

## **I. Pollution and exploitation of ground water in Plachimada by Coca Cola**

The Hindustan Coca-Cola Beverages Pvt. Ltd was started in 1998-99, at Plachimada of Perumatty Panchayath, Palakkad District, Kerala. It is a subsidiary of the Atlanta based Coca-Cola company. Plachimada is an agricultural village, and the villagers are predominantly landless agriculture wage laboureres. Hindustan Coca-Cola Beverages Pvt. Ltd was blamed for creating environmental problems in the vicinity of this village. Forty acres of land was taken over and factory buildings were erected. The factory had worked on nearly 60 bore wells apart from the two open ponds. The unit had a working capacity of 1500000 liters of waterbased product. Preparation of bottled drinks, bottle cleaning, etc. gave out contaminated water and chemical wastes. Plastic, metal and paper wastes were also generated. The chemical waste called "slurry" was dumped into the fertile agricultural lands of this village under the pretext of manure. Within six months of company's operations the water in the nearby locality had become unsuitable for drinking and cooking. Wells and nearby watersheds had drained and yield from the paddy fields went down drastically.

Around one thousand families were directly affected and approximately ten thousand families were affected indirectly. On April 22, 2002, the indigenious people dwelling around the Hindustan Coca-Cola Beverages Pvt. Ltd at Plachimada arranged a symbolic march to protest against the immediate environmental problems the new factory was creating in the locality under the banner *Coca Cola Virudha Janakeeya Samara Samithy*. The most notable aspect of this struggle was that the multinational giant was forced to shut down their factory at Plachimada as the company was unable to withstand the struggle from the indigenious people for their right to live and right to know.

The company was guilty of excessive exploitation of ground water, abuse of law and legal processes, and fraud and corruption. There was involvement from state, central and local self-governments as well as the state Pollution Control Board, Department of Health, Department of Agriculture and Kerala Water Authority. The case also saw participation of the local police, political parties and trade unions.

In April 2003, following the public agitation against the company, Perumatty grama panchayath (local government) refused to renew the license stating the excessive exploitation of ground water. This was challenged by the company before the High Court of Kerala. The single bench upheld the decision of the grama panchayath against which the company filed appeal. In appeal, the division bench of the High Court granted permission to the company to operate with some restrictions. Later on the state government ordered the company to stop extracting water declaring the district of Palakkad as drought affected.

Since 2005, the company has stopped its operations at Plachimada. As per a government order in April 2009, a high power committee was constituted to assess the nature and magnitude of the loss sustained on account of Coco Cola at Plachimada. The company was found responsible for causing environmental degradation by over extraction of ground water and reckless disposal of sludge. The committee calculated the compensation for the loss committed by the company under various heads and measured it at Rs 216.26 Crores.

There was also the recommendation for the constitution of a grievance addressal mechanism like a Tribunal. The Government accepted the recommendations of the committee and passed the Bill named Plachimada Coca Cola Victims Compensation Claims Special Tribunal Bill, 2011. Since 2011, however, the Bill is waiting for approval from the central government. This betrays the fact that the Home Ministry officials have not even read the National Green Tribunal Act, 2010. Section 15.3 of the Act requires the petitions for compensation to be filed within a period of 5 years, with a grace period of 6 months. The most critical damages to groundwater and toxic contamination caused by the Cola Company at Plachimada occurred during 2000-2004, way before the five years and six months time bar set by the Act - therefore this Act cannot be used to redress the tragedy at Plachimada. Against this blatant violation of basic rights of the people of Plachimada, the Plachimada victims began an indefinite strike on 22 April, 2017.

The major threat that persists today is the unethical lobbying of the company with the central government against the passing of Plachimada Coca Cola Victims Compensation Claims Special Tribunal Bill, 2011. The immediate demand that is being made is for the constitution of the Tribunal as envisaged under Plachimada Coca Cola Victims Compensation Claims Special Tribunal Bill, 2011.

