the only circumstances that we find proved is that he was running away from home in order to avoid arrest by the police. Evidently this circumstance alone is not sufficient to hold him guilty.

We are also of the view that cycle-stand contract in the name of Avadhesh Rai, or the deposit of income in the name of Gyan Prakash are not incriminating circumstances.

The circumstances found proved in this case are wholly insufficient to establish that these accused persons, or any of them, conspired to cause the murder of Niyogi, and that accused Paltan killed him, much less in pursuance of the conspiracy. The result is that the State Appeal No... is dismissed and Cr.Appeals No... are allowed. The conviction and sentence against Moolchand Shah, Paltan Mallah, Gyanprakash, Avadhesh Rai, Abhay Singh and Chandrakant Shah are set aside. These accused persons be set at liberty unless required in connection with some other case. Death Reference No.5/97 is disposed of accordingly.

**Source: The Judgement Delivered at The High Court of Madhya Pradesh at Jabalpur on 26/6/98**

12. Accused Paltan was originally from Village Nibahi (Dist. Devaria, U. P.) and was doing a job of repairing cycles at Bhilai for the last 2-3 years. He was involved in criminal activities in this area and cases against him were pending in various courts under Sec. 307, 353, 397, 341, 294, 506 (B), 323 of IPC and 25 and 27 of the Arms Act....

13. After collecting evidence during the investigation the Central Bureau of Investigation reached this conclusion that in the night of 27/28.9.91 while Niyogi was sleeping, the accused Paltan and Gyan Prakash Mishra went to his quarter on a motorcycle. Accused Gyan Prakash Mishra stayed outside the quarter and accused Paltan loaded country made pistol with LG cartridges and fired at Niyogi. Accused Gyan Prakash Mishra took Rs. 20,000 from his friend Devendra Patni and gave it to the accused Paltan. Accused Gyan Prakash Mishra gave a coded addressed letter of the accused Naveen Shah to Devendra Patni and told him to go and collect the money. Devendra Patni gave this letter to the accused Chandrakant Shah. This

#### **An anonymous letter received by Niyogi on 29.4.91**

“Through this letter I want to warn you that after making full preparations to get you murdered, Chandrakant Shah of Simplex Group has left on a foreign trip. You had in the past expressed an apprehension of the same in an interview with a daily published from Raipur. So Simplex has organised a foreign trip for Chandrakant. Since it is through Chandrakant alone that Simplex handed over this job to some people. Chandrakant had taken them to Nepal and sophisticated weapons have also been bought some days back. And they have been instructed to attack you in Chandrakant’s absence. The matter of transaction with these people has also been fixed through Chandrakant. If I receive any information regarding any other preparation by these people I will inform you by letter.”

letter was later on recovered in a torn condition from the office “Jain and Shah” of the accused Chandrakant Shah (Akash Ganga Complex, Bhilai). The torn pieces of this letter were joined....

19. The Central Bureau of Investigation declared a reward of rupees one lakh for any person who could give information about or apprehend the absconding accused Paltan...on 21.8.93 in Gorakhpur in UP an Air Force Officer Suresh Sharma arrested accused Paltan under the name of Sanjay Jadav...After sustained interrogation the police found that the arrested Sanjay Jadav (impersonated name) was in reality the absconding killer of the labour leader Shankar Guha Niyogi. The incharge officer, Police Station Gorakhpur Cantt., on the basis of the memo statement of the accused Paltan Mallah recovered a country pistol, American revolver and several

# Excerpts from Trial Court Judgement

**Court:- Second Additional Sessions Judge, Durg (M. P.)**

**Presiding Officer: Mr. T. K. Jha**

**Sessions Case No. 233/92 arising out of criminal case no. 13/92  
CBI New Delhi vs Chandra Kant Shah and eight others as per  
committal order passed on 7.7.92 by Mr. J. R. Kujur, Judicial  
Magistrate Class-I, Durg.**

1. The accused Moolchand Shah, Naveen Shah, Chandra Kant Shah, Abhay Kumar Singh, Avdesh Rai, Chandra Baksh, Baldev have been tried under Sections 120(B) of IPC read with Sec. 302 IPC. The accused Gyan Prakash Mishra has been tried under Sec. 120(B) of IPC read with Sec. 302, 302 read with Sec. 34, 114 read with 302 and accused Paltan Mallah has been tried under Sec. 120(B) of IPC read with Sec. 302, 302 in the alternative, 302 read with Sec. 34 and 25 (1) (A) and 27 Arms Act....

3. This is also an admitted fact that in March 1991 accused Chandra Kant Shah, Avdesh Rai and Abhay Singh travelled together from Bhilai to Nepal in Tempo Traveller No. MP24 B-6622. This is also not disputed that accused Gyan Prakash Mishra met the said three accused persons in Nepal by travelling via some other route. The owner of the Tempo Traveller No. MP24 B-6622 is accused Chandra Kant Shah....

6. In the later half of the year 1990 Niyogi started widespread movement against Simplex, Kedia, BEC, BK and some other industrial units located in this region demanding regularisation of the services of the workers and a living wage. During this movement, the industrialists started sponsoring murderous attacks on the workers of C. M. Morcha. During this movement there were attacks on the life of Uma Shankar Rai, a prominent C. M. Morcha leader regarding which the police, after investigation, filed a charge sheet in the court against accused Baldev Singh alongwith some other persons. Apprehensions were being expressed that these attacks on the workers were being carried out by goondas hired by the owners of Simplex and Kedia Groups of industries. In this context Niyogi had even begun to receive threats. Niyogi mentioned in his diary that he apprehended a danger to his life from the accused Moolchand Shah of the Simplex Group and in the said diary also wrote the names of the other accused persons in this case....

## Tales of Paltan Mallah...

The accused had alleged attempts on his life on two occasions. At Durg jail, a fellow prisoner had wanted to poison him. And a month ago, Paltan Mallah was threatened by strange persons on his way to court.

Suffering from chronic kidney malfunctioning, he had been advised surgery. Paltan then wanted to be admitted to a hospital. Paltan's advocate argued for bail on grounds of ill-health and urged permission for an operation in a private hospital.

Paltan did not want to go either to Delhi or Mumbai, fearing he "may be eliminated." The High Court turned down his bail petition and directed jail authorities to admit him to a government hospital.

Immediately after Paltan expressed eagerness to "make a revelation in court", his advocate filed a separate petition, stating those running the Kedia group of industries be included among the accused

The court witnessed charged scenes on December 4 when Paltan wanted to reveal all. The Simplex group's advocates objected, saying Paltan should make his statement in the presence of their clients.

Paltan again declined to make the statement on grounds of threat to his life and ill-health.

It was learnt that Paltan had met relatives from Uttar Pradesh who desisted him from making a statement which would endanger his life. His family was also being threatened.

Paltan had earlier been convicted to attempted murder and possession of illegal arms by a Durg court.

The police allege that Paltan, a hired assassin, "is just trying to delay the proceedings and take the court for a ride."

***The Telegraph, December 21, 1995***

were collaborating. He had made this confession also that those persons had given him the money and he had done this work only for money.

168. Thus, it is proved beyond reasonable doubt, that the accused Paltan Mallah had made a confession before Visambhar Sahani (P.W.N.-124) in

cartridges which he had buried underground in his home (village Nibahi). On the basis of the memo statement of accused Paltan a red coloured Suzuki motorcycle was recovered from the home (village Chainpur) of his relative Satya Prakash. This motorcycle had no number plate (registration number) and the vehicle's chassis number and engine number had been rubbed off. Therefore it could not be known as to who was the registered owner of this red coloured Suzuki motorcycle....

21. Three pellets extracted from the body of deceased Niyogi were sent by the court to a ballistic expert. The ballistic expert reported that these three pellets were fired from the country made pistol seized on the basis of the memo statement of the accused Paltan Mallah....

134. ...5. On the basis of entirety of the above circumstances, this conclusion can be drawn that the accused Paltan Mallah had kept 3 LG cartridges. After receiving 3 LG cartridges from Jai Narayan Tripathy, B. K. Singh had returned them to Satya Narayan Singh.

135. The murder of Shankar Guha Niyogi was committed with an LG cartridge. When two years after the murder, the accused person Paltan Mallah was caught, then along with other weapons, 2 LG cartridges were also seized from him on the basis of his memo statement. This is how there is a continuous chain of circumstances formed from which it can only be inferred that accused Paltan Mallah had procured 3 cartridges pertaining to the license of Satya Narayan from B. K. Singh. With one cartridge, he killed Niyogi and rest 2 remained with him which were later seized on the basis of his memo statement. Thus, it is established that accused Paltan had the opportunity of procuring LG cartridges and that he had received 3 LG cartridges from B. K. Singh. But the prosecution has not been able to prove beyond reasonable doubt that the country made pistol used for the crime was purchased by accused Paltan Mallah from Arvind Tripathy (P.W.N.-106).

136. There is sufficient evidence on which basis it has already been established, that in compliance with the memo statement of accused Paltan that very country made pistol was seized by which Niyogi was murdered. Therefore, it is established that the weapon of the crime was in possession of the accused. It makes no difference as to where the killer weapon was procured from....

167. ...it is proved beyond reasonable doubt that the accused Paltan had made confession before Satya Prakash (P.W.N.-105) that he had along with the accused Gyan Prakash murdered Niyogi with a country made pistol while he was sleeping. He had also confessed that along with the accused Gyan Prakash, accused Moolchand, Naveen Shah and Chandrakant Shah

**Excerpts from Trial Court  
Judgement**

When the statement is made by person as to the cause of death, or as to any of the circumstances of the transaction which resulted in his death in cases in which the cause of that person's death comes into question.

Such statements are relevant whether the person who made them was or was not, at the time when they were made, under expectation of death, and whatever may be the nature of the proceeding in which the cause of his death comes into question.

441. It is not necessary that death of the deceased occurs immediately after the statement made by the deceased. Even if the deceased has made a statement much before his death, it is still relevant under the provisions of the above section, provided that the statement is related with the circumstances under which his death occurred. On this subject it is relevant to cite *Ratan Singh Vs State of Himachal Pradesh* (1997 CLJ 883 para 15). Thus the writing in the diary and statement in the cassette of the deceased Shankar Guha Niyogi are relevant....

445. Here, the question arises as to what is the evidential significance of the other accused, which Paltan Mallah has named in his confession...The Hon'ble Supreme Court in the matter of *Shri Shail Nagesh Pare Vs State of Maharashtra* (LIR 1985 S.C. 866) has laid down the principle that a confession which has been retracted can become a basis of establishing guilt of that accused provided that it is corroborated by an independent witness but a confession which has been retracted can not become a basis for establishing guilt of any other accused, although if the court wishes, it can consider this retracted confession against the other accused.

446. In this respect, it is necessary to consider the illustration in Section 30 of the Evidence Act which is as follows : A and B are jointly tried for the murder of C. It is proved that A said "B and I murdered C" the court may consider the effect of this confession as against B.

447. Thus, the position of law which arises is that the court should not straight away use the confession of one accused against another, rather the court should consider the independent evidence against the other accused and if the available evidence logically establishes the guilt of the accused, then the confession of accused could be used as a final link. Thus the confession of accused Paltan Mallah in which he, while confessing of his involvement in the crime, has named other accused, can be considered after looking at the other evidence available on record against the concerned accused....

487. There is no evidence of the fact that accused Awadesh Rai had any job or that he had any other business. Thus, the accused Awadesh Rai has not clarified that from where, after the murder of Niyogi, he suddenly got so

Nepal and that on the instructions of the Simplex Company people he had along with Gyan Prakash Mishra, murdered Shankar Guha Niyogi....

369. When the Central Bureau of Investigation made a search of the residence of accused Chandrakant Shah...a bill of a provision store Madhuban Nepal [Exhibit P-393(8)] was recovered, on the back of which the names and prices of some English (foreign) firearms were written. It has been proved that this handwriting is of the accused Gyan Prakash Mishra. Neither accused Chandrakant Shah nor Gyan Prakash or any of the accused who travelled to Nepal have given any clarification as to why the names and prices of the weapons were written on the back of the said bill of provision

store. From this it can only be assumed that during their Nepal trip the accused obtained foreign arms. Apart from this, in the search of Chandrakant Shah's house a Nepali Khukhri and a .32 misfire cartridge were also recovered....

373. The court concludes that driver Ravinder Kumar Mende is hiding the fact that accused obtained weapons during their Nepal trip, whereas it is apparent on the basis of circumstantial evidence available on record that the accused had obtained foreign weapons during the Nepal trip....

375. Since the accused travelled to Nepal and collected and brought illegal arms during the agitation of Shankar Guha Niyogi it can be assumed that the purpose of the Nepal trip was the beginning of a criminal conspiracy....

419. About 8-10 days after Niyogi's murder the accused Chandrakant Shah suddenly left Bhilai...and kept staying in various hotels in Nagpur in, Navegaon Forest Lodge, in Hotel Central Point, Jamshedpur, in hotel Godavari Bhadrachalam, in Hotel President, Madras. Accused Chandrakant Shah had stayed in Hotel Grant...under a fake name (Hemant Singh)...in Hotel Surya under a fake name (Ram Singh)...Similarly accused Chandrakant Shah had stayed in Hotel Central Point, Jamshedpur from 23-11-91 to 25-11-91 under a fake name (H. K. Shah)....

420. ...Accused Chandrakant Shah was an important industrialist. What was the need for him to abscond and stay in various hotels under fake names. From this it is clear that accused Chandrakant Shah absconded from Bhilai one week after the murder of Shankar Guha Niyogi with the intention of keeping himself hidden, he was staying in various hotels under fake names....

