

India: Tamil Nadu government continues witchhunt of strikers

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A panel of judges has imposed severe penalties on hundreds of government employees in the southern Indian state of Tamil Nadu accused by the state government of misconduct during a statewide strike in July.

Three retired High Court judges—Justice K. Sampath, Justice Malai Subramanian and Justice P. Thangavel—examined the cases of 2,777 employees from districts outside the state capital of Madras. Sampath and Subramanian released their latest verdicts on December 26 and Thangavel on December 31. They have ordered 412 dismissals, while other employees have been subjected to various punishments such as fines and pay cuts. Only 75 workers have had charges withdrawn.

The panel, which is little more than a kangaroo court, was set up in the wake of the state government's crushing of the general strike through the mass sacking of 200,000 employees. While most were reinstated under a ruling from the Indian Supreme Court, thousands were singled out as troublemakers and handed over to the panel to decide their fate.

The indefinite industrial action began on July 2 to demand the restoration of pensions and other benefits slashed by the All India Anna Dravida Munnetra Kazhagam (AIADMK) state government. Chief Minister Jayaram Jayalalithaa ordered the police to crack down on the strikers, then on July 4 pushed through an amendment to the Tamil Nadu Essential Services Maintenance Act (TESMA) 2002 to provide for the widespread summary sacking of government workers.

Despite widespread opposition to the government's action, the trade unions unconditionally called off the strike on July 12 and took out a legal challenge in the Indian Supreme Court. While the court suggested that the Tamil Nadu government reinstate most sacked employees if they provided written apologies, it also ruled on July 24 that, "employees have no moral right to strike". It directed the Jayalalithaa government to inquire into cases where strikers had been arrested or had a police report filed against them.

The Tamil Nadu government refused to reinstate 6,072 of the sacked 170,241 employees. The summary nature of the

justice being meted out to these workers was indicated by the procedure used. They did not have the benefit of a trial or due legal process. Since September, the three judges divided up the cases of 5,715 government workers among themselves and spent an average of 5 to 10 minutes deciding the fate of each individual.

The first verdicts, involving 2,937 employees attached to the State Secretariat and other government offices in Madras, were handed down on November 15. Of these, 587 were sacked with the remainder receiving various forms of punishment, including pay cuts, compulsory transfers and demotions. Dismissed workers have yet to be told what charges they are being punished for. Only 132 personnel were exonerated.

The undemocratic and arbitrary actions of inquiry panel are demonstrated by the following cases.

Dhan Raj, Radha Krishnan, Siththaiyan, Vasudevan, Thangaraj and Rassaiyan were taken into custody by police and held under preventive arrest prior to the scheduled July 2 strike. They were later released because of their non-participation in the strike, after intervention by the Madras High Court. When they were brought before the panel, however, their cases were heard under the "arrested" category and punished accordingly. Dhan Raj, Radha Krishnan and Siththaiyan were penalised with three years' increment cut, Vasudevan was demoted and Thangaraj and Rassaiyan were dismissed.

In another case, Sarojini, a women's section officer attached to the Athidraavidar (Dalit) Welfare Department, was sacked, despite the fact that she was being treated for breast cancer during the strike. Panel members ignored her medical records.

A legal record clerk, Vijayalingam, died from a heart attack after a panel hearing. He had been punished with an increment cut. Kanaka Valli from the Finance Department also had a heart attack and died a week after the panel ruling and Patchi Raja, a personal assistant to the Higher Education Secretary, died before the inquiry. Both workers were penalised with three years' increment cuts.

Nirmala Dass, a rural development directorate supervisor and a diabetic, took medical leave before the general strike. The government sacked her for being absent, and the panel judges endorsed this blatant victimisation. She tried to commit suicide by swallowing sleeping pills after the decision. Geetha, another sacked female employee, also attempted suicide after she was dismissed.

Several victimised employees recently spoke to *World Socialist Web Site* reporters denouncing the Jayalalithaa government's repressive actions.

A female worker dismissed from the Tamil Nadu secretariat finance department, who wanted to remain anonymous for fear of reprisals, explained: "I was on medical leave [during the strike]. When I submitted the medical certificate, the judge refused to accept it on the grounds that the doctor who issued it was sacked. Meanwhile, another judge accepted a medical certificate given to my fellow worker from the same doctor.

"How is this justified and why did Judge Malai Subramanian, who investigated me, respond differently? This retired judge, who has recommended the dismissal of 300 out of 587 government employees, has been an active member of the ruling AIADMK. How can he be neutral about the ruling party's attacks?"

She also criticised ongoing appeals to Tamil Nadu government officials by the union officials, stating: "The union leaders say they were going to speak to [Finance] Minister Ponnaiyan, but I have no confidence in this. When our case came before the Supreme Court he travelled to Delhi to argue in favour of punishing us, so how could we expect justice from him?"

A joint section officer dismissed from the transport sector said: "Under the service conduct rules the government should treat us as no-work, no-pay and give us a warning. But we are treated differently and dismissed on the basis of TESMA, which is against the Supreme Court order.

"This government is attacking all sections of the population—government employees, students, peasants, workers and so on. People will definitely teach them a fitting lesson at the next election."

While victimised government employees demand defence of their basic rights, union officials are working to dissipate workers' anger and entangle them in legal action and harmless appeals to the government.

The opposition parties, including India's two main Stalinist organisations—the Communist Party of India [Marxist] (CPI-M) and Communist Party of India (CPI)—have done nothing to stop the government attacks or overturn the panel decisions. CPI-M state secretary N. Varadarajan declared the panel verdicts against natural justice. He said the victimisation of employees was

disproportionate to the offences, implying that lesser punishments might be acceptable.

The CPI-M and CPI, which helped bring Jayalalithaa's government to power, have joined with other opposition parties and the trade unions to initiate a petition campaign over the victimisations. All India State Government Employees Federation treasurer Prabir Sen Gupta has declared that the union is planning a national strike in support of Tamil Nadu state employees and restoration of the right to strike on February 11. Similar threats have been made in the past, only to be abandoned.

The Tamil Nadu Government Employees Association claimed the punishment order came as a "rude shock" and said they would appeal to the chief minister to reconsider the dismissals. If this failed, it said, the unions would take legal action.

When a WSWS correspondent attempted to interview Tamil Nadu Secretariat Staff Association president Pandurangan about the victimisations, he said employees were not in the mood for interviews and he was meeting with Tamil Nadu Finance Minister Ponnaiyan to ask for the dismissals to be withdrawn.

The mass sacking of Tamil Nadu public sector employees must serve as a warning to all workers. These measures, which were aimed at stifling opposition to the government's privatisation and economic reform program, marked a political turning point in the assault on Indian workers.

Empty protests and appeals to the government by the union bureaucracy and the opposition parties have allowed the central and state governments to deepen their attacks. In fact, along with the ongoing victimisation of the July strikers, the Tamil Nadu government has been able to announce new attacks on public sector workers, including cuts in government holidays and other working conditions.



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