*(Drawn from Jananeethi Report 'On the Amplitude of Environmental and Human Rights Ramification' by the HCC BPL, July 2002. See*

<http://www.jananeethi.org/documents/studyreports/cocacola.PDF>)

## **II. Chalakudy river pollution, unauthorised water extraction, and endangering livelihood by Nitta Gelatin India Limited**

Nitta Gelatin India Limited (NGIL) is a joint Indo-Japanese venture engaged in the production of gelatin, collagen peptides, Di-Calcium Phosphate (DCP), NutriGold, Ossein and Chitosan. NGIL's products caters to both domestic and export markets. Over 60 per cent of NGIL's products are exported to countries including the US, Canada, Japan, and the EU nations. The company's products are used in pharmaceutical, food and agricultural sectors – gletain is used in pharmaceutical and food products, collagen peptides in health and cosmetic products, DCP is supplied to poultry farms as animal feed, and Ossein and Chitosan are used in agriculture.<sup>1</sup>

The company was set up in 1975 at Kathikudam Village, Kadukutty Panchayat in Chalakuddy of Thrissur District. The company was originally known as Kerala Chemicals and Proteins Limited. It was renamed as Nitta Gelatin India Limited (NGIL) in June 2008.

NGIL started polluting the air, water and soil of Kathikudam in 1979. Due to the negligence of the company, the pipes and the manholes were broken and the toxic materials flowed into the neighbourhood resulting in environmental degradation of the entire area along with contamination of drinking water in the wells. It is alleged that the company takes in about 2 crore litres of fresh water from Chalakudy river every day and hazardous effluents, approximately 80

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<sup>1</sup> <http://gelatin.in/about>  
<http://in.reuters.com/finance/stocks/companyProfile?symbol=NITA.BO>

tonnes, are discharged to the Chalakudy. The residents of the locality formed an Action Council by name Nitta Gelatin India Limited Action Council which has been spearheading the campaign against environmental hazards caused by the company.

There are about 2000 families (around 10,000 people) directly affected by these actions. Indirectly, it affects several thousands because there are 18 grama panchayats and 2 municipalities totally depending on Chalakudy river for drinking water for humans and animals, domestic purposes and agricultural needs.

Apart from polluting the water in the area, the company has also failed to uphold its promises of employment to the people (only 112 has been jobs offered out of the 1000 promised), it has tricked farmers into thinking the hazardous sludge is actually manure for the soil and there are several health risks which require people to spend large amounts of personal income on medical bills. The company has also set up motors without sanction of the local panchayat and uses hazardous materials such as crushed animal bones, ferric chloride, alum, caustic soda and other unknown chemicals. In order to silence the leaders of the action council, the company used unlawful methods implicating them with false cases.

Applications were filed under Article 226 of the Constitution of India before the High Court of Kerala. In August 2013, the applications were directed to be transferred to National Green Tribunal, southern bench, Chennai. Based on the materials discussed including the reports submitted by the NEERI, KSPCB and CPCB, and applying the precautionary principle to avoid any possibility of causing pollution to both air and water in the environment, several directions were arrived at. Among these were quantification of water consumption, biological treatment of waste, efforts to achieve Zero Liquid Discharge (ZLD), use of eco friendly fuel, removal and safe disposal of unutilised sludge etc. The Kerala State Pollution Control Board (KSPCB) was also instructed to monitor the functioning of the industry and make necessary amendments to the consent granted to it.

It has been proved over the years that the company is not prepared or capable of containing its pollution, pollution of air, water and soil. Therefore, the only desirable option is to close down the company, making the company liable to the huge damages caused by it to the people and environment. Since the Kerala State Industrial Development Corporation is a partner of the company, it is clear that the government will resist any kind of penal steps to be contemplated on the company.