440. Section 32 (1) of the Evidence Act is as follows:

# Niyogi Activists Take Battle to UP

The Chattisgarh Mukti Morcha has carried into neighbouring Uttar Pradesh its agitation against Madhya Pradesh High Court's decision to set aside the conviction and death sentence in the Shankar Guha Niyogi murder case.

The Morcha, a trade union with a strong presence in the Raipur and Bilai industrial belt, has decided to march through the districts of Deoria, Gorakhpur, Ghazipur and Azamgarh, in east Uttar Pradesh.

Paltan Mallah, contract killer and main accused in Guha Niyogi's murder in September 1991, and three other conspirators - Gyan Prakash Mishra, Abhay Singh and Avdesh Rai - belong to these districts.

Morcha activists and People's Union of Civil Liberties (PUCL) members reached Lucknow yesterday and proceeded to Deoria, Paltan Mallah's home district.

Mallah was sentenced to death by the district and sessions judge, Durg, in June 1997. Industrialists Moolchand and Chandrakant Shah and the three other conspirators were given life terms.

However, Madhya Pradesh High Court found the evidence insufficient and set aside the trial court verdict. Mallah is serving a prison term in Raipur for another case of attempted murder. The CBI, which investigated the Niyogi murder case, has appealed to the Supreme Court, but only with regard to the ruling on Mallah, ignoring the five others accused.

Leading morcha activist Kaladas Daheria said: "Paltan Mallah and the other killers are from Uttar Pradesh. We wanted to march to their home districts and tell the people of the great crime their sons have committed. People here should know about Shankar Guha Niyogi and how he fought for the poor labourers."

Morcha president and Madhya Pradesh MLA Janak Lal Thakur said: "East Uttar Pradesh is extremely poor. It also has a history of labour unrest. We want to build an opinion against the killers in their home state."

Reports from Deoria say about 50 morcha and PUCL activists reached there today and addressed a meeting at the district collectorate. Marches to the other districts will be planned soon.

Another leading industrialist of Chattisgarh, Kailashpati Kedia, who allegedly supported the plan to eliminate Niyogi, also belongs to Deoria.



much money or the guarantee of getting so much money. On 24-10-91 a month had not yet passed since accused Awadesh Rai had taken up the cycle stand contract.

488. Thus accused Awadesh Rai either suddenly receiving a big amount of money, or getting the guarantee of receiving a big amount of money, after the murder of Shankar Guha Niyogi, and the accused failing to clarify the same will be considered evidence implicating him in the crime....

583. It is not possible to find direct evidence of a criminal conspiracy, neither is this necessary in the law. This can be established by the circumstances surrounding the incident or the pre and post-incident behaviour of the accused.

584. It is also not necessary to prove by independent evidence that the accused are conspirators. It should be established that there is a logical basis to believe that there existed a conspiracy among the accused.

585. In the crime of conspiracy it is not necessary that one conspirator should know what transactions his co-conspirator had transacted in pursuance of the conspiracy. The Hon'ble Supreme Court in Shivnarayan Vs State of Maharashtra (LIR 1980 Supreme Court 439, para 14) has laid down that conspiracy is always hatched in secrecy and it is impossible to show direct evidence for it. The crime of conspiracy is proved on the basis of inferences from the acts and illegal omissions of the conspirators.

586. If the evidence and circumstances proved against accused Chandrakant Shah, his elder brother accused Moolchand Shah, Gyan Prakash Mishra, Abhay Singh and Awadesh Rai are looked at separately and in their entirety, we can clearly find the existence of criminal conspiracy amongst the accused persons. If the extra-judicial confession of the murderer of Niyogi, the accused Paltan Mallah is added on to this as a last link, then the chain of circumstantial evidence is completed, which proves that the object of this criminal conspiracy was to get Niyogi murdered by such a person, who after killing him would go thousands of miles away so that no clue to the murder of Niyogi could be found here. This person was the accused Paltan Mallah only, who for the sake of money shot dead Shankar Guha Niyogi during the night of 27/28.9.91 and fled to Uttar Pradesh by motorcycle:

**Source: *Judgement Delivered by The Court of Second Additional Sessions Judge, Durg (Madhya Pradesh)*, (English Translation of The Original), The Chattisgarh Institute of Law, 1977**

Where to...





# Hang Together or Hang Separately

Vivek Monteiro

*The copper bosses killed you  
Joe,  
They shot you Joe, said I,  
Takes more than guns to kill a  
Man  
Said Joe, I didn't die,  
Said Joe, I didn't die.*

- 'Joe Hill'

*an American folk song.*

Many years ago, Joe Hill, organiser of the American mine workers was shot and killed by paid gunmen of the mine owners. Last year, on the night of September 27-28, Shankar Guha Niyogi, organiser of the Chattisgarh Mine workers and the small-scale industrial workers at Bhilai, was shot dead by paid gunmen of the Bhilai industrialists. Last week, on July 1<sup>st</sup>, 1992, police opened fire repeatedly on more than 3000 workers at Bhilai, massacring 20, and injuring more than 150, many of them seriously.

Niyogi was killed because he had started to organise the thousands of unorganised temporary and contract workers who were working in the *Bhilai industrial area*. He was killed because demanding minimum legal rights in BJP-ruled Madhya Pradesh is seen as a dangerous subversive activity to be put down at all costs. Twenty workers were shot dead last week for the same reason and while protesting for the same demands.

One more important reason must be added: Niyogi was killed because the industrialists were confident that with the BJP in power, they could get away with murder. And 3000 workers were fired into directly and repeatedly, because the Patwa government believes it can get away with such an action.

It is extremely doubtful that such blatant suppression could have been attempted if the Chattisgarh Mukti Morcha had strong links with the other trade unions in the areas. Bhilai has its giant steel plant with 50,000 workmen and there are other public sector plants in the region. But relations between the CMM and the other unions were strained. It cannot be denied that the CMM had reacted to the narrow-minded self centredness of the public sector permanent workers with another variety of sectarianism which pitted the Chattisgarhi unorganised worker against the 'pardeshiya'

organised outsiders. What the CMM failed to realise is that strength does not come only from militancy and sacrifice. When the struggle becomes larger and tougher, class-consciousness and broader organisation are indispensable.

Despite the seriousness of the July 'massacre', most papers did not report it. *The Times of India*, and the *Indian Express* each had a one-column item on the subject. When a few years earlier, a smaller number of persons were killed at Ayodhya, the headlines spanned the front page. Massacres make big news, except when workers or the poor die. As had happened with Dalla two years back, first the workers were killed, and then the story was shot and buried.

Soon after the Dalla massacre, *Swaminathan Aiyar* in a *Times of India* editorial had argued that events like Dalla must not be allowed to obstruct the process of structural reform. As he picturesquely put it, obdurate trade unions coming in the way with their protests must be 'hit on the head'. Aiyar tried to argue that the main problem was that the organised permanent workers were exploiting the unorganised casual and contract workers. Privatisation, against which the Dalla workers were protesting, is one aspect of structural adjustment. Systematic degradation of working conditions by the unregulated growth of the unorganised sector through job-work and sub-contracting such as at Bhilai is another. First Dalla and then Bhilai have shown two aspects of the repression that is integral to structural adjustment. Aiyar tried to set the unorganised against the organised workers. Bhilai shows, more clearly than anything else the danger of such thinking for both the organised and the unorganised, whether it originates from the right or the left.

The Patwa government has ordered a judicial enquiry into the police firing, but the matter will not end here. One of the major demands of the protesting workers was for the arrest of those *prima facie* implicated in Niyogi's murder. Niyogi had been expecting an attack on his life. He had repeatedly warned the state administration and had named the suspects. Five prominent industrialists have been named as conspirators to the murder in the complaint filed by Niyogi's wife. Only after a bitter struggle launched by the Bhilai workers, the state police arrested one industrialist: Chandrakant Shah of the Simplex group. He was kept in a hospital on a medical complaint of pain in the neck, where he was provided with colour TV, access to visitors and other luxuries necessary for his class of the accused. One day he was allowed to escape, and has been absconding since. For the Madhya Pradesh workers, it was a lesson in law and justice in the name of Ramrajya.

The Madhya Pradesh government will find it difficult to live down the Bhilai massacre. In the last year the BJP has earned a nice reputation for running with the hares and hunting with the hounds, for praising in Bonn the foreign investment policy it was bashing in Delhi in the name of swadeshi, for supporting the budget in Parliament and demonstrating at the ration shops. Its strategy of pandering to business and the trader in the economic sphere while popular support among the workers, farmers and adivasis through issues like Ayodhya runs aground on incidents like Bhilai. No government can fire on its voters and survive for long.

One can imagine what would have been the fate of the congress government in Maharashtra if it had made the mistake of firing into the striking Textile workers. The workers of Madhya Pradesh may not form a majority among the voting population, but they are not negligible and Bhilai will have permanently antagonised this section. And the incident will have yet wider repercussions.

Many of those fired upon and killed on the first of July were adivasis. This is one section, which is being very actively wooed by the BJP not only in Madhya Pradesh but also in other states like Maharashtra, Rajasthan, Gujarat and Bihar. The Patwa government's treatment of Chattisgarhi adivasis fighting for their elementary rights will not go unnoticed elsewhere in the state and the country, and seriously erode the BJP's credibility among the scheduled tribes.

And what about the BJP's trade union base through the Bharatiya Mazdoor Sangh? The party and BMS high command will undoubtedly face some uncomfortable questions from the honest elements among its cadre. Since no political party fighting elections can afford to antagonise the underprivileged sections too far, one should not be surprised if Patwa is sacrificed by the party's high command in a damage limitation exercise.

For the workers and unions of Bhilai, both organised and unorganised, the events of the last year are a grim challenge. If circumstances and events like these cannot compel them to break out of narrow sectarian approaches and come together to jointly protest atrocity then there will be worse in store. Neither the public sector workers nor the contract workers will be spared the consequences of structural adjustment. Against the impending onslaught they must hang together, or they will hang separately. Moreover, they must get the support of workers and unions all over the country. Niyogi's dedication and courage, and his martyr's death will absolve him of the errors he made in his relations with other sections of the Bhilai working class. Movements and organisations like the Chattisgarh Mukti Morcha cannot be suppressed by bullets, whether from the guns of paid killers or the police. On the contrary, heroism and courage on the battlefield always

encourage more to fight and be willing to die for a worthy cause. This has been best expressed in the words of the ballad:

*Him standing there as big as  
Life  
And smiling with his eyes.  
Said Joe, what they can never  
Kill.  
Goes on to organise.  
Goes on to organise.*

***The Weekend Observer, July 11, 1992***

# What Chattisgarh Movement Means

Anil Nauriya

The Chattisgarh movement led by Niyogi transcended in the question whether industrial workers or peasants and agricultural labourers have the major potential or historical precedence in terms of political organisation

Shankar Guha Niyogi and the movement that he led in Chattisgarh have a continuing significance even for those who never knew him and had no direct contact with the movement. Niyogi transcended in a manner relevant to India's current stage of development, the question whether industrial workers or peasants and agricultural labourers have the major potential or historical precedence in terms of political organisation. His activities were founded upon the organisation of such nerve centres where the peasant, the agricultural labourer and industrial worker were present in all their conceptual aspects.

By organising labour in iron ore and other mines drawing largely upon adivasis from the surrounding districts, Niyogi had struck at the centre of the economic process and left behind the categories which have usually dominated discussion. Neither the adivasi nor the Bhilai Steel Plant whose captive mines these were, could remain unaffected by the organisation that came to be built up. It was only a matter of time before Niyogi's organisation fanned out to intervene positively in various other spheres, ranging from forestry to the activities of the liquor contractors, which affected the lives of the people. The latest inroads which the movement had made were in the various private industrial units that have come up in association with the steel plant and which continue to flout every welfare legislation on the statute book. The movements of Chattisgarh in combining the workers and the peasant, not just additionally but in a single unity, succeeded also in arriving at a holistic understanding of development. The movements did not reflect an advanced consciousness in isolation. They drew upon the geo-thermal energies of the people and came naturally to encompass both industrial labour and peasant struggles.

The trade union was the nucleus and the basic initial organisational unit in Chattisgarh. This grew like a crystal to embrace other movements and trade unions. The Chattisgarh movements broke through the traditional mould of trade union movements in India. The atrophied and solipsist trade union has outlived its relevance and effectiveness. The limitations are obvious. A trade union which isolates itself from the problems of society at large soon finds that the rest of society too does not stand by it. For example, sections



of the trade union movement could not understand why there was hardly a word in the media and virtually no sympathetic murmur in society at large when the workers of a large weaving and spinning mill at Modinagar less than 40 miles from Delhi, went on a strike for more than 100 days at the beginning of the 80s. But when within seven years there was a state-organised massacre of Muslims near Meerut and not far from Modinagar, the trade unions did not make an effective intervention either. A senior office-bearer of a major national trade union when approached at the time in fact stated that trade unionists would have to give up trade union activities if they took up such issues. This was the same trade union which had been concerned in the Modinagar strike; it could not see the connection between the two 'silences'. A senior leader of another national trade union openly admitted that his organisation was helpless because the working class in India was yet only "half a working class", that is, it had not yet achieved the consciousness to enable it to take up such issues. Put grossly, trade unions could lose members if they are concerned themselves with such matters.

The Chattisgarh movements have made an important contribution in this respect. They have shown that when trade union movements concern themselves with the trials and struggles of society, the people at large respond to the trade union. The response exists even in the context of the trade unions' traditional activities. There is, therefore, no contradiction between trade union activities and larger areas of concern. One lends support to the other.

