

# India - Chhattisgarh - An Update on the indefinite dharna by contract workers at Holcim

Sunday 22 May 2011, by [CHAKRAVARTHI Indira](#), [GERA Shalini](#) (Date first published: 18 April 2011).

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The indefinite dharna by contract workers [[1](#)] asking for the implementation of a High Court order directing ACC-Holcim to regularize them is in its 16<sup>th</sup> day today.

On 3<sup>rd</sup> April, the contract workers served notices to the Collector and Assistant Labour Commissioner, Durg and the City Superintendent of Police Chhaoni, and started their protest in a pandal in front of Comrade Niyogi's statue in the Bhilai Industrial Estate, Jamul. Each day since then, groups of workers have been joining the protest after completion of their respective shifts, their families and mohalla members have been sitting in dharna during the day, and volunteers from among the affected workmen have been sleeping at the protest site during the nights. Before starting work in each shift, the workers shout slogans and hold gate meetings, and have also been distributing pamphlets outside other factories in the industrial area during lunch hours asking for solidarity.

The contract workers, organized under the Pragatisheel Cement Shramik Sangh (PCSS) Union, have struggled for over 20 years, seeking regular employment at the ACC-Holcim cement plant instead of the exploitative and illegal contract-based employment system currently in place. It should be recalled that under the Cement Wage Board Agreement – a tripartite agreement between the All India Cement Manufacturers Association, the central trade unions and the government, in force since 1978 – no contract labour would be employed in cement manufacture at all, and if any were to be employed it would be limited to the loading and unloading of raw materials and would be paid at the same rate as the permanent employees. Despite this landmark agreement, use of contract labour in cement industry is rampant today, and it is estimated that over 70% of the labour force engaged in the nine large cement plants of Chhattisgarh today is contract labour, employed under unlawful and highly abusive conditions.

Contract workers of ACC-Holcim have been seeking regularization for the past twenty years, of which the last ten years have been spent in a lengthy and expensive litigation process. Both the Industrial Court and the Chhattisgarh High Court have eventually sided with the contract workers, holding their contracts “sham and bogus” and directing the ACC-Holcim company to regularize them immediately.

## **Response from ACC-Holcim**

Despite clear indictment by the courts, ACC-Holcim has been refusing to implement the High Court

order and to regularize any one of the more than hundred eligible Union employees. In fact the Union had to send the copy of the Judgment by Registered Post since the company representatives refused to accept the copy from Union representatives. It is imperative that the company accede to the ethical and legal demands of the Union for regularization of these employees, rather than engage in another round of litigation. It is to be noted that Holcim has been a signatory to the UN Global Compact since 2003, a fact that Holcim prominently advertises as an aspect of Corporate Social Responsibility. The UN Global Compact includes a code of conduct for companies regarding treatment of labour, and stipulates that forced labour and discrimination would not be resorted to by managements.

### **Response by the Administration**

On 15<sup>th</sup> April, the workers went to the Collectorate, and the after a day-long sit-in, the Durg Collector, Mr. Thakur Ram Singh, was forced to meet with the workers. Mr Singh has promised to arrange a meeting between the workers and the company officials in a few days, but no other assurance has been forthcoming. It remains to be seen whether the Raman Singh government, which is always exhorting poor adivasis, farmers who are being dispossessed and activists charged under draconian laws, to have faith in the judiciary, will be able to persuade a hugely profitable multinational company to show similar faith in judicial pronouncements.

PCSS is also actively working through trade union representatives to persuade Holcim India to sit across the table with the workers and work out the implementation of the High Court order in the ACC Jamul Cement Works, rather than dragging the workers into another endless round of litigation.

Support from Local, National and International Trade Unions

Meanwhile, the protesting workers are receiving support and solidarity from several local, and national and international trade unions and mass organizations.

Congratulating the contract workers for their hard won success at getting a favourable court order, the NTUI (New Trade Union Initiative) Delhi, has deplored the blatant disregard shown by Holcim for the laws of the country. NTUI expresses solidarity with these workers of Chhattisgarh in their fight, which is a fight of all workers and progressive people for dignity, justice and labour rights. PBKMS (Paschim Banga Khet Majoor Samiti) Kolkata has also expressed its support and solidarity for this struggle for labour rights. GAWU (Garment and Allied Workers Union, Gurgaon) notes that this fight has become a symbol of hope for all those struggling against increasing informalisation and contractualisation of employment and violation of workers' democratic and labour rights. TUSC (Trade Union Solidarity Committee representing seven unions) Mumbai has also extended support for this just demand and struggle. NFSRU, AWBSRU Kolkata and Goa Rajya Kamgar Mahasangha have also expressed solidarity with this struggle. AICCTU and other local unions have also extended solidarity.

CGIL (Italian General Confederation of Labour) Italy has written to the Indian Ambassador in Italy. Describing the struggle as another mobilization in a long-standing dispute over working conditions, CGIL expresses deep concern for the situation of the contract workers and asking for immediate intervention by the Indian authorities to fully respect labour rights. The European trade union of Holcim has written to say that in response to its earlier letters to Holcim to change its attitude in India, Holcim has stated that they always comply with local legislation. The Union has once again written to its management expressing concern over the situation in Chhattisgarh, and urging Holcim to abide by the Indian laws; the union has also expressed solidarity with the workers here. ICEM (International Federation of Chemical, Energy, Mine and General Workers' Unions) has also extended support noting that cement multinationals like Holcim and Lafarge are doing nothing to

stabilise employment and bring decent work to rural people, who are recruited and then exploited as contract workers.

On the 18<sup>th</sup> April PCSS and the Chhattisgarh Kisan Vikas Manch held a public meeting at Baloda Bazar, Raipur. MORE than 300 workers and peasants, more than half of them women, attended this gathering to protest the exploitation by various cement companies in the area. Nearly 100 workers coming from Bhilai for this meeting were initially stopped and then allowed to join the meeting after their protested their detention.

**by Indira Chakravarthi and Shalini Gera** (Friends of Chhattisgarh Mukti Morcha)

## **WHAT YOU CAN DO:**

We urge friends and supporters to write to the following officials in the management, urging them to follow the Labour Laws of India and implement the High Court orders with immediate effect, rather than harassing the workers through another round of lengthy litigation.

· *HOLCIM management in Switzerland:*

o Markus Akermann, Chief Executive Officer, Holcim markus.akermann holcim.com

o Paul Hugentobler, Member of Executive Committee and Area Manager for Holcim Ltd responsible for South Asia and ASEAN excluding the Philippines at paul.hugentobler holcim.com

(with copies to Peter Gysel, Head External Communications, peter.gysel holcim.com)

· *ACC Limited management:*

o Kuldip Kaura, Chief Executive Officer and Managing Director, ACC Limited, kuldip.kaura acclimited.com

o Dr. Rajen Mehrotra, Chief People Officer and Chief Knowledge Officer, ACC Limited rajen.mehrotra acclimited.com

(with copies to Nand Kumar, Media Queries, ACC Limited, nand.kumar acclimited.com)

*For more details, please contact Friends of Chhattisgarh Mukti Morcha at pcss.cg gmail.com.*

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## **P.S.**

\* From Sanhati, 18.4.2011:

<http://sanhati.com/articles/3470/>

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## **Footnotes**

[1] See [India - Chhattisgarh - Contract Workers of Holcim begin indefinite dharna](#), ESSF (article 21639).