*(Drawn from Jananeethi Report on Pollution of Nitta Gelatin India Ltd. 'Kathikudam to Kalakudam: A pipeline distance to disaster', June 2010. See <http://www.jananeethi.org/documents/studyreports/ngilkathikudamrpt.pdf> )*

### **III. Non-recognition of union and denial of wages by Foxconn**

In April 2010, Foxconn recognized the Labour Progressive Federation (LPF) as a workers union. However, even though the LPF agreement boosted workers' wages, workers were

dissatisfied with the union and unhappy with their wage levels.<sup>2</sup> As such, part of the workforce affiliated themselves with the Centre of Indian Trade Unions (CITU).<sup>3</sup>

At least three hundred Foxconn workers conducted a strike in October 2010 for higher wages and recognition of CITU as their union. They were all arrested and detained in Vellore jail for five days; 12 were detained for 14 days and 24 were suspended from Foxconn due to their involvement in the strike. In accordance with the law, Foxconn was paying a part of the basic salary of Rs. 2300 to the workers on strike but still refused to recognize CITU as the union. According to Foxconn, the management was already in the process of negotiating a new wage settlement when CITU submitted their demands. Foxconn also expressed the view that the organized strike was illegal and that the workers were suspended on the grounds that they had violated standing orders and destroyed company property.<sup>4</sup>

According to workers, the strikers who had been taken back by Foxconn experienced discrimination in both understated and explicit ways. There was apparently better treatment by Foxconn of new recruits than the experienced workers who had gone on strike. Strikers reported that they were also denied the privilege of applying for the Rs. 25,000 marriage loan from the company. While some workers had to sign an undertaking that they would not destroy company property, before being taken back, a few remained suspended. The only way workers could ensure their jobs back was if they agreed to revert to the LPF union. Foxconn's insistence that workers join a union that they approve of ridicules the freedom of association. Foxconn, however, denied all these allegations.<sup>5</sup>

Foxconn held 'hearings' with suspended workers individually on the company's premises. These hearings were held by company management and a hired lawyer. The process seemed to be skewed in the favour of the company with letters being sent to workers in English rather than Tamil, a language they were more familiar with.<sup>6</sup> Documents provided to researchers had no mention of the process being used or the authority under which these hearings were being conducted. Workers reported that they were not permitted to bring a lawyer or any outside representative. A worker who was currently employed could accompany them, however, this would put the employed worker at risk of becoming a target of harassment. According to Foxconn, these "enquiries" were conducted in line with standing orders<sup>7</sup>. The Nokia Telecom SEZ Standing Orders does in fact describe the "Enquiry" proceedings in details.<sup>8</sup>

The Foxconn facility in Sriperumbudur was shut down in 2015 displacing around 1700 workers and causing unrest among them. The plant in Sunguvachatram remained in operation and a new plant was set up in Sri City, Andhra Pradesh. The Sunguvachatram plant employs only

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<sup>2</sup> Focus Group Session with Foxconn workers, 6<sup>th</sup> March 2011

<sup>3</sup> makeITfair report 'Phony Equality' (2011), Page 41

[http://electronicswatch.org/phony-equality\\_3565.pdf](http://electronicswatch.org/phony-equality_3565.pdf)

<sup>4</sup> Ibid, 42

<sup>5</sup> Ibid

<sup>6</sup> Interview with Foxconn union members, Sriperumbudur, 14<sup>th</sup> February 2011

<sup>7</sup> makeITfair report 'Phony Equality', Chapter 7.1 'Standing Orders' (2011)

[http://electronicswatch.org/phony-equality\\_3565.pdf](http://electronicswatch.org/phony-equality_3565.pdf)

<sup>8</sup> Ibid, 42

about 150 workers now. Since the case, CITU has disassociated itself with Foxconn workers. Unfortunately, not much more is available on the status of this case.

(See [https://www.ituc-csi.org/IMG/pdf/Foxconn\\_protest\\_letter.pdf](https://www.ituc-csi.org/IMG/pdf/Foxconn_protest_letter.pdf))

#### **IV. Harassment and defamation charges against human rights defenders by FFI/JKPL**

In 2007, three members and the board chair of Clean Clothes Campaign (CCC) along with three staff members of the India Committee of the Netherlands (ICN) and two Dutch internet companies were accused by Indian jeans manufacturer Fibre and Fabric International (FFI)/Jeans Knit Private Limited (JKPL) of defamation, acts of a racist and xenophobic nature and cyber-crime. FFI/JKPL launched a lawsuit against the international labour activists after having taken similar steps against unions and local labour support organisations that defended the rights of FFI/JKPL workers. The trigger for this was the reports on CCC and ICN's websites of workers' experiences of rights violations at FFI.