The Chattisgarh movements have cast doubt on the relevance of such notions as 'half a working class' and also on what these notions imply in regard to the peasantry. The whole question depends upon the lead that is given to the union and its members. Even if some members leave the union as a result of this lead, this can only strengthen the union, its cohesiveness and sense of purpose. Besides, trade unionism has a constructive and educative role. Being a step removed from the electoral arena in the sense of not having a ruthless and no-holds-barred commitment to electoral logic, trade unions are less handicapped than political parties in this respect. They could, given an imaginative lead, electrify the political atmosphere in the country.

The Chattisgarh movements are a continuing comment also on the prevailing constitutional-legal-judicial system. Is this system merely ineffective or is it becoming an instrument of oppression? Antediluvian laws, like the one on externment, were used against the man who represented the aspirations of the very people from among whom he was sought to be externed. Earlier, preventive detention laws were used against him. Anyone who attempts to organise people to secure their constitutional

and other rights like minimum wages becomes a so-called 'goonda' against whom the oppressive power of the state is involved. The indifferent judiciary comes naturally to be seen as though it has been corrupted in various ways up to the highest levels. The nexus between the state machinery and diverse vested interests is stronger than its concern for the constitutional and democratic rights of the people.

The Chattisgarh experience was not unrepresentative. In fact it parallels the role of the state machinery including the judiciary in the national capital itself. In the cases concerning the anti-Sikh riots of 1984 the Delhi High Court displayed an attitude which reflected concerns outside the Constitution. In 1988, at the time of the DTC strike, the high court itself issued the injunction preventing workers from coming to work which was later utilised by the DTC to dismiss thousands of employees. In the end, this only results in damage to these institutions and their credibility. As Justice Pal pointed out in his famous dissent in the trial of the so-called Japanese war criminals at the end of the Second World War, history's judgements change.

The struggle for a more relevant developmental process unfolded creatively in Chattisgarh with the movements conducting an anti-liquor campaign, setting up schools and even a hospital. As it progressed, established interests felt threatened and certain features of the major political parties in Madhya Pradesh and India as a whole came to the fore. No matter what their stated political programmes and regardless of how wide the ostensible ideological gulf among these parties, each of which had at one time or another ruled either at the centre or in the state, their attitude towards Chattisgarh movement was more or less constant. They were allied to and had been penetrated by forces inimical to the movement. Niyogi articulated concepts, ideas and urges which posed a challenge to each one of these established parties. Seldom has the slide in the political system been so vividly exposed as was done in Chattisgarh.

Niyogi will compel us to ask ourselves how it is that major political parties have allowed themselves to become no more than a device for subversion of the democratic system. These parties have directly or indirectly instigated riots, carried out communal massacres, founded and financed movements that have threatened to tear the social fabric apart merely in order to gain an advantage over a rival party, and organised or tacitly approved political murders. How many more Niyogis will die before such political parties, their office-bearers, their financiers, associate organisations and private armies can be brought to book?

Whatever the course of India's further development, of one thing it is possible to be reasonably sure. The issues posed by Niyogi and the

Chattisgarh movement will cast their shadows over further struggles in the remaining part of this and in the next century. Indeed, as the images of Marx and Gandhi grow distant from us, in time if in no other way, these images are transmuted and recreated. Niyogi's is one of the more prominent such images that will cast its shadow over India's struggles in the next century.

*Economic and Political Weekly, November 30, 1991*

### **Excerpts from an Interview with Janak Lal Thakur**

**Q. What is the organisational condition of CMM today?**

JL. The CMM organisation is absolutely intact. There are some problems that are inevitable and natural to a movement which we face every now and then. From the point of struggle, CMM is moving ahead.

**Q. What is your reaction to the High Court Judgement?**

JL. It is a big conspiracy. This is not a judgement, this is a conspiracy against the workers and their struggle.

**Q. What are the problems that the CMM leadership is facing today?**

JL. We are facing problems from all sides. The industrialists are there, workers are being retrenched, factories are locked-out rendering workers unemployed. Employers are not paying also. The High Court judgement implies that the state is in league with the judiciary; it can be both the central and state governments. Otherwise this is not possible.

**Q. What are your expectations from the political parties?**

JL. We do not expect much from the political parties. They will not do anything. When the people will really pressurise them they may do something worthwhile.

**Q. Will you link up your struggle with that of the revolutionary stream that still exists in India?**

JL. That is there very much. Those who are our friends, we have a working relationship. We will get their support.

**Q. Can a people's movement be developed against the High Court Judgement when the politics of people's movement in this country seems to have its own whims and fancies?**

JL. Comrade Niyogi is simply not a name or a person but reflects an ideology and movement as well and that is very relevant for today. The struggling masses have to stand up against the sustenance and development of the culture of killing. Today the killer will come for me, tomorrow it will be them. An united struggle is the only way out.

**Source: *Samakaleen Teesri Duniya*, August 1998**

# With Firm Moorings

Sujan Dutta

Dalli-Rajhara, where a man called Shankar Guha Niyogi, wove raw poetry in these prosaic times, today breeds rebellion. Nestling amidst low hills rich with iron ore for the Bhilai steel plant, some 115 kms away in Madhya Pradesh's Durg district, the town continues to nurture a movement that is slowly but surely spreading across the central Indian region of Chattisgarh.

A little over 20 months after the organising secretary of the Chattisgarh Mukti Morcha (CMM) was murdered in Bhilai, the movement, far from showing signs of a let-up, is more well-knit than ever. It is a tribute to the man who built the organisation from scratch that the morcha continues to grow. But there is one characteristic in today's CMM that makes it different from the movement some time back. Today, it is emerging as a major political force; a fact that is the cause of heartburn to many industrialists in the area.

Not that Mr. Niyogi himself was an 'apolitical' trade union leader. But for some reason or the other, the media chose to focus mostly on his 'cultural and social movement' - the campaign against liquor addiction, for instance - than on the politics that he espoused. Mr. Niyogi was seen as a unique trade unionist; one who was also a social reformer.

He was more than that. His apparently 'reformist' activity was only a part of his political campaign and also a tactic for political propaganda.

The CMM, today, has stepped out of the 'reformist' shadow. It actually began with Mr. Niyogi himself around 1990 when the morcha set out to organise the workers in the Bhilai industrial area. After his death, Chattisgarh was seething. It was feared that thousands of workers in Raipur, Durg, Bhilai, Kumhari, Tedesara, Rajnandgaon - wherever the CMM has a presence - would go on the rampage. But that was not to happen. Even after the firing on workers in Bhilai on July 1 last year in which 16 people were killed, the CMM acted with restraint.

Many interpreted this as a sign of weakness in the organisation, which had lost its founding father. The truth, however, is that the CMM is holding back its ammunition. At least that is what observers say. "It is easy to vent one's anger spontaneously; it is more difficult to build up a movement that will vent its anger collectively and in an organised manner."

“On its part, the morcha is fighting for social change. It cannot afford to act on the spur of the moment,” observes Mr. Rajendra Sail, the Raipur based civil liberties activist and a close associate of the morcha. How and when that will happen is not a matter of conjecture in Chattisgarh.

The response received from the villages, where CMM's frontal outfits did not wield much influence until recently, is convincing. In fact, the leadership has effected a conscious shift in the mobilisation that it has been carrying out.

The morcha was seen mostly as a trade union based organisation. The emphasis on building up the organisation among the peasantry is recent. In his lifetime, Mr. Niyogi stressed the importance of organising the rural populace and this is borne out in the literature that he penned.

However, though it has not yet assumed the characteristics of a major debate, there appears to be some difference among CMM activists on the tactics for political mobilisation. Mr. Sail, for one, would like the morcha to participate in the elections to the Madhya Pradesh assembly (scheduled in November). He also advocates that the possibilities for electoral alliances with the Left and the Bahujan Samaj Party (BSP) should be explored.

According to Mr. Sail's study, the CMM could contest in 40 of the 90 assembly constituencies in the seven districts of Chattisgarh. “We could upset the electoral applecart in 10. The minimum number of votes that we would get in each of these 10 constituencies if polls were to be held tomorrow is 4,000 and the maximum is 40,000,” he says.

The BSP, according to him, was in a position to carve out about 4.5 per cent of the Congress's vote bank. At least 3 per cent of the Congress's votes would go to the CMM if it were to contest the polls on its own. This means that the BSP and the CMM together could get about 7 per cent of the Congress vote. Says he, “This also means that the BJP could gain, but we are left with no alternative for, as far as our movement is concerned, there is hardly a difference between the two parties.”

Both the Congress and the BJP (as also the other parties including the Left) have been against the movement. But the Congress's fear of electoral reverses has probably prompted the administration under central rule to tone down attacks on the morcha for the time being. This has not gone down well with the industrialists of Bhilai in whose companies the CMM's Pragatisheel Engineering Shramik Sangh (PESS) has been leading a movement of contract workers against unfair labour practices in the area.

"The BJP administration was much better," says the secretary of the Bhilai Industrialists' Association, Mr. U.S. Gupta. "The Congress appears to be taking a softer approach towards the CMM," he adds. Under the BJP government of Sunderlal Patwa, the administration had carried out an audit of co-operatives run by the morcha in Dalli-Rajhara and had superseded some of them. (Allegedly, this was an exercise to defame the CMM. No one - except the industrialists - says that the CMM is a corrupt organisation.)

While this argument can be used to justify Mr. Sail's point - in the event that the CMM does decide to enter the electoral fray - there is the other view that emerged during discussions with morcha leaders. It is the view that the working class has little to gain from the election exercise.

"In the context of achieving the demands of the workers," the CMM central committee member, Mr. Anoop Singh, explains, "elections are of little relevance. Even if we do participate in elections, it will be for tactical gains. The idea of a worker-peasant regime in Chattisgarh will not be achieved through these elections," he says.

The CMM president, Mr. Janaklal Thakur, was more explicit. Says he: "Aajkal to kuch log bol rahey hain ki aisi sansad se kaam nahin chalegi; dharam sansad banana hoga (Nowadays, there are some who say that Parliament in its current form cannot survive; there has to be a religious council). Hum bhi boltey hain ki aisi sansad se kaam nahin chalegi (Even we hold that this Parliament is useless). But instead of a religious council, we want a council of workers and peasants."

That also sums up the ideology of Mr. Niyogi as it is being interpreted and practiced in Chattisgarh. For, Mr. Niyogi was, above all, a revolutionary. Many did not see him as one because he did not refer to Marx and Engels and Lenin and Stalin at the drop of a hat. Also, in its literature and in other forms of propaganda, the CMM abhors jargon. Observers have tended to explain the CMM's strategy as one that accepts Marxian analysis and at the same time adopts Gandhian tactics.

It is not often that a labour movement has become so intertwined with a demand for statehood. How the CMM has managed to do this may become the subject of later research. For now, suffice it to say that the morcha's struggle for a separate state of Chattisgarh is qualitatively different from the movement for a separate state of Jharkhand. Chattisgarh, to the morcha, is not merely a geographical idea; neither is the movement a regional one. Chattisgarh is a political concept that is firmly rooted in history and in a philosophy that survives despite reverses.

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# Chattisgarh and National Question

Shankar Guha Niyogi

The people want that the Chattisgarh region should develop. It is by no means sure in the present political structure, that the creation of small states will automatically cure all the present ills. Nevertheless, when the vast majority of a nationality group feel that the creation of a smaller state on the basis of a distinct identity will enable them to participate actively in contributing to the national progress, and facilitate the appropriate and planned utilisation of the natural resources, and when they are ready jointly to work towards this goal, then the fulfillment of this demand becomes a democratic right of the people. This democratic right must be granted. Today, the Chattisgarh bourgeois and petty bourgeois are becoming increasingly devoted to and enthusiastic about the idea of a Chattisgarh state. Among the peasantry too, the idea that they should be granted a state of their own is becoming increasingly strong. Hence, it is the duty of the working class to interest itself actively in this question. Unless the campaign is guided in a definite direction and linked up with the question of the struggles for peoples' liberation it may be diverted into the wrong channels; militant Chattisgarhism can harm this whole campaign. In India the question of nationality has always been viewed from the point of view of the British imperialism. When, what we call the freedom struggle, transcended the limited interests of the comprador bourgeoisie and the capitalists, and became related to the long-term peoples' struggles for social liberation, the imperialists panicked. Their question was, "Is there any such entity as the Indian nation? Can this people living scattered over a land area of sub-continental proportions, divided by innumerable walls of race, language, society and culture, ever be united into a single nation? Is it not true that the only unity in India is a false unity imposed artificially by the British administration?" In 1988, Sir John Strachy had gravely declared, "There is no such thing as India nor will there ever be" (India: its administration and progress).

Sir John Sealey tells us in "The expansion of England", "The idea of regarding India as a nation is based on the kind of fundamental misconception that political science tries to dispel. The name India does not refer to any political entity, but like the terms Europe and Africa have a purely geographical connotation. It is not co-extensive with any national or linguistic group but contains nations and language groups".

In 1930, the reports of the Simon Commission dwelt upon the heterogeneity of the Indian people, and on this basis had cast doubts upon

the fundamental issues of the Indian freedom struggle. In these reports the national struggle was referred to in these terms: "The huge population of India is influenced by the wishes of a small section of the people". In this "huge population" referring to the presence of 222 languages, the basic opposition of Hindu and Muslim interests, etc., a picture is painted of a colourful panorama of a conglomeration of races and religions. Churchill had claimed that if the English left India, the air would be filled with the screams and noise of murders and other disturbances. The British imperialists had opposed the Indian freedom struggle on the basis of the presence of different national identities.

In reply to this, our bourgeois leaders laid stress on an emotional and idealistic unity. Tagore addressed a "great unity amidst diversity" (*vividher majhey milano mohan*) and claimed that all the races were united in a single body (*Shak Hun Dal, Pathan Mogal, Akdehe holo leen*). Some bourgeois leaders were influenced by the claims of the imperialists, examples being Surendranath Banerji and Motilal Nehru.

