

Human Rights Defenders Alert - India

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Special Rapporteur on the situation of human rights defenders,

Mrs. Margaret Sekaggya

c/o Office of the High Commissioner for Human Rights - Palais Wilson

United Nations Office at Geneva

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Dear Sir/Ma'am,

***Sub: HRD Alert - India - Urgent Appeal for Action - Andhra Pradesh/Yanam:
Killing of a trade union activist who was demanding justice for the workers
in Regency Ceramics Limited Factory - Reg***

Greetings from Human Rights Defenders Alert - India!

HRD Alert - India is a Forum of Human Rights Defenders for Human Rights Defenders. It endeavours to initiate actions on behalf of Human Rights Defenders under threat or with security concerns.

We are now writing to express our grave concern regarding the brutal killing of Mr. M.S. Murali Mohan, a trade union activist who was fighting for justice for the workers in Regency Ceramics Limited Factory, Yanam, Andhra Pradesh.

Incident

Name of the perpetrators: Regency Ceramics Limited Factory Management, and the Yanam Police

Date of incident: Arrested on the night of 26th January, 2012 and killed on January 27, 2012 morning.

Place of incident: Outside of the Regency Ceramics Limited Factory, Yanam, Andhra Pradesh

About the activist:

Mr. M.S. Murali Mohan, trade union leader, was killed in police action outside the factory on January 27, 2012 (Friday). He was mainly involved in the fight against the factory management for workers' rights for better wages and staff regularisation for nearly one month.

According to the information received, the Regency Ceramics is the biggest industry in Yanam, which is situated at a distance of about 30 km from Kakinada and has a population of over 42,000. The company employs 1,200 workers. The trade union has been demanding the regularisation of at least those who have put in 15 years of service.

Mr. M.S. Murali Mohan, the founder of the union, was picked up on 26.01.2012 (Thursday) night by Yanam Police, reportedly on a complaint by the factory management against the workers, who have been agitating for better wages and staff regularisation for nearly one month. He was released a little while later. At 6.00 a.m. on 27.01.2012 (Friday), he went to the factory along with some workers and tried to obstruct those who were attending the morning shift.

Police personnel who were present at the spot are said to have attacked the trade union leader Mr. M.S. Murali Mohan with *lathis* (batons), resulting in serious injuries. He collapsed on the spot and was taken by police to the local hospital, where he died.

As the news of his death spread, factory workers torched nearly 50 buses and lorries owned by the company. Groups of workers entered the factory, while others rushed to a college run by the management. Few others staged a demonstration in the centre of the town.

As the situation went out of control, the police resorted to baton charge and mobs retaliated by throwing stones. The police opened several rounds of fire, which resulted in nine workers sustaining bullet injuries. The workers were rushed to the Government General Hospital at Kakinada.

Meanwhile, hundreds of local residents rushed to the factory and the college and looted computers, tables, chairs and ceramic tiles. In the melee, the nearby warehouse of a gas agency was also ransacked, and people made away with 416 refilled cylinders.

The police were rushed from Kakinada to restore normality and senior police officials of Puducherry rushed to Yanam.

Background of the incident:

As per the received information, Mr. M.S. Murali Mohan stated that the management was harassing them very badly for forming a union. After leading a series of agitations demanding regularisation of contract workers and wage revision, all the 800 workers of Regency Ceramics Limited, headed by Murali Mohan, had come to the city, seeking support from the ruling party in Andhra Pradesh.

The union was formed on January 25, 2010, and the management approached the Court, challenging its legality. Even as the union's registration was cancelled, workers wanted Murali Mohan to be their leader.

The management removed him from service on the ground that the production was getting affected. Following the management deciding to suspend him and four others on January 2 for being active in the union movement, the workers intensified agitation and took to the streets.

Accusing the management of resorting to anti-worker policies, Murali Mohan alleged that daily wage labourers from Srikakulam and Vizianagaram were being hired to continue the production. He also claimed that they would continue their fight against these policies and demand justice to the workers.

Additional Information:

Following his death, the factory workers went on rampage since their leader M.S. Murali Mohan was killed in police action outside the factory. A group went to the house of president (Operations) of Regency Ceramics Limited K. C. Chandrasekhar and attacked him, resulting in serious head injuries.

A delegation of various trade unions urged the Chief Minister Rangasamy to take steps to restore normalcy in Yanam, an enclave of Puducherry in Andhra

Pradesh, where a top official of a company was lynched by its workers after a trade union leader allegedly died in police action.

They have asked the government to sanction a solatium of Rs. 25 lakh to the family of Murali Mohan, the trade union leader in Regency Ceramics who was killed in police action. They have also demanded the government to pay Rs. 10 lakh each to the nine persons injured in police firing.

Meanwhile Puducherry unit of All India Anna Dravida Munnetra Kazhagam demanded for a judicial probe into the incidents.

Appeal

We, therefore, urge you to immediately take necessary steps to:

1. Carry out an immediate, thorough and impartial investigation into the brutal killing of Mr. M.S. Murali Mohan with a view to bring those responsible to justice in accordance with national and international standards;
2. Take action against the police personnel of the Yanam District and Regency Ceramics limited factory authorities who instigated this brutal act;
3. Put an end to acts of harassment, threats and the brutal killings faced by all the trade unionists and human rights defenders in India and guarantee in all circumstances that human rights defenders are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions;
4. Ensure that adequate, effective and prompt reparation, including adequate compensation and rehabilitation is granted to the victim's family;
5. Ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with in accordance with the Universal Declaration of Human Rights and with international and regional human rights instruments ratified by India.

Looking forward to your immediate action in this regard,

Yours sincerely,

Henri Tiphagne

Hon'ble National Working Secretary

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