The staff members and board chair of CCC were summoned in May to appear before the court in Bangalore. In efforts to persuade the factory to withdraw the case and instead engage in constructive dialogue with local groups, the CCC and its network began engaging in a period of intensive lobbying and public campaigning. The Bangalore court called for international arrest warrants to be issued, and requested the Ministry of Home Affairs to ask the Dutch government for extradition. Thus, CCC focused on mobilising human rights organisations and labour rights organisations all over the world, including Amnesty, ITUC and Human Rights Watch, as well as lobbying the European Commission and the Dutch government. The Dutch trade union organisation Federatie Nederlandse Vakbeweging (FNV), along with Amnesty Netherlands and NOVIB approached the main Dutch buyer from the supplier, G-star, in an effort to mediate. The case not only received international media attention but, when India's Minister of Commerce and Industry, Kamal Nath, brought it up with the Dutch government during the Dutch royal visit to India, and subsequently with the European Commission, the case took on a high profile political dimension. Nath claimed that public criticism of labour conditions is akin to putting up 'technical barriers to trade'.

The largest buyer from the factory, G-Star, became the main target of a worldwide campaign, which climaxed in an international action day on December 17, 2007 in 12 countries across 4 continents. Following this, G-star chose to eliminate their relationship with FFI/ JKPL.

The case placed a significant burden on the staff of the CCC and posed a severe threat to the work of the CCC and to human rights and corporate accountability organisations generally. At the same time, the case showed the strength and breadth of the CCC's international network and was a chance to gain experience in international and internal communication as well as lobbying. It emphasised the significance of maintaining good communication with local partners, and established the essential relationship between freedom of speech and freedom of association.

*(Drawn from Clean Clothes Campaign Annual Report 2007 [Pages 12-13] See <https://cleanclothes.org/about/annual-reports/2007-annual-report/view> [accessed 26 April 2017] Also see <https://archive.cleanclothes.org/newslist/95.html>)*

## **V. World Bank CAO Investigation on Amalgamated Plantations Private Limited (APPL) Tea Gardens in Assam, India**

In 2009, the World Bank's financial arm - the International Finance Corporation (IFC) - invested \$7.8 million in a project with the Tata Group to enable the setting up of a new company to manage 24 tea plantations in the two states, which had previously been under the umbrella of Tata Tea Limited (now Tata Global Beverages Limited). The project aimed to set in motion a "worker-shareholder" model, in which tea plantation workers would have a sizeable ownership of company shares.<sup>9</sup>

In February 2013, three local NGOs filed a complaint on behalf of tea workers working and living on the company's tea plantations. The complaint highlighted labour rights violations and dismal working conditions at three different plantations, with particular focus on long working hours, unpaid compensation, poor sanitation and health problems, and the lack of freedom of association. The implementation of the worker-shareholder programme was thrown into question, with complainants contending that workers had been pressured into buying shares, often without proper information about the associated risks.<sup>10</sup>

The World Bank's accountability wing, the Compliance Advisory Ombudsman (CAO), deemed the complaint eligible for assessment in February 2013. An assessment of the issues raised in the complaint was initiated. When the stakeholders failed to arrive at an agreement on a dispute resolution process, the case was transferred to the CAO compliance function in November 2013. In February 2014, the CAO completed a compliance appraisal with regard to the complaint, which determined that a compliance investigation of IFC's investment in APPL was in order.<sup>11</sup>

The CAO's investigation report was finally released in November 2016. The investigation identified a number of non-compliances in IFC's assessment and management of environmental and social (E&S) risks involved in the investment. It found that the IFC's pre-investment E&S review did not take into account the risks associated with the vulnerability of plantation workers. As a result, mitigation measures for these risks were wholly insufficient, and failed to address key concerns. The IFC had failed to ensure that APPL complied with key performance standards.