At this time, the bourgeois leaders were unable to give a scientific content to the concept of the underlying unity of the distinct cultural identities of the Indian nation. Or, perhaps this was deliberately suppressed. Some communists, on the basis of the 1921 census report, stressed that class interests were the only genuine basis for national unity. For instance, they pointed out that in Jamshedpur, where work takes place under modern conditions of production, all races and nationalities work together, and no one paid attention to the national or racial identity of the person working beside him. By stressing only class angle, they neglected the predominance of an agricultural economy in India, and of the nature of the consciousness of the Indian peasantry. While the class angle may be applicable in Jamshedpur, the tribals of south Bihar give greater importance to the Jharkhand question. It is ironical, in this context, to note that it was the same Jamshedpur that was the scene, recently, of widespread communal disturbances.

### **The State Power Even Today is Repeating the Words of Churchill**

Diverting the people with the mirage of stable government, the alternative of instability that is held up before the people, reflects the conclusions of the Simon Commission. The appeal to strengthen the hand of the central power reminds us of Churchill's treat that the withdrawal of imperialist forces would fill the air with the screams of the dying. Is the unity of India even today, an artificial construction imposed by the centre? Will the slightest weakness on the part of the centre result in the balkanisation of the country? Where is the unity in diversity of Tagore? Occasional feeble cries are hard demanding more autonomy for the states. Even these cries are not



backed up by any solid argument. The real problems are cleverly camouflaged. Why has everybody made a Guru out of the Simon Commission on the question of national integrity? Why not admit the existence of distinct, national identities, and give primacy to, indeed, harness the forces generated by the loyalty to national identity in order to tackle the wider questions of feudalism and colonialism.

The different national groups among the Indian people live in different parts of the huge geographical region. For national historical reasons the development of these national groups has occurred in an unequal manner. The people of some national groups are very advanced, both economically and socially, where as the people of other national groups are backward in all respects. Among the groups, the status of the Harijans and Adivasis is far worse even than the average in Chattisgarh. People of the Adivasi and Harijan groups constitute 60 to 65 per cent of the population. For these reasons, on the average, Chattisgarh is an extremely backward area, as is already been brought out earlier.

### **People of Chattisgarh will Have to be Conceded the Right to Govern Themselves**

According to the teaching of Stalin, each national group has the right to shape its future according to the wishes of its people.

In Chattisgarh, in the near future, the struggle for the right of national group to govern itself will proceed apace. This is because the enormous Chattisgarhi population is dependant on agriculture, and the peasantry, especially all the Adivasi peasantry, are particularly oppressed and exploited. Because the land question is intimately connected with the national question and with this campaign, the peasantry will fight this battle with all their might. This prediction is borne out by our past historical experience. Hence, the working class will also join this battle, in their aid. The national bourgeoisie and the petty bourgeoisie, if for nothing else then because it is in their interest, will join the campaign or at least not oppose it.

# Chattisgarh People's Movement after Niyogi

Bharat Dogra

They came from mines and they came from factories, they came from fields and they came from the huts of farm labourers, they came from cities and they came from distant villages. In short, they came from all corners of Chattisgarh - the men, women and children who participated in the 'sangharsh yatra' (struggle march) a fortnight after the martyrdom of Shankar Guha Niyogi on September 27-28.

It was not possible to see the other end of the march even when I climbed up a building to do so. By a rough estimate about 75,000 people came to join this march and the subsequent mass meeting in Bhilai town where Niyogi had been killed. And this despite severe resource constraints due to which trucks could not be arranged in several places. A very large number of women completed the roughly 10-km march, several of them carrying small children. Right through the eight-hour duration, the march and the meeting were distinguished by a very high sense of discipline.

The sangharsh yatra on October 13 was a significant part of the ongoing efforts to force a reluctant government to take effective action against the killers of Niyogi (not just those who pulled the trigger but those involved in the conspiracy at higher levels) and to assert the rights of workers in several private sector units in the Rajnandgaon-Bhilai-Raipur industrial belt in the struggle for which Niyogi was killed.

Who killed Niyogi? The past background of this struggle (the repeated use of anti-social elements by industrialists for attacks on workers and their leaders, their determination to crush the Niyogi-led movement at all costs) pointed the needle of suspicion to the industrialists. This was further confirmed by the formal complaint lodged by Asha Niyogi with the police after the death of Shankar Guha Niyogi, the anonymous letters of warning received earlier by Niyogi which he had deposited at the police station and last, but perhaps the most important, the clear accusation against some leading industrialists of the area and other vested interests of conspiring to kill him which Niyogi has left behind in an extremely significant and moving message which he recorded a few weeks before his martyrdom.

The police initially appeared to be making efforts to divert attention away from the industrialists in its search for the killers of Niyogi, but at the time of writing (specially as a result of the tremendous mobilisation of workers and peasants of Chattisgarh, supported by the wider support of the working class and civil liberties movements in the country) at least one industrialist, Chandrakant Shah of the Simplex Group, has been named by the police investigation as one of the accused. However, what the police investigations are least likely to reveal is the wider support for this ghastly murder by certain persons in the police force and/or the state's political leadership, for it is unlikely that any industrialist would dare to murder a leader of the stature of Niyogi without first obtaining a green signal from such quarters. In his tape-recorded message also Niyogi has named one top police official of the area in this context.

So it is likely that while the police has already named one leading industrialist as an accused, what has been revealed so far is merely the tip of the iceberg. The democratic movement in India and abroad should continue to agitate for the complete unravelling of the conspiracy.

The next important question is - what will happen to the movement of workers and peasants of Chattisgarh (associated with organisations like Chattisgarh Mines Shramik Sangh, CMSS, and Chattisgarh Mukti Morcha, CMM) after the martyrdom of Niyogi at the age of 48? In his tape-recorded message, Niyogi has named several colleagues known for their leadership qualities and, as the October 13 rally clearly showed, these colleagues are clearly capable of shouldering the responsibilities of the new situation. The brilliance of Niyogi will certainly be missed, but on the whole the shoulders of the collective leadership now available are broad enough to shoulder the new responsibility.

Lastly, there is the question of the wider legacy which Niyogi has left behind for the forces which are fighting against injustice and distorted development in India and elsewhere. There are two messages, which are as clear in his taped message as they were in his own work and achievements. Firstly, Niyogi has stressed that while struggle against injustice and exploitation is the basic task, it has to be combined as much as possible with constructive work (as seen in the anti-liquor campaign, health programme, ecological consciousness efforts and other such work in the CMM movement). Secondly, Niyogi stressed that the struggle should be carried out as far as possible as a peaceful mass movement. We should not be afraid of violence, but the resort to violent means can be justified only after all possibilities of peaceful mass struggle have been exhausted, and in the process the people have also seen clearly that such methods were also

tried and proved ineffective. Till then only peaceful mass movements are advised.

Last, but not the least, it has to be emphasised that Shankar Guha Niyogi was first and foremost a leading activist of the worldwide movement to search for new development paths and a new society based on justice, equality and human values. He struggled relentlessly in this direction for nearly three decades in the course of which he not only innovated a lot but also implemented his programme in the most difficult situations. In particular he and his movement fought for (1) removing the exploitation of workers and peasants, (2) bringing women into the mainstream of social change and struggles, (3) implementation of a health programme for the people by the people, (4) eradicating social evils like liquor and gambling, (5) checking ecological ruin, occupational hazards, displacement and linking these issues with the struggle of weaker sections, (6) an appropriate technology which avoids unemployment/retrenchment of workers while meeting production needs, and (7) above all, the creation of a new outlook, a new thinking, that believes in struggles and change beyond the immediate economic interests.

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# Niyogi's Murder and Trade Union Movement Today

Mukul

The murder of Shankar Guha Niyogi, the famous trade union leader of the Chattisgarh region in Madhya Pradesh, has a deep significance for the trade union movement in this country. Niyogi has been murdered at a time when the aggressive reach of the new economic policies under the dictates of the World Bank-IMF are becoming more widespread and anti-worker. With their existing institutional defences under attack, the industrial working people today face the prospect of being sidelined into effectively unregulated industrial estates. Niyogi was murdered when thousands of contract workers in the Bhilai industrial township were engaged in a long struggle under his leadership. Though this ongoing struggle raised basic economic demands, like minimum wages, overtime, PF, permanency, etc. of the unorganised working people, in that process it was, however, also throwing a challenge to the existing industrial policies, the socio-political equilibrium of the ruling class and for the BJP-led State Government.

Niyogi has been murdered when the new economic policies of the Congress-led Central Government are being actively supported by the BJP-led State Government, and that is why the Chattisgarh region of MP is again on the brink of a new phase of heavy industrialist-criminal-bureaucrat conspiracy for which a CBI inquiry needs to be instituted. In the light of it, trade unions must take a closer look at the new economic policy and the challenges to trade union politics in contemporary India.

## I

The economic crisis is not something new in the history of independent India, but this time alongwith it, a general crisis has also developed in various facets of society, a crisis that manifests itself in the constant shrinking of the sphere of secular, progressive ideology vis-a-vis the rise and development of communal, consumerist and Rightist ideology; the break-up of the so-called socialist system, and a sharpening of the inner contradictions in the policies and ideology of the Leftist forces in the country.

The most characteristic feature of today's crisis is the combination of a cyclic economic crisis with dangerous structural and policy adjustments

under the overall dominance of the World Bank, the IMF and the developed capitalist countries. And along with it a deep ideological and political crisis. This reflects the ideological bankruptcy of the ruling class today as it believes that the only hope to overcome the present economic crisis lies in the imported colonial designs of the international financial institutions. And the political crisis manifests itself not only in the 'non-governance' of Punjab, Assam, Jammu and Kashmir and the rising terrorist-separatist activities in the country but also in the political instability and the failure of development policies in being able to check the various socio-economic problems of the country.

The various contradictions inherent in the new economic policy package are bound to accelerate the process of government repression, social turmoil and unrest. The free market capitalist economy, with the close interrelationship of international capitalist order, can increase the industrial production and market potential, but this so-called progress cannot halt the process of continuous erosion in the living and working conditions of the majority of the working class people. The World Bank-IMF package may somehow increase the shrinking foreign exchange reserves of the country, but in this very process, both ideologically and economically, national sovereignty is bound to get undermined and fettered. Also, the role of the various democratic institutions in the country, like Parliament, judiciary, trade unions, democratic rights organisations, will be constantly curtailed. An example of this is the fact that the Finance Minister, Dr. Manmohan Singh, ignores the existing national platforms and announces the new government policies regarding the public sector at the World Bank-IMF meet in Bangkok. Or the Indian Ambassador to the USA defies the Indian Government's policy on the GATT negotiations and Intellectual Property Rights and dares to openly campaign in support of the US standpoint.

This is the background of the murder of Shankar Guha Niyogi. The actual murderers could be some professional criminals hired by industrialists, or it could be a conspiracy of the local administration-police-contractor combine. But had it not been for the offensive of the new economic policies in the country, and a particular State Government led by the BJP which is openly repressive against the workers, peasants, tribals, environmentalists, youth movements, nobody would have dared to conspire and murder a trade union leader in the course of an ongoing and protracted labour movement.

For the last 15 years, Niyogi had been very much active in a militant and fast growing workers' movement in the Chattisgarh region. Various State Governments, whether led by the Janata Dal, the Congress or the BJP had been equally repressive and hostile to the workers' movements, especially the rising Chattisgarh Mukti Morcha in MP. But in spite of all this, the

physical existence of the trade union leader was never threatened in such a manner. The ghastly murder of Niyogi is very painful and shocking for all the democratic forces in the country, not only because he was a very militant and dynamic trade union leader who tried hard to break the traditional boundaries of trade union politics in India today, but also because his murder reveals the cruel reality that our industrial and economic development policies have reached a stage where even the existence of basic trade union politics and its leadership is unacceptable.

In fact the murders of Safdar Hashmi and Niyogi have a common context and continuity, which is important to note: Safdar was primarily a cultural activist but alongwith it, he was also a member of the CPM and Niyogi was an unorthodox trade unionist having a political proximity with the People's War Group and the IPF. But both became the victims of the same cruel forces of politics and economy. When Safdar Hashmi and his Jan Natya Manch were performing a street play in the Sahibabad industrial complex near Delhi, in support of the industrial workers' movement for the lawful revision of minimum wages, he alongwith other members of his group was fatally assaulted by the local Congress-I leaders. This was the period of the new economic policies of the Rajiv Gandhi era which by that time were thoroughly exposed and defeated due to their inherent weaknesses. The bankruptcy and increasing isolation of the ruling class provoked its local workers. Now again under the leadership of P.V. Narasimha Rao and Manmohan Singh the new economic policies are acquiring a new offensive in the country. And in this environment, a man who was leading a long battle of contract labourers for some minimum trade union demands in the Bhilai industrial complex was killed.

The ruling class often expresses identical reactions in defeat and victory. The economic policies of Rajiv Gandhi and P.V. Narasimha Rao here become identical in their content and impact. And in this process, the fate of Safdar and Niyogi becomes the same. This is the situation that has emerged on the socio-economic plane of the country today. And if this new situation cannot be challenged by new priorities and a new unity, then the militancy of a trade union on the one hand and all-India actions of the central union on the other will prove to be futile. Yesterday it was Safdar Hashmi, today it is Shankar Guha Niyogi and tomorrow it will be Thankappan, Shamsul Islam, Suneet Chopra, Brinda Karat or Medha Patkar.