In 2009, a pregnant worker at an APPL estate in West Bengal had collapsed, allegedly after requesting maternity leave at the health clinic. This had led to protests and a lockout at the

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<sup>9</sup> [http://www.cao-ombudsman.org/cases/case\\_detail.aspx?id=195](http://www.cao-ombudsman.org/cases/case_detail.aspx?id=195)

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

estate. In 2010, a 25-year old worker had collapsed and died at work because of exposure to pesticides. Two protestors were shot dead in the protests that followed.<sup>12</sup>

The CAO investigation found that the IFC had failed "to respond systematically to issues regarding housing and living conditions". It had also failed to respond to serious lapses in the use of banned pesticides - "with the result that workers have been exposed to extremely hazardous chemicals." Workers' right to freedom of association had been severely curtailed, grievances had not been addressed, and there had been a lapse in checking child labour. Moreover, the fact that workers were being forced into the shareholding scheme had not been addressed. More broadly, the CAO investigation noted that it was not clear if the plantation jobs were adequate in meeting workers' basic needs.<sup>13</sup>

The IFC has accepted some of the CAO's findings, but has disputed others on human rights abuses and non-compliance with Indian laws. It has said that a third-party audit had been commissioned. Tata Global Beverages (TGB) has also responded to the investigation findings. The company has issued a statement to the effect that a Draft Action Plan has been presented to the APPL board for approval, and that along with the IFC, it will be engaging a third party auditor for an annual audit and worker perception survey, among other improvement measures.<sup>14</sup> The CAO will be monitoring the IFC's actions in response to the investigation findings, and will follow due process by issuing a monitoring report within a year.<sup>15</sup>

(See <http://www.livemint.com/Companies/250NrB3f6RejRmXmm0rWkN/IFC-didnt-follow-due-process-while-investing-in-APPL-World.html>)

[http://www.cao-ombudsman.org/cases/document-links/documents/TataTea\\_CAOAssessmentReport\\_November6\\_2013.pdf](http://www.cao-ombudsman.org/cases/document-links/documents/TataTea_CAOAssessmentReport_November6_2013.pdf))

## **VI. Ms. Yamuna Ganesh: The Case of a Worker at Bombay Rayon Fashions Limited (BRFL), Bangalore**

Yamuna Ganesh was employed at Texport Creations from March 2001 to November 2005 as a tailor. Other than the low wages, Yamuna had to tolerate abuse from her Production Manager (PM) at the factory. She has described how the PM would punish workers by making them stand near the table for over a week if they took leave without notice. He would use vulgar language to abuse them.<sup>16</sup> One day, when Yamuna neglected to cut off extra bits of thread from a garment, he humiliated her by asking whether she had also forgotten to wear her saree that

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12. <http://www.huffingtonpost.in/2016/11/07/world-bank-finds-evidence-of-labour-abuse-on-assam-tea-plantatio/>

13 Ibid.

14 Ibid.

15 [http://www.cao-ombudsman.org/cases/case\\_detail.aspx?id=195](http://www.cao-ombudsman.org/cases/case_detail.aspx?id=195)

16 Worker's case: Yamuna

<https://asiafloorwage.wordpress.com/2012/11/22/workers-testimonial-yamuna/#more-196>

day.<sup>17</sup>

Yamuna documented the violations at her workplace after coming in contact with Cividep in 2002. She was able to relate the story of her humiliation at the hands of the PM to the Secretary of the Karnataka State Commission for Women, and he was consequently dismissed by the factory. The production managers who took his place were even more abusive. She was singled out for harassment because of her attempts to organize workers at Texport Creations. After repeated harassment by the PM and physical abuse at the hands of a security guard, she tried to commit suicide by setting herself on fire in front of the factory. However, union activists and friends were able to stop her from committing the act.<sup>18</sup> By this time, she was suffering from depression, and finally resigned from Texport Creations in November 2005 with a settlement of INR 25,000.

### **Employment at Bombay Rayon Fashions Limited (BRFL)**

Yamuna joined Bombay Rayon Fashions Limited (BRFL) Unit 5 as a tailor in February 2006. Unfortunately for her, the two Texport Creations managers who had harassed her in her previous job joined BRFL around the same time. On coming to know of her presence at the factory, they informed the management of her history of union involvement.

At this time, women workers were facing a grave threat to their physical safety from rash, drunken driving by the drivers of company buses ferrying workers to BRFL. The problem was compounded when the management threatened drivers with pay cuts if they failed to drop workers at the factory gate by 8:50 AM sharp. An accident resulted in the death of a worker on 12th April 2007, and a second worker was severely injured. Workers were further provoked when a member of management allegedly told them that they would “not throw Rs.5000 on a dead body”.<sup>19</sup>

Angry workers poured onto the streets and blocked the highway for several hours till the management finally relented after the **Garment and Textile Workers’ Union (GATWU)** and the social organization **Munnade** intervened. In the presence of one of the Directors and the Police Commissioner, BRFL committed to paying the family of the victim INR 100,000 in compensation, and to covering the cost of treatment of the survivor.

The next day, when workers attempted to organize a memorial service for the victims of the accident in front of the factory, they were attacked by the management and its strongmen. Various unions came together to demand justice for them, resulting in changes in the management and an improved transport system. Yamuna played a key role in this struggle. However, the oppressive atmosphere in the factory remained, and ‘production torture’ (as workers call it) continued unabated. Yamuna was singled out and targeted for helping co-workers stake their claims. She was frequently forced to sign apology letters for taking leave. She could not read or write Kannada at the time, but diligently documented the apology letters

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.



signed 'under protest' (UP) by making photocopies for her own record.

Throughout 2007 and 2008, Yamuna was humiliated on several occasions by the manager, production manager, assistant production manager and floor in-charge. In October 2007, a piece of cloth was thrown at her, and she was given an out-pass, indicating termination. When Yamuna demanded a legal notice period and reasons for the termination, the management backtracked from their stance. In March 2008, she was threatened with termination again for refusing overtime work. When she asked for the reason in writing, she was temporarily shifted to a different section, and communication with other workers was restricted.

In April the same year, when she requested leave for medical treatment at the ESI, the APM and her supervisor abused her and asked her to consume Tick20, which she later discovered to be Diazinon, an insecticide. She was eventually able to obtain 5 days of medical leave from the ESI, but the management sent a letter asking the reason for her absence from work and demanding relevant papers from the ESI. They refused to accept the ESI documents that Yamuna submitted, and forced her to sign an apology letter again. Yamuna proceeded to send a notice to the management through the union lawyer, after which she was shifted to a smaller section and denied permission to go to the ESI. The management attempted to isolate her from other workers and extract overtime work, but she resisted.

### **Standing Up For Co-workers at BRFL**

Yamuna was forced to sign apology letters on several occasions in 2008 and 2009, for confronting management on behalf of her co-workers. At one time, she was made to sign an apology letter after asking for overtime pay on behalf of a colleague, while in another instance, an apology was extracted from her when she gave legal assistance to a worker who had allegedly been hit by a higher up and then terminated for taking leave. In another instance, a worker was harassed and corporally punished for leaving work 15 minutes early. Yamuna used her union contacts to complain to the Women's Commission, and the company offered the worker a settlement of INR 20,200, or a transfer to a different unit. Fearing further harassment, the worker accepted the compensation.

In December 2008, a worker was harassed by 7-8 management staff, including the supervisor, PM, APM, welfare officer, QC, QC in charge, ID and ID in charge. When Yamuna and the Secretary of GATWU intervened, they were told to meet the General Manager (GM) with the worker. The duo were made to wait at the reception till 5:30 PM, and ultimately left without meeting anyone from the management. The next day, they were initially made to wait at the reception, following which they were shifted to a cabin without basic facilities such as drinking water and a restroom. They were allowed to have lunch separately at 3 PM. In the evening, when workers demanded to know why the three women had not been allowed to leave the cabin, the management finally met them around 6:15 PM. The Human Resources Manager, GM and PM orally communicated that they should not intervene with regard to their co-workers before finally letting them leave.