## II

The murder of Niyogi also testifies to the fact that in recent years various conservative, anti-national and repressive forces of the Indian society and economy have got intermingled and have acquired a character of a united

all-India body. Thus in terms of economic policies, it makes no difference that the Centre has Congress and Madhya Pradesh has BJP rule. The economic policies of the Central Government receive a rousing welcome by the State Government in this case and in this process these measures reach remote far-off areas of Chattisgarh. The Durg-Bhilai District Industry Centre provides detailed information about the proposed massive industrialisation under the new economic policies with the consent and even participation of the State Government. In the Chattisgarh region, the pre-independence and post-independence period witnessed two different phases of industrialisation. Now the third phase of massive industrialisation has arrived.

Apart from dozens of new small medium ancillary industries, rolling mills, there is for the first time big sponge, iron, cement, food processing and electronics industries coming up, owned by the big industrial houses of the country. The Prime Minister, the Finance Minister and the Coal Minister of the country express their concern about workers' productivity and trade union movement, and this concern also finds similar expression in the words of the Raipur Commissioner:

So many industrialists want to come to Chattisgarh. But when there are labour movements, how will they come here? This is the question of the development of Chattisgarh.

The new economic policy threatens the employment and living of the unorganised-organised sector workers of the country. And Niyogi felt the pulse of this threat during his long struggle in an Opposition-ruled State when he said:

There were many attacks on us, tomorrow we will have to face other rounds of more dangerous attacks. There can be an incident which can be nerve shattering. I know that they are after my life.

It is also significant to note that the conservative, fascistic and anti-people tendencies of society are complementary to each other. One conservatism feeds on the other, and this is more dangerous in the context of the BJP-led MP State Government where the offensive of the new economic policy is taking a fascistic overtone due to the patronage of an openly communal state.

In Madhya Pradesh, the nature of the communal state identifies and relies upon a 'Hindu identity'. To build this Hindu identity, it explicitly implies the repression of various caste, class, linguistic and regional autonomous movements. Various subaltern groups, organised working classes and their organisations are the central targets of this kind of state repression.



In MP, the *rath yatra* of Advani reached earlier, and now the *vikas yatra* of Manmohan Singh is taking the same path. Both the *yatras* strengthen the same conservative, anti-people forces in the society. There are many examples to support the case of the BJP being a firm supporter of the new economic policies of Manmohan Singh. When the Central Government was only discussing the various options for the privatisation of power and transport sectors, the BJP-led Himachal Pradesh Government actually privatised power, transport and education sectors in the State. And very recently the BJP affiliated central trade union, the Bharatiya Mazdoor Sangh, opposed the call of the all-India industrial strike on November 29, 1991, which was against the economic and industrial policies of the government.

The murder of Niyogi has received nationwide attention, but under the BJP Government, the Chattisgarh region has witnessed various assaults on the workers' movement that have gone largely unnoticed. According to police records, over a thousand workers were arrested in one year of the Bhilai labour movement, more than 1300 workers have been terminated from their services, and many-a-time peaceful demonstrations and processions of workers have been attacked by police and anti-social elements. And this is not specific to the Bhilai labour movement alone. Sometime ago, when the unorganised rice mill workers of Avanpur and Rajim in the Raipur district were agitating for their legal and minimum demands, the police fired indiscriminately, in which one worker was killed and many more seriously injured; labour leaders were arrested and threatened with *jila badar*. What do these facts signify?

### III

The industrialisation of Chattisgarh has some striking aspects which are important to observe, more so in the context of present day labour movement.

Chattisgarh can be divided into two broad categories: the Chattisgarh plain and the Chattisgarh plateau. The plain area was once known as the 'rice bowl of India' for its abundant rice crops, while the plateau which surrounds the Chattisgarh plain from three sides was famous for mineral deposits and forests. Chattisgarh being very rich in mineral resources, shaped the industrialisation of this region in the recent period.

During British rule agro-based small industries were set up. Rice mills, dal mills and oil mills were prominent among them. Some forest-based industries were also set up in the 1930s. Chattisgarh has the distinction of having a textile mill at Rajnandgaon as early as 1895 and a jute mill at Raigarh in 1935. But the establishment of the Bhilai Steel Plant in 1960

dominated this region, covering an area of over 31 square kilometres and employing more than 50,000 workers. The Bhilai Steel Plant has given rise to Bhilainagar where the permanent workforce of the BSP, their dependants and those serving them constitute the majority. Most of this permanent workforce are migrants from Kerala, A.P, West Bengal, etc. and are usually more skilled and better educated than the Chattisgarhi workers.

The BSP intensified the growth of ancillary industries in this area and now at least 120 small and medium scale units are in operation. The whole region has 18 big, 50 medium and more than 60,000 small industrial units; more than a hundred steel based units, more than a dozen solvent extraction plants, many oxygen, gas and mill cement plants. It is clearly an impressive canvas of industrialisation. And the Bhilai Industries Association spokesman is somewhat right when he claims that "for the industrialisation and development of the Chattisgarh region, some credit also goes to those industrialists who established industries in an environment of initial difficulties and discomforts".

But this industrialisation obviously changed the entire Chattisgarh region and also led to various stresses and strains.

Firstly, the Bhilai Steel Plant and its ancillary industries have altered the composition of the workforce in the industrial areas, with serious consequences. The population of Bhilainagar in particular has shown a phenomenal growth over the past 30-40 years. The migrant working population has not only increased but they dominate the better positions, because of the traditional backwardness of the Chattisgarhi people.

These regional divisions among the workers have been effectively institutionalised by the capitalists for their own narrow interests. This division has taken an anti-worker stance, so much so that the Chattisgarh Mukti Morcha was forced to take notice of this during the course of their struggle in Nav Bharat Explosive, Nav Bharat Fuse and Hanuman Industries:

Industrialists always take the side of *pardeshia* people. And Chattisgarhi workers are terrorised and beaten up by these *pardeshia* workers. *Pardeshias* live within the factory premises and work on contract, even on holidays.

This goes on to show that the trade union movement of the Chattisgarh region was not powerful or conscious enough to break this division.

Secondly, Chattisgarh witnessed one of the most intensive industrialisation of modern India. Despite this, however, Chattisgarh remains one of the most backward regions of the State in terms of the various socio-economic

parameters, such as per capita income, average level of literacy, rural electrification or availability of primary health facilities. The region has the largest backward population in the State. Continuous drought, non-irrigated land and unemployment have forced the Chattisgarh people for seasonal or permanent migration in search of livelihood and Bilaspur, in particular, remains one of the most problem prone areas in the country.

Thirdly, distorted industrialisation which did not care for local needs and environmentally sustainable development, also created different layers of the working class. There are public sector workers fully secured by public sector national network and central trade unions. There are permanent, regular workers of big private industries governed by various wageboards and labour laws. There are *Chattisgarhi* and *Pardeshia* workers. There are contract workers and temporary workers. In fact, the whole lot of ancillary industries is based only upon contract and temporary workers. This division of the working class has reached such dangerous proportions that the contract workers, who are the nerve-centre of industrialisation here, are also the worst victims of exploitation and suppression and are in total isolation.

#### IV

It is unfortunate that the trade union movement of Chattisgarh region also became the victim of this working class division. Though Shankar Guha Niyogi and his Chattisgarh Mukti Morcha very courageously tried to break the isolation of a vast number of contract workers and organised them in militant manner, they too got trapped in their politics because of trade union rivalry, lack of organisational structure and, more importantly, their undefined, unclear political stand.

Actually, narrow economic and class interests based on unsustainable exploitation of natural resources, consumer culture and alienation tends to blind both, capitalists as well as the workers. In the Bhilai industrial complex, various industrialists are not at all defensive or apologetic regarding the contract workers and their problems. Thus the owner of the Simplex Group of Industries, Arvind Shah, clearly states that "there are only 10 permanent workers in maintenance. All the other 2000 are contract workers hired by various contractors because here the work depends mainly upon fluctuating orders. The regularisation of contract workers and betterment of their working condition is not possible because industries have to compete with various small and home based industries in the state and with other industries outside the State."

The spokesperson of Bhilai Industries Association even went further: "There are workers' problems and discontent, but industrialists are not

responsible for this. It is not the responsibility of industrialists to undo the workers' poverty and inequality."

It is ironical that the expressions and opinions of the Bhilai Steel Plant workers and their union are not very much different. Besides, the Bhilai Steel Plant workers and their union remain totally aloof from the Bhilai labour movement of the unorganised sector. Even the murder of a trade union leader and the brutal repression of a working class movement in the same region did not shake them. The Steel Workers Union (affiliated to the INTUC) is a recognised union of the BSP since 1960 and its Secretary feels proud when he says: "There are two types of workers in Bhilai. Among public sector workers, there is no sign of any unrest or movement. Apart from the BSP, two other big public sector unions are affiliated to the INTUC. Not even a single worker here belongs to the Niyogi union. There was no activity here even after Niyogi's death. The BSP workers get a minimum wage of more than Rs. 2000 per month, housing, medical, education facilities, LTC, scooter allowance, various types of interest free loans and other benefits."

And the General Secretary of the Leftist trade union of the AITUC is more vociferous against the Chattisgarh Mukti Morcha when he states: "There can be no cooperation with the Niyogi union. His union is heavily clouded by Christian missionaries and controversial bodies like the PUCL. Whosoever will fall into the CIA trap will not be alive. No permanent worker supports Niyogi's union. We command the support of permanent, regular workers."

And the General Secretary of the CITU complains: "Although Niyogi had launched a genuine struggle, in that process he also tried to replace the Leftist unions, especially the CITU unions. There was a typical trade union rivalry and the Chattisgarh Mukti Morcha never initiated a joint struggle in the Bhilai industrial area."

Niyogi also felt the pinch of this divided scenario when he painfully narrated a situation in a public meeting: "I have two sons. When one son goes to a factory, they curtail his every right, and exploit him cruelly. When my son stands against this exploitation, demands high rights, they give knife to my other unemployed son and say, "Go stab your brother'."

It is most unfortunate that after Niyogi's murder, there was not even a token protest in the Bhilai Steel Plant and other public sector plants, where thousands of workers work. On the other hand, the Chattisgarh Mukti Morcha is organising thousands of contract workers, but its struggle is separated from the nationwide workers upsurge against the new economic policies.

Shankar Guha Niyogi and his Chattisgarh Mukti Morcha were successful in diversifying their movement to various streams of society and they also tried to build an alternative political force in the region. Militant and expanding trade unionism seems to be a solid basis for this alternative politics. The trade union politics of Niyogi proved that the working class movement and politics can be a powerful vehicle for social transformation and political mobilisation.

The Bhilai unorganised-contract labour movement changed the area in a number of ways. Thousands of unorganised workers of this area acquired a new sense of identity and courage. The movement successfully broke the existing traditional exploitative structure.

However, the Bhilai labour movement also brings into focus some serious weaknesses of the trade union movement today. Till a few years back, the central trade unions, especially the Left ones, were quite active and powerful in the Bhilai industrial complex. But they slowly left their militancy and their activities died down. When the Chattisgarh Mukti Morcha tried to fill this serious void, the traditional trade unions did not cooperate with his movement.

The Chattisgarh Mukti Morcha's movement also proved that there is a rising trend of autonomous working class movement, with its specific ideological and regional character. The traditional Left parties have failed to grasp this situation and in fact they are always visible in their opposition to these autonomous, regional movements.

On the other hand, it is equally true that the Chattisgarh Mukti Morcha and its labour movement were hostile to both the Rightists and traditional Left forces in the region. They searched for an abstractly defined '*Chattisgarhi* identity' and a weak organisational structure. This sometimes made their movement directionless. In fact, the CMM's political articulation always swung between the Congress and the Janata Dal during the recent elections.

But this is the right time to ask certain questions: When the various conservative, communal and neo-colonial forces have become aggressive on the national and organised plane, is it possible to counter them with regional autonomy and militancy alone? Is it correct to let people like Niyogi be murdered and keep such movements isolated? Will Niyogi's death give some impetus to some serious rethinking in our trade union movement today?

***Mainstream*, February 29, 1992**

# After Niyogi

Venkitesh Ramakrishnan

September 28. It was the second day of Dasara. Festivities were in full swing in the industrial towns of Durg and Bhilai in Madhya Pradesh. The sizeable migrant Bengali population of the towns had, with their traditional enthusiasm for Durga Puja, imparted excitement to the celebrations.

On the same day, another occasion was on in the towns with equal devotion and zeal. The residents were remembering Shankar Guha Niyogi, a Bengali who had come to this region, Chattisgarh, closely identified himself with the people and their culture, shared their trials and tribulations, founded the Chattisgarh Mukti Morcha (CMM) and fought for their rights, and got killed on September 28 last year.

The anniversary of his martyrdom was observed not only in Bhilai but also in the adjoining town of Dalli-Rajhara, where Niyogi had established himself as a leader of the masses, and the villages around these towns. In Bhilai, where Niyogi was murdered, thousands of CMM workers joined his widow Asha Niyogi in a march, singing revolutionary songs praising the martyr. Later, at a meeting that lasted seven hours, representatives of trade unions and voluntary agencies from all over the country expressed their solidarity with CMM workers. Among the participants were Badal Saroj, State Secretary of the Centre of Indian Trade Unions (CITU), Fr. Thomas Kocherry, national convener of the Fishworkers' Forum, O.P. Shukla of the Jan Vigyan Samithi and scores of others from Tamil Nadu, Kerala, Andhra Pradesh, Punjab, Maharashtra and West Bengal.

Earlier, thousands of coal miners and tribals of Dalli-Rajhara had gathered at Niyogi's memorial at 3-45 a.m., the time he was killed, and paid floral tributes. The gatherings at both the places, comprising largely miners, workers and agricultural labourers, had time and again raised the slogan, Niyogi ek vyakthi nahi, ek dhara thi, ek dhara hai (Niyogi was not an individual, he was a movement, he is still a movement).