The three immediately registered a First Information Report (FIR) with the police (FIR. Case No.

30125/09) with the help of the union. The next day, several workers launched a sit-in protest within the factory gate. The management spread false rumors among the rest of the workforce, to the effect that the union was demanding INR 500,000 as compensation and was giving false complaints to the police. This angered other workers, who attacked the colleagues sitting outside the factory in protest. Police intervened to bring the situation under control.

The protesting workers decided to register a complaint at the Labour Department, but the management threatened them with termination. Finally, when a buyer intervened, the management agreed to engage in talks. Yamuna and several of her co-workers were told that they would be suspended for one month, with payment of full salary, till the inquiry was carried out. A section-in-charge later told Yamuna that he had been transferred from the unit and later dismissed on false charges because he had correctly reported that Yamuna was working on schedule. The management proceeded to put up photos of the protesting workers around the factory premises, naming them as anti-management rioters. These images were later removed after buyer intervention.

When Yamuna and her colleagues rejoined the company in January 2009, they were made to wait at the reception yet again – this time, till 12:30 PM. They were eventually shifted to the finishing section and told not to speak to any of the other workers. They were able to join their original section only after 2 or 3 months, after an intervention by buyers. Yamuna alleges that the production manager and the APM plotted to have her assaulted, in the hope of forcing her to resign from the company. They hiked the salaries of three workers, who picked a fight with Yamuna when she entered the factory premises one day in October 2009. Yamuna's friend tried to aid her, but suffered a head injury in the process and lost consciousness. The company sent her to a renowned neuroscience facility for treatment. Before Yamuna could register a complaint with the police, the management managed to register a false complaint against her. The police refused to file a complaint against the company and told her to resolve the matter internally. Yamuna suffered injuries to her hands in this incident.

The next day, Yamuna and several of her co-workers were taken to the Kengeri police station for an inquiry, and were later arrested on the basis of the complaint filed by BRFL. Their co-workers staged a sit-in protest at the factory in support, and refused to leave the factory premises till the arrested workers were released. Yamuna and the others received bail the same day.

BRFL sent a formal charge-sheet to 30 workers on 9th October 2009, demanding answers to 8 charges. The charges covered various violations of company policy, including: does not listen to supervisor; committed major violations in the factory; constantly fights with supervisor and bad behavior; does not do work regularly; carried dangerous weapons; influenced workers; does not work properly and threatens higher-ups; aimlessly wanders around the factory premises. With the help of the union, Yamuna and her co-workers were able to send a formal reply by 15th October 2009, but the company claimed that the reply was insufficient and launched an inquiry with a three-member committee comprising of a lawyer, a welfare officer and an HR representative. During this process, the workers were not given permission to bring in their own lawyers or representatives. After a year-long inquiry, the committee did not find any wrongdoing

on the part of Yamuna, and the matter was laid to rest.

In 2012, Yamuna obtained leave through the ESI for mental health reasons, as well as for a surgery. When she rejoined work on 30th June, she was transferred along with several others to Unit 5A. Unit 5 was closing down permanently because of the construction of the NICE road on the land where it stood. Yamuna and the others found that there were few facilities in Unit 5A, and absolutely no work to do. For over a year, the workers were given no duty to perform, but had their salaries credited on time. They feared that they would soon lose their jobs along with the minimal benefits that they were entitled to, and that they would not be able to secure employment in another garment company for their known involvement in union activities.

In January 2014, all 25 workers were informed that Unit 5A would be shutting down. While fifteen resigned, the rest - including Yamuna - did not. Eventually, all remaining workers accepted a settlement from the company and left the factory, but Yamuna did not. She is technically still employed with BRFL, and has a salary credited to her account every month. However, she is not allowed inside any of the BRFL units. She continues to be a member of the **Garment Labour Union (GLU)**, and has been its Organizing Secretary. She is determined to return to work at BRFL, and is exploring ways to challenge the company on this front.