This slogan reflects the reality in many ways. Niyogi was the foremost among the trade union leaders who successfully brought together the unorganised sections of labour, especially contract workers. The struggle he led in the coal mines of Dalli-Rajhara, Dai Tola and even at the ACC cement factory in Bhilai had helped the contract workers break the shackles of what was virtually bonded labour and ensured for them permanent jobs, better wages and other facilities.

Along with the struggles he had also put forth a concept of alternative development based on people's participation. The hospital he founded at Dalli-Rajhara offers treatment for miners for a nominal fee of 50 paise and nursing home facilities comparable to those in private hospitals catering to the affluent. His movement was also instrumental in rehabilitating many alcoholics among the poor in Chattisgarh. The primary schools set up by him teach children to respect labour. It was these activities and their impact that made Niyogi a legendary figure in his lifetime and after.

The functions on September 28 were a clear indication of the esteem in which people hold him even now. In Bhilai, children recited poems they had composed in memory of the leader, evoking an emotional response from the gathering. The functions also proved that there has not been any substantial change in the organisational base of the CMM, turning many predictions wrong.

The fervour on the occasion was in a way a vindication of Asha Niyogi's resolve to carry forward the struggle initiated by her husband. Talking to *Frontline*, she said the dedication of the CMM workers and the solidarity shown by the other organisations have assured her that Niyogi's dreams of a Chattisgarh free of starvation and exploitation would come true one day.

The same is true of the new leadership of the CMM. The show of strength at the functions has proved that whatever the personal limitations of its president Janaklal Thakur and other leaders, they will be able to keep the organisation alive for a long time to come. Thakur has already developed into a real leader of the masses. With general secretary Anoop Singh playing the ideologue's role effectively and Asha Niyogi continuing as the emotional rallying point, the CMM's organisational base remains intact.

In the same way, the issues that brought workers together under Niyogi, also remain unchanged. These include the illegal contract system, issuing of proof of employment with terms of service, wage slips and provident fund slips, granting of medical, casual and festival leave, granting of house rent and cycle allowance, an eight-hour working day and safe working conditions. Perhaps more important than all these was the demand for the reinstatement of workers who had been retrenched for the sole reason of having joined CMM-affiliated trade unions – the Pragatisheel Engineering Shramik Sangh (PESS) and the Chattisgarh Chemical Mills Mazdoor Sangh (CCMMS).

At the time of Niyogi's death the agitation was one year old. Many discussions Niyogi had had with industrialists led nowhere, as the latter disputed the CMM's list of retrenched workers. After his death, 50 formal and informal negotiation meetings have taken place but in vain. In January-

February this year the State administration had put forth a compromise formula suggesting the reinstatement of the workers in two phases: first taking back workers who had no cases charged against them and, in the second phase, taking up the other cases. There seemed to be general agreement on this formula but once again the number of retrenched workers quoted by the industrialists created problems. The Kedia group of industries said only 39 employees were retrenched while the CMM's figure was 900. Since the workers were on contract there were no proper records and the stalemate continued.

The CMM organised peaceful struggles such as a "Bhilai march", an indefinite hunger strike and a rail roko. All these agitations evoked a massive response. In June the industrialists agreed to discuss not only the cases of the retrenched workers but all the other demands of the CMM.

The method adopted by the industrialists at a meeting on June 6 is even now looked at with suspicion. They agreed to implement the six demands in the CMM's charter, without any discussion. This, according to the CMM, was a deliberate move to vilify the organisation and show that while the industrialists were keen to settle the issue, the CMM was not. The CMM leaders point to the stand taken by the industrialists on the demand of reinstatement of workers as proof of their wily tactics. The industrialists said nobody would be reinstated as it was not clear whether they had been retrenched or had left of their own accord; but many would be given alternative employment.

The talks collapsed following disagreement over the number of workers to be given jobs. The industrialists were ready to give employment to 500 to 600 people while CMM leaders say more than 4,000 workers had been victimised. They also point out that the industrialists were not ready to give any guarantee on what kind of alternative jobs would be provided.

As the dispute continued, the CMM decided to intensify the struggle. The 5,000-odd workers who had been camping in Bhilai from May 25 as part of the agitation finally moved on to the Power House railway station for a "rail roko" on July 1. This led to police firing in which 15 workers and one policeman died. The talks collapsed again.

According to the CMM, after July over 500 workers have been thrown out from five industries, taking the total number of retrenchments to about 5,000. The industrialists maintain that nobody has been retrenched ever. Navin Shah of the Simplex group categorically states that "not a single workers has been retrenched by us. All of them have gone on strike and have left us of their own accord". But then why are they trying to come



back? "Perhaps they did not get the better jobs that they wanted," is the nonchalant reply from Shah.

S.K. Jham, executive director of the Chattisgarh Distilleries of the Kedia group, told *Frontline* that the maximum number of retrenchments have been from the Simplex group – around 1,300. But the CMM says the number is even more, putting it at over 1,500. Jham said that out of the 677 workers supposedly retrenched from the Kedia group many have come back.

The refrain among the industrialists is that the agitation is not based on labour issues but is a political one. They also maintain that some powerful lobby is at work to discredit the up-and-coming industrialists of Bhilai. The workers in their industries are being paid minimum wages as prescribed by either the Madhya Pradesh Wage Board or the Engineering Wage Board, they say.

B.R. Jain, president of the Bhilai Industrialists Association, has accused the media of projecting only the CMM's point of view. Says Navin Shah: "The move of the CMM is clearly to organise people for a state of Chattisgarh and gain control over it." They also claim that the CMM is on the wane after Niyogi's death and there are serious differences among its present leadership.

All these observations do not hold good against the ground reality. The industrialists' claim on minimum wages is a half-truth. *Frontline* met many workers in the Simplex and Kedia groups who are not paid the Rs. 29.75 prescribed by the M.P. Wage Board, not to speak of the one fixed by the Engineering Wage Board that comes to a minimum of Rs. 1,200 a month. Even those who get Rs.29.75 do not get jobs for all the 30 days in a month. Most of them get jobs only for 15 to 20 days a month.

Worse is the plight of those victimised. Though the CMM has evolved a scheme to give relief to these workers (including 10-15 kg of rice per month and free medical treatment) it is clear the organisation cannot do this for long. CMM leaders admit that some of the retrenched workers have either found alternative jobs or have returned to their villages. "They have to feed their relatives and children. They have to live."

It is this state of affairs at the end of the two-year-old struggle that puts the CMM at the crossroads. The organisation still retains its identity and its supporters too have faith in the new leadership. The workers are also as dedicated as ever. But are these sufficient to keep it going for long?

The answer is not in the least positive. The organisation that was a symbol of hope for the unorganised labour in Bhilai would lose out badly, if it was not made more broadbased and did not go in for united action with other

organisations. Badal Saroj of the CITU rightly pointed out at the Bhilai function that this was the time for all trade unions which honestly believed in the welfare of the workers to come together as industrialists and the politicians who help them have closed ranks.

The State secretary of the All India Trade Union Congress, Sudhir Mukherjee, also spoke to *Frontline* on the same lines. But he doubted whether the present leadership of the CMM would understand the relevance and significance of such a move.

But Father Kocherry, who has interacted with the CMM since 1982, feels the present leadership has the potential to rise to the occasion. "The CMM has become more open now than it was ever in the past. Though Niyogi understood the need for this he never put this into practice. Now, that is changing. But still the CMM has a lot to do. It should get ready to fight the challenges posed by the industrialists and their patron-political parties such as the BJP and the Congress (I) at the political level. The Left and the Janata Dal would be the natural allies of the CMM in this battle." Kocherry's observation about "openness" seems to be right, going by indications from the CMM leadership.

All the same, the next few months would be important for the movement, the Government and also the industrialists, for the administration is planning a huge industrial investment (nearly Rs. 15,000 crores) in the area. This adds urgency to the need for negotiations to resolve the stalemate.

***Frontline*, November 6, 1992**

# A Continuing Struggle

V.Venkatesan

On July 1 thousands of activists of the Chattisgarh Mukti Morcha (CMM) gathered in the steel town of Bhilai to pay homage to those killed in a police firing at the Bhilai Power House railway station four years ago. The Railways had to suspend traffic for several hours at the station when grief-stricken men and women filled the platforms for offering coconuts and agarbattis to the portraits of the victims of firing. Sixteen persons were killed on the spot and several others injured when the police opened fire on CMM agitators protesting mass retrenchment on July 1, 1992. (Of the injured one died recently.)

The CMM, which has played an important part in the workers' movement in the region, has observed July 1 as Martyrs Day since 1993. Every year they repeat their demand for the reinstatement of 4,600 workers of various industrial units retrenched in 1990 for joining the Morcha. The retrenched workers were all contract labourers. This year too the CMM activists assembled and dispersed peacefully in Bhilai. They warned of direct action if the workers, "illegally retrenched" in Bhilai, Raipur and Rajnandgaon, continued to be denied justice.

The retrenchment issue has been highlighted by the CMM ever since 1990 and, in fact, the murder of the CMM's founder-leader Shankar Guha Niyogi on September 28, 1991 and the police firing of July 1, 1992 were offshoots of the Morcha's struggle.

According to a committee of eminent persons that inquired into the situation in Chattisgarh after the Niyogi murder (Behind the Industrial Smokescreen, A Citizen's Committee Report, New Delhi, March 1992) and the People's Union for Democratic Rights, (*Tall Chimneys, Dark Shadows*, June 1991), the Contract Labour (Regulation and Abolition) Act (1970) which lays down detailed guidelines about such responsibilities, has been violated by most private firms in the area. Many labour laws remained unimplemented in the case of this category of workers, who were thrown out of jobs when they exercised their right to protest.

B. R. Jain, president of the Bhilai Industries Association (BIA) and chairman of the Bhilai Engineering Corporation (BEC), who is also one of the principal accused in the hawala case, alleged that the issue of reinstatement had been magnified by the CMM for its own political ends.

In his estimate there were no more than 1,500 workers who had been retrenched. Victimisation was not a factor in any of these cases, he said.

Jain blamed the CMM for the stalemate in efforts at further industrialising the region. Because of the CMM's militant approach, he argued, entrepreneurs hesitate when considering any industrial venture in the region. He accused the CMM of going back on certain agreements "to promote its vested interests."

Arguing against Jain's charge CMM general secretary Anoop Singh said that he did not see any reluctance on the part of entrepreneurs. He said that six new industries sponsored by big business groups had been established in the Bhilai-Raipur area, besides many a small and medium units.

Following tripartite talks that involved CMM leaders, industrialists and the State Government, a formula was worked out in January 1992 for the reinstatement of the retrenched workers of the BEC's Urla project.

In May 1992, although a two-phase reinstatement plan was evolved, industry representatives refused to reinstate even a single employee. At the same time 500 new jobs were offered. According to inquiries, the tactics of the five industrial houses concerned - Simplex Group, Kedia Group, Beekay, BEC and Khetawat - were such as to prevent the tripartite talks from reaching a reasonable solution.

In February 1993, the State Government referred the issue to the Industrial Court. On October 25, 1995 the court ordered that the retrenched workers be reinstated within a month, failing which they were to be provided with interim relief as per the Madhya Pradesh Industrial Relations Act. The industrialists, under the leadership of Kailashpati Kedia, vice-president of BIA, had this order stayed by the High Court bench at Indore in November. The State Government did not oppose the grant of stay. The industrialists' appeal is still pending with the High Court.

The case relating to the murder of Niyogi, entrusted to the Central Bureau of Investigation (CBI), has also made little headway. According to CMM sources, the CBI has not so far interrogated B. R. Jain, named as one of the prime suspects by Niyogi's widow, Asha, in her First Information Report (FIR). Industrialist Chandrakant Shah, who is one of the key accused and is long absconding has been acquitted by the Chief Judicial Magistrate at Raipur on the ground that the prosecution has failed to produce sufficient evidence. A confidential note prepared by the Shah brothers and seized by the CBI during their raids reveals that Niyogi was perhaps the target of a murderous conspiracy by the industrialists whom he opposed. However,

among the accused, only Paltan Mallah who is alleged to have fired at Niyogi is in police custody.

The judicial inquiry into the Bhilai police firing is also inconclusive. The CMM wants the inquiry to have a broader focus, but the Inquiry Commission has refused to entertain the CMM's applications in this regard. The Commission's terms of reference are sufficiently wide: to examine the background and circumstances that led to the firing, to find out whether the firing was justified and to recommend measures to prevent the recurrence of such incidents. The CMM wanted the Commission to summon former Chief Minister Sunderlal Patwa and former Industries Minister Kailash Joshi, BJP leaders of Madhya Pradesh who, according to the CMM, connived with the industrialists in delaying a solution to the workers' problems. Recently the Commission rejected the CMM's request for time to approach the High Court, but went ahead with hearing arguments in order to complete its enquiry soon. The CMM is likely to approach the High Court for orders to the Commission to entertain its applications.

Another inquiry conducted by the Railway Magistrate at Raipur is, however, likely to frame charges against 32 CMM activists including its president Janaklal Thakur, now a member of the State Assembly, for causing damage to railway property. About 27 CMM activists have been charged for the alleged murder of a police Sub-Inspector, T. K. Singh, during the disturbances that day. CMM source insists that they have nothing to do with the S.I.'s death.

The CMM has come a long way since its inception in 1978. As an umbrella organisation active primarily in the Durg, Rajnandgaon and Raipur districts, it encompasses a number of industrial and agricultural unions besides youth, students' and women's organisations. It has health teams running the 60-bed Shaheed Hospital at Dalli-Rajhara. It also runs a number of schools, technical training centers, cooperative societies and an agricultural research center.

What ought to be worrying CMM leaders, however, is their relationship, with other left-democratic political groups and trade unions in the region. The Centre of Indian Trade Unions (CITU), which has a sizeable presence in the region, deplors the CMM's indifference to other unions that share its perceptions. "They don't invite us for joint struggles. They think they would lose their mass base if they join a common struggle," said a senior CITU leader in Bhilai.

State secretary of the Communist Party of India (Marxist) Shailendra Shaily said it was the failure of the national trade unions to fill the gap in Chattisgarh, where workers were facing severe repression, that had enabled

the CMM to gain strength in the region. "However, by obstructing common struggles, it would only lose its clout," he warned.

The CMM after Niyogi is entering a critical phase. While Niyogi's successor, Janaklal Thakur, does not have Niyogi's charisma, he has undertaken the difficult task of keeping the CMM alive and active, according to R. K. Sail, director, Mukti Niketan, an NGO based in Raipur. Sail, a key leader guiding the CMM from outside, believes that after Niyogi, working class politics is being redefined in the context of the new economic policy and its diverse implications.

***Frontline*, August 23, 1996**

# On A Rainbow in the Sky

Arun Ghosh

In the social and political turmoil that afflicts India as of writing, there are omens from which one must take heart. Not only are there an increasing number of pockets all over India resisting the pervading ethical decline that now grips the country, there is positive proof that even in the existing framework of administration, there is yet hope. One need not despair.

One singular ray of hope - a sort of rainbow in the sky when dark clouds hover allround - stems from the little publicised judgement, delivered on June 23, 1997, by the Additional Sessions Judge of Durg (Madhya Pradesh), in the murder trial of the late Shankar Guha Niyogi.

Shankar Guha Niyogi single-handedly built up a trade union movement among the exploited tribal workers in Bhilai, Durg and the neighbouring mining and newly growing industrial areas. His task was not easy. To begin with, he was an outsider; and he sought to remedy that by living with the tribals, living like them, eating and dressing like them, marrying into a poor tribal family to identify with them. And yet, he was a trade unionist *par excellence*. He understood the ethos and the nature of an industrialised economy; and he was determined to ensure that in the 'socialistic' republic of the Indian Union, with rapid industrialisation occurring in the wake of a planned programme - with formally announced statutory Minimum Wages, etc. - the tribal workers could not be denied their rightful dues. He was helpless insofar as the alienation of the tribals from their own 'land' was concerned; that had already occurred before he emerged on the scene. His endeavour was to ensure some degree of fairness (at least in terms of minimum wages) by organising labour into cohesive trade unions.

He, therefore, set about organising, first, the Chattisgarh Mukti Morcha (CMM hereafter); and then organising the workers of the Bhilai-Durg area. This was *not* an easy task, and required both foresight and organising capability as well as transparent honesty. To achieve his objective, Shankar Guha Niyogi identified and incorporated the interests of both the industrial and mining workers of the area and also of the farm population. Considering the state of the Indian economy, and the constant emergence of surplus workers without any regular means of livelihood, his task required instilling a sense of solidarity among different types of workers. That is something unique in the annals of trade unionism. Shankar Guha Niyogi was clearly successful, for he began to be seen as posing a threat to

the newly growing industrial class which had no intention of paying labour its due.

Shankar Guha Niyogi realised two ground realities. The Bhilai Steel Plant was obviously paying handsome wages (in comparison with wages and incomes beyond the shadow of the steel plant). The problem was with the 'contractors' of the Bhilai Steel Plant. But, they were too many; they were dispersed; their workers were a fast changing multitude. Before tackling them, it was necessary, first, to tackle the relatively *more organised industrial units* in the area which were conspicuous in their exploitation of the labour employed by them. He, therefore, targeted these industrial units, and commenced his trade union activities centering around the workers in these industries and the multitude of mine workers in the area. The Simplex Industries happened to be one such unit. Shankar Guha Niyogi was convinced that once he was able to get these 'organised' (medium scale) industrial units to recognise their trade unions, he would be able to gradually extend the scope of trade union activity - and enforce the statutory Minimum Wages - even to the unorganised mine workers and smaller industrial units.

The tiger in the forest does not like his killing grounds to be disturbed. Shankar Guha Niyogi was perceived as an obvious interloper, an unwelcome threat to the unrestrained (and exploitative) profiteering by the affected industrial magnates.

When lures of hush money proved to be ineffective - for the Shankar Guha Niyogis of this world cannot be bought - the industrial magnates took (so the courts have found) to other means. Every developing country develops its 'goons'; and the goons of every society thrive on the patronage of the avaricious and unprincipled rich who are prepared to go to any length to achieve their own limited ends. Shankar Guha Niyogi had been forewarned; indeed, the killers (and their instigators) tried to get him to deviate through appropriate threats, directly conveyed; theirs was not a blood feud; it was not 'revenge'; it was no more than the sordid motive of removing every obstacle from their objective of making money, no matter what the human cost of the process was. It was "raw capitalism" of the eighteenth and nineteenth century England; it was the philosophy of the "carpetbaggers" in the USA when the Wild West was won.

More than six years back, on the night of September 28/29 of 1991, Shankar Guha Niyogi was shot by a hired killer in his small house - his residence-cum-office - while another hired killer stood guard outside the house. The noise woke his attendant, who found Shankar Guha Niyogi writhing in bed, with blood splattered on his bed. He was immediately brought to the nearest hospital, but by that time he was dead (through



excessive bleeding and shock as was diagnosed in the post-mortem examination). That it was a clear case of cold-blooded murder was clear; but the assailants had made a quick getaway, and had disappeared in the dark of the night. While the identity of the assailants was not known, it was also obvious that it was a case of preplanned murder, for which the motivation could not be personal or related to property or similar disputes; the needle of suspicion pointed to those who had threatened Shankar Guha Niyogi. (The latter had recorded these threats in his diary and had also kept a tape-recorded message for his followers. Perhaps he had foreseen his murder, as the tape recording clearly indicates.)

It redounds to the great credit of the CBI - who were asked to investigate into the murder and to trace the culprits - that they succeeded in not only piecing together the meagre clues then available, they succeeded thereafter in nabbing the two hired assassins directly involved in the murder, and also on the basis of their confessions and by tracing the ownership of the arms and vehicles involved [including the vehicle which carried the 'instigators' (the rich industrial magnates) and the actual assassins, to Nepal, where the conspiracy to murder Guha Niyogi was hatched].

A search of the houses of the industrial magnates yielded the required evidence of the conspiracy, as also a large quantity of unlicensed arms and ammunition; hotel bills in Nepal, and letters which were clearly incriminating. The CBI also found concrete evidence of large sums handed out by the concerned industrialists being deposited in new bank accounts opened by the assassins after the murder.

The details pertaining to this process, as well as other legal/quasi-legal evidence and arguments are of no interest to the readers of this journal. But two issues underlying the case, and the historic judgement delivered by the Additional Sessions Judge of Durg (on June 23, 1997) are certainly of great socio-political significance. To recall the judgement, two prominent industrialists of the Simplex Group of Industries have been sentenced to imprisonment for life, plus a hefty fine; the death sentence was passed for the assassin who fired the bullets (which killed Shankar Guha Niyogi), and life sentence for the two accomplices who actively aided and abetted in the murder (including provision of transport for the getaway; shelter to the actual assassin while he was on the run; and for acting as go-between in collecting payment of blood money).

How is this story of relevance today? There are three very clear messages that shine through. Even though the case is not closed - there is an appeal pending in the High Court of Madhya Pradesh - the manner in which the CBI pursued the case as well as the wording of the judgement of the Additional Sessions Judge of Durg give one an immense sense of *hope*. In

the murky political atmosphere of today (as of late November 1997), the fact that the long arm of the law in India can reach out to nab the 'criminals' who masquerade as industrialist is certainly a hopeful sign.

The above prognosis is based on the 184-page judgement, delivered in Hindi, which has been translated into English and published by the Chattisgarh Institute of Law. The English translation *cannot* purport to be the actual text of the judgement, since the translation is not an official one.

The other heartening development is that even after Shankar Guha Niyogi's untimely and unfortunate death, the workers of the industrial belt in and around Bhilai remain united; and the CMM continues to be a force. This, despite all the changes in the industrial scene wrought by the government of India in the name of economic 'liberalisation'. This is most heart-warming, especially to those whose sights are confined to happenings in New Delhi, Bombay and to the forces in the outside world. There is yet reason for hope.

So, even though dark clouds pervade over the Indian skies, there is yet a lovely rainbow filtering through the clouds; and, we can take heart that the dark clouds may yet scatter away. That will certainly happen if the likes of the CMM proliferate; if they are able to weld the peasants and workers into a united force.

***Mainstream, December 6, 1997***







# **Memorandum to the President of India with 50,000 Signatures Submitted by a Delegation led by Late Shri Shankar Guha Niyogi<sup>3</sup>**

To  
The President of India,  
Rashtrapati Bhawan,  
New Delhi

Dated : 11.09.91

**Sub: For resolving the longstanding problems of workers and their**  
**(i) Right to Life and Body Security as per Section 21 of Indian Constitution.**  
**(ii) Right to form Trade Union as per Section 19 (1) (a), (b) & (c) of Constitution of India, are protected.**

Sir,

It is with great pain that we inform you that 4-5 neo-rich industrialists of Raipur, Rajnandgaon, Durg, Bhilai belt have been exploiting their workers working in Engineering and Foundry industry or in Chemical industries such as Liquor manufacturing. They have not accepted that the workers have right to form Union in their factories. By bribing the union leader or by a threat on their lives and when that too didn't work then by unleashing physical violence upon workers with the aid of police these employers have crushed all the previous attempts of the workers to form Trade Union.

**Last year the workers of these industries have organised once again and have raised chiefly two demands:**

- i) The workers be regularised when the work is of permanent nature in the industry (as per section 10(a) of Contractual Labour Regulation and Abolition Act).**
- ii) A living wage be decided for the workmen basing upon the considerations of Industry and Region.**

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<sup>3</sup> On subsequent enquiry, Asha Guha Niyogi found out that this memorandum was missing from the Rashtrapati Bhavan Secretariat.

Most of the employers refused to even accept the demand letters. Yet these demand letters were submitted to the Asst. Labour Commissioner so that the workers' right to form Trade Union and their just demands are fulfilled. Industrialists tried utmost to break workers' organisation. In failing to do so they resorted to physical violence upon workers and have gone to the extent of physically eliminating the workers. Keshav Rao of Chattisgarh Distilleries Ltd. and Mani Ram of Simplex Group were murdered at the instructions of their employers. Apart from that there had been attempts on the lives of many workers including Sri Ravindra Shukla, Sri Jagdish Verma, Sri Purushottam who sustained knife injuries. More recently, police acting on behalf of the industrialists, resorted to a barbarous lathi charge on the workers. During this lathi charge the workers' leaders were pointedly tortured inhumanely. When all these attempts have failed now the employers are bent upon creating a large scale bloodshed whereby there is a danger to the lives and bodies of the workers and workers' leaders. On August 19th Sri Uma Shankar Ray, Vice President, Pragatisheel Engineering Shramik Sangh (Bhilai) was surrounded by the hired goons of the employers who assaulted him with knives and iron rods and left him on the road thinking him to be dead. Sri S.K. Singh, Vice President PESS (Urla), Sri Haldhar, Secretary and Sri Suk Lal, Treasurer were assaulted with swords and iron rods on 24th August while they were asleep.

Throughout the police is giving protection to the criminals. Not only that the Bhilai police is yet to arrest a single culprit, they have in fact, acted to protect them.

In this situation there is a danger to the security of lives and bodies of workers and their leaders.

**Hence, His Majesty, is requested to bring in check on these acts of violence by the industrialists and to order a C.B.I. inquiry so that the workers are not denied of their constitutional rights.**

**Here we are :**

**The workers of Bhilai, Dalli-Rajhara, Rajnandgaon, Urla, Tedesara, Baloda Bazar, Hirri and citizens of Chattisgarh.**

(50,000 signatures appended)

## Letter from Asha Guha Niyogi

To,

28.01.92

His Excellency The President of India,  
Rashtrapati Bhavan,  
New Delhi.

Sir,

My late husband the well-known mass leader of Chattisgarh, Shri Shankar Guha Niyogi had met you on 11th September, 1991 and spoken to you of the appalling conditions of the contractual workers in the private engineering and chemical industries of Bhilai, the blatant violations of labour laws, and suppression of the right of expression of their grievances to the extent of threat to the lives of the workers and their leaders from the private armies of the industrialists. A memorandum accompanied by 50,000 signatures had also been submitted to you, though unfortunately according to information provided by the President's Secretariat, it appears it has not been subsequently locatable.

On this occasion you had been kind enough to assure Shri Niyogi that you would speak to the Governor of Madhya Pradesh in this regard. My husband, however, was brutally murdered on 28th September, 1991 and the Central Bureau of Investigation has filed cases against several industrialists in connection with this crime.

Even four months after Shri Niyogi's death the five industrial houses of Simplex, Kedia, Beckay, Bhilai Engineering Corporation and Khetawat are refusing to resolve this two-year long industrial dispute involving over 10,000 workers and are thus forcing the 2500 workers victimised by them to the verge of starvation. These industrialists are making mockery of the process of conciliation by refusing to even accept the victimised workers as their employees. They are disregarding all efforts of the Labour Commissioner of Madhya Pradesh and in fact persisting with the politics of murder by vicious attacks on workers and their leaders.

You have urged the people in your Republic Day Eve speech that there is no place for bullets and bombs in a democracy where constitutional remedies exist. However the industrial workers of Bhilai and their families -- over one lakh in number -- are being systematically denied all constitutional remedies although they have shown exemplary restraint and are expressing themselves through completely peaceful means despite the industrial tension being created by the adamant attitude of the industrialists.



Today the fast unto death undertaken by the President of the Chattisgarh Mukti Morcha and ex-MLA Shri Janak Lal Thakur for a just settlement has entered its third day. Given the widespread discontent and hardship being faced by the people the situation is potentially an explosive one.

I request your Excellency to intervene in this grave situation in defence of a peaceful and just resolution for which Shankar Guha Niyogi laid down his life.

Asha Guha Niyogi

## **On Departmentalisation of Contract Labour**

To  
Hon'ble Minister of Steel  
Government of India  
Ministry of Steel  
New Delhi

5.7.92

Sub: Long-Pending Demand for Departmentalisation of Contract Workers of the Rajhara Group of Mines and the Danitola Quartzite Mines.

Sir,

The issue and demand of departmentalisation of contract workers employed in the Rajhara Group of Mines and the Danitola Quartzite Mines has been pending for a large number of years and has been repeatedly brought to the attention of the Bhilai Steel Management with a copy to the Ministry of Steel.

The merits of the case for departmentalisation as well as the legally totally fool-proof case for departmentalisation has been set out in detail in the Memorandum dated 20.8.88, Ref. No.CMSS/DR/88/26 submitted before the Committee for Abolition of Contract System in the Mines appointed by the Government of India. Copies of the said memorandum have also been submitted earlier to the Ministry of Steel, Managing Director Bhilai Steel Plant and Chairman SAIL.

The various discussions between CMSS, representing the contract workers in the Rajhara Group of Mines and Danitola Quartzite Mines, and the

Management of the Steel Plant have also been set out in the above mentioned memoradum. Similarly the agreements reached and the preparation of seniority lists, service certificates etc. with regard to departmentalisation have been referred to in detail in the memorandum and are not being repeated here for the sake of brevity. The last memorandum of settlement dated 12.8.89 requested the Union to await the outcome of the report of the Committee for Abolition of Contract Labour in Mines. A copy of this memorandum has also been sent earlier to the Ministry of Steel.

A period of three years has elapsed since the above said memorandum dated 12.8.89. The workforce in question which in 1989 numbered around 7000 has now been reduced to 5500 workers. The management of BSP with its stress and pressure on Voluntary Retirement is bent on further reducing the workforce without implementing the agreements with regard to departmentalisation. The BSP management has on its own not taken any further initiative in the matter.

The workers who joined the mines in their youth have now worked for more than 25 years for the production in BSP and have been waiting patiently for departmentalisation

We, once again request your kind self to fulfill forthwith the long pending demand of departmentalisation of the contract workers of the Rajhara Group of Mines and the Danitola Quartzite mines, in accordance with the numerous assurances given to us as well as the law. Further delay in this matter would vitiate the present peaceful industrial climate in this vital sector.

Thanking you,

Yours faithfully,  
(G.R. Choudhary)  
Vice President  
Chattisgarh Mines Shramik Sangh

# **Bhilai Industrial Workers Getting Fair Treatment**

## ***Press Release***

Chattisgarh Mukti Morcha (CMM) has been blaming Industrialist and making baseless propaganda that labour laws are not being followed by Bhilai Industries whereas truth is as follows:

### **Minimum Wages**

We are quoting representative union AITUC'S version which they have released to the press.

AITUC - AITUC is a representative body of most of the units in Bhilai Industrial area. It has made an open statement in Daily Nav Bharat of June 23, 1992 that in the whole of Madhya Pradesh, workers of Bhilai units are drawing the highest wages as compared to Engineering Workers in any other places.

We hope we have nothing more to clarify. The AITUC is a union working in Bhilai area since last 35 years and its statement is to be believed.

We have to further state that engineering units of Bhilai are not only paying highest wages than any other Engineering Industry of M.P. but also they are much more, compared to the neighbouring states of Orissa & Bihar.

### **Facilities as Per Law**

Our member industries pay Bonus, Provident Fund, Gratuity, Medical benefit, House rent & Conveyance etc. every year regularly. None of the workers has any complaint. Respective department's inspectors are checking this regularly.

The very fact that Industry is paying every thing due to workers has prevented CMM to go to Labour Court. CMM need not have to agitate for their legal dues even if there was any violation, complaint to respective department would have solved the problem.

### **Retrenchment of Workers**

Allegation leveled by CMM was regarding retrenchment by Industrialists which is totally wrong and baseless because despite general slackness in business, industries have not retrenched a single worker. On the contrary, labourers went on strike of their own without any prior notice to their respective managements.

Labour court passed stay on this illegal strike and has given directives to workers to report to duty. It was circulated through media and registered letters were also sent to individual requesting them to attend their duties. Even then the workers did not take note and remained away from their work for such a long period.

From time to time various advertisements were released in local newspapers requesting the workers to join duty - at least four advertisements were made at different time.

CMM alleged in Labour Court that workers were not being allowed to enter the gate of factories. To this Labour Court requested advocates of both the sides to remain present on factory gate but no one came to work. Later CMM declared that its members do not want to work and went on strike which was ultimately declared unconstitutional and illegal by the Labour Court Durg. The appeal filed by CMM against this decision was dismissed by Industrial Court.

### **Four Year Agreement Signed between Recognised Union "AITUC" and Industry**

All major units of Bhilai signed four year agreement with the recognised labour union "AITUC" in the year 1990 (May). This agreement includes that all facilities to workers including variable D.A. be given.

This Agreement could not be signed with CMM even though they were agitating because AITUC is recognised Union and as per M.P. Industrial Relation Act it is fully legal. Labour commissioner was also a party to this agreement.

### **Problem Faced by Industrialists**

Industrialists were ready for tripartite discussion keeping AITUC and CMM on one side and administration on other side but CMM never cooperated with AITUC and did not come out on terms with AITUC which is recognised Union. In this case Industrialists were helpless. Even now we request that both unions AITUC and CMM should give a common formula which should be acceptable to both of them.

Bhilai Industrialists Association will be too pleased to consider very sympathetically and try to accept any such solution which is acceptable to both the unions.

### **Establishment of Harmony**

Bhilai industrialists have always been eager to live in harmony with workers and are therefore extremely disturbed with the "RAIL ROKO ANDOLAN" which finally resulted into violence and in which we lost 15

workers. Some citizens and Police Inspector Mr. T.K. Singh also lost their lives. We, the industrialists, staff and workers pray for peace for departed souls and offer heartfelt condolences to their families.

We had passed a resolution earlier and have personally visited grieved families and are constantly attending the injured in the hospital and are praying for their early recovery.

### **Industrialists & Workers Could Live for 32 Years in Peace and Harmony. Why Not Now?**

We have lived with our workers peacefully why not now? Bhilai and our beloved Chattisgarh was always known for harmonious industrial relations before CMM started its agitation in Bhilai in 1990. We want same peace and progress for all of us.

Our members industries have not only served home market but also established export market thereby generating better employment.

### **Respect Law of the Land**

All our members have respect for law of the land and are complying with all labour laws rigidly. We want to assure all concerned that our members are working within the framework of law but CMM does not respect the law of land and they seem to believe in direct action.

### **If Our Member Industries Violated Labour Law Why CMM Did Not Bring Court Orders for its Implementation?**

CMM knows that there is no legal demand. All what they can demand is already being paid. So they have not moved the Labour Court for redressal of their demand for the last 22 months, which goes to prove that there is no violation of labour laws by Industrialists.

### **How Long CMM will be Allowed to Take Law in Their Hand?**

CMM is daily threatening Industrialists, Administration and Govt. of deadly action and are openly provoking labourers by slogans like "KARO YA MARO" stopping Railways and beating Industrialists and also to other fellow workers who are continuing to work. Hundreds of such complaints have been registered.

### **We Want to Know from People of India**

How long CMM will be allowed to take law in their own hands? They are still making statements of "More Aggressive Agitation" for what and why?

Unless atmosphere is improved, which customers will place orders to Bhilai Units? If there are no orders how we will run units and how we will give work to our existing workers?

Export market developed by us has been affected. Is it in the interest of Industry, workers and the country?

Does CMM realise that unless industry gets orders, they will not be able to provide additional employment to workers? To get orders we want peace and not agitation! Too much pressurising by CMM and the Government will only result in closure of the units. This pressure has become unbearable.

Market conditions are extremely recessionary and payment is not forthcoming due to liquidity problem. No new projects are coming up. Under the circumstances, we request CMM to cooperate with the industry and adopt an attitude based on facts in the interest of the workers and work, as one family, so that we can jointly solve the genuine problems of both sides.

For Publication Please

Sd/-

18.7.92

**BHILAI INDUSTRIES ASSOCIATION**

# Letter to the Union Minister of Steel

To  
The Honourable Minister of Steel,  
Government of India

6 August '92

**Sub: To discontinue supply of raw material and orders to 4 engineering industries viz. Beekay Engineering Corporation, Bhilai Engineering Corporation, Simplex Engineering and Foundry Works and Bhilai Wires Ltd. which have violated labour laws and are guilty of unfair labour practices punishable under the industrial disputes act.**

Sir,

Since the establishment of the Bhilai Steel Plant a number of ancillary industries have mushroomed around it benefiting from regular and subsidised supply of raw materials (Slag & Scrap), and assured market for their products through the system of repetitive orders by the Steel Plant.

The functioning of these privately owned ancillary industries is therefore very closely interlinked with the BSP, both as the major receiver of their products and supplier of their raw materials. The Bhilai Steel Plant as a public sector undertaking has the moral, legal and constitutional obligation to see that the central laws with regard to working conditions, contract system, health, safety, wages, etc. are implemented with respect to the workers employed in these privately owned industries.

Prominent among these ancillary industries are Bhilai Engineering Corporation, Simplex Engineering & Foundry Works, Beekay Engineering Corporation, and Bhilai Wires Ltd. These industries have amassed surprisingly large assets over a short period of three decades, only a part of which seems to be reflected in their financial statements. They have also been accused of various corrupt and illegal activities, detrimental to the interests of the Steel Plant. A list of these industries and their working relationship with BSP is attached herewith and marked as Annexure I.

The fact of these industries being creatures of and dependent on the Bhilai Steel Plant is admitted to in a study published by the BSP itself, titled *Ripples: A Study of the Socio-Economic Impact of Bhilai Steel Plant* (Dr. N. R. Srinivasan; Bhilai, 1988). To quote,

The ancillary industry units came up solely with the aim of catering to the requirements of the BSP. About 80% of the product are supplied to BSP, while the balance goes to meet the requirements of organisations such as

the Bhilai Refractories Plant, Hindustan Steelworks Construction Ltd., the Bharat Aluminium Company, Korba and other units. (p. 78)

Further,

The ancillaries supply mechanical and electrical spares, general stores items non-engineering items, technological fabricated structures and non-standard structures for construction. (p. 79)

This only further goes to emphasise the responsibility of the BSP to ensure the legal functioning of these ancillary industries which are almost wholly dependent on it.

A large majority of the workers in these industries are contractual despite the permanent nature of their work assured by the Steel Plant, and even the benefits of the Contract Labour (Regulation & Abolition) Act are denied to them. Due to this system, wages much below the statutory provisions have been paid for the past three decades. Violations of safety norms have led to an uncommonly high rate of accident, low wages and poor working conditions, along with the insecurity of 'Hire & Fire', have led to widespread discontent in the Bhilai Industrial Estate. (A list of these Central laws being violated is attached herewith and marked as Annexure II). It would be timely to note that when the BSP was first established, it was with the twin objectives of, again according to the above quoted study, "ensuring rapid economic growth" and "social obligations to the community".

The **Pragatishheel Engineering Shramik Sangh** was formed under the leadership of Com. Shankar Guha Niyogi, to voice the long-standing legitimate demands of these workers for regularisation; living wages, and safer working conditions. However, the 4 Industrial Houses named above have refused to recognise the right of the workers to form a Union of their choice, and have resorted to mass illegal dismissal and other means of victimisation as listed below. Moreover, instead of resolving the industrial dispute amicably, they have resorted to violence through their private goonda armies. These criminal elements have unleashed a wave of violence on the members of PESS, of which there are numerous examples, culminating in the murder of Com. Shankar Guha Niyogi.

The Industrialists have gone to the extent of rejecting the scheme formulated by the Officials of the Labour Department and local Administration for resolution of the industrial dispute by reinstatement of the victimised workers in two phases, thus forcing the workers to continue their 2-year long peaceful agitation.

In an attempt to crush this movement, police resorted to indiscriminate firing on 1 July 1992, killing at least 16 workers and severely injuring many



others, including citizens and workers of the Bhilai Steel Plant Township. As a result, industrial tension and simmering discontent has reached a new high, which is bound to adversely affect the industrial climate of the region and the Bhilai Industrial Belt.

We feel strongly that BSP should cease subsidising and discontinue supplying raw materials to Industries which are insistent on violating industrial law and causing a threat to industrial peace in this manner.

In view of the Central Government's commitment and special responsibility towards the fulfillment of the constitutional goals of adequate means of livelihood, just and humane conditions of work, and promotion of the welfare of the region, and in the interests of harmonious industrial relations, we urge you to intervene and ensure that the BSP take necessary action with these Industrial Houses in order to settle the issue, and ensure that they implement labour legislations strictly and discontinue their gross violations of labour laws.

Yours sincerely,

(JANAK LAL THAKUR)

President, Pragatisheel Engineering Shramik Sangh

**Encl:**

Annexure I – List of Industries

Annexure II – List of labour laws violated by concerned industrial units

**Copy to:**

1. Chairman, SAIL, New Delhi
2. Members of Parliament