

## Ire against Saudi company NSH, scores of workers say they were sacked during pandemic

Many of the former workers staged a protest against billionaire Ravi Pillai who has ties with the company.



IMAGE FOR REPRESENTATION

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Anilkumar Vijayan was an employee of the Nasser S. AL Hajri Corporation (NSH), an industrial contractor for construction companies in Saudi Arabia, for 23 years. He was retrenched from his job in July 2020. The reason cited by his employer was the COVID-19 pandemic. Anilkumar, however, alleges that he was not paid compensation or end service benefits when he was terminated from the job.

“As per the company rules, if a person has worked there for two years, he should be paid two months' salary as compensation if fired. This amount increases as the service period of the employee increases,” he says.

According to complaints received by Lawyers Beyond Borders (LLB), an international non-profit organisation that works for the rights of migrant workers, scores of workers were sacked from the company after the pandemic began. Most of them are aged above 50.

Later

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“We were promised when we were fired from our jobs that the money will be credited to our accounts in two months. But none of us have got the money,” Anilkumar alleges. The employees used to work in various parts of Saudi Arabia. Much of the ire is directed against B Ravi Pillai, a billionaire Non Resident Kerala (NRK) businessman who hails from Kollam in Kerala, and was the Managing Director of the company. Ravi Pillai is also one of the directors of NORKA (Non Resident Keralites Affairs) Roots, the body which takes care of the grievances of NRKs. NSH however says that Ravi Pillai ceased to be a Managing Director in 2014 and he is being targeted by vested interests. It is unclear what role he plays in the Saudi based company now.

The company has denied allegations that they terminated people indiscriminately and issued a statement to TNM. “It was highly challenging for us to handle the emotional sensitivity of a large number of employees who desperately wanted to go home to meet their family members. We put our best effort, consistently requested all authorities at all levels and spent a huge amount of money to arrange chartered flights to ensure that the demand of our employees is met. Many of them are now waiting to come back once the situation becomes normal. As far as ‘end of service’ benefits are concerned, like every large organization, there is a very well established, time tested process and system in place, which has been working for almost 45 years. Besides, there are proper rules and regulations enforced by the Government of the country which no one can deviate from.”

The company also maintains that all salaries and other benefits were paid even during the pandemic as per the laws of Saudi Arabia. “We never utilized even the Government directives of salary deduction during the pandemic, but rather paid full salary even when they were staying in their accommodations,” the company said. However, LBB says that they have enough complaints to establish a pattern.

### **Numerous complaints allegedly unaddressed**

In January this year, 31 employees filed a complaint with LBB. By February, the total number rose to 660. On January 30, 161 of the 660 employees staged a protest in front of Ravil Pillai’s residence in Kollam. The workers also gathered in front of the Secretariat in Thiruvananthapuram to protest on February 10, but many were detained even as they were travelling from Kollam to the capital city to attend the protest.

“We filed a complaint with the Chief Minister and the Opposition Leader in November last year. We had also filed complaints with External Affairs Minister Jaishankar and Kollam MP Premachandran. Now we are planning to file a complaint with the Prime Minister,” Anilkumar, a native of Nedumankav in Kollam, adds.

“We had filed a Public Interest Litigation with the Kerala High Court seeking a redressal mechanism for employees getting laid off. The Court ordered that the workers can make use of redressal platforms. It was post this judgement that we began to receive scores of complaints on labour law violations. And most of the complaints were regarding NSH,” Advocate Subhash Chandran, convenor of LBB, tells TNM. According to him, more than 660 complaints have been received against NSH from 12 states, including Kerala.

The LBB had forwarded around 286 complaints which they received initially to the Kerala Chief Minister, Ministry of External Affairs, and the Indian Ambassador in Saudi. The network later received 198 complaints which they also forwarded to all those mentioned above.

300 are from Malayalis. An Arab national is not only an Arab national to be the CEO of LBB.

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icer of NSH because the rules allow it. It says.

LBB filed the first batch of complaints in October. Copies of the complaints were also sent to Congress leader and Wayanad MP Rahul Gandhi, Centre of Indian Trade Unions (CITU) leader and Rajyasabha MP Elamaram Kareem and to Bharatiya Mazdoor Sangh leaders. Based on this, Elamaram Kareem wrote to the Ministry of External Affairs. In response to his letter, the LBB was asked to send the workers' contact numbers and labour id numbers which were then forwarded to the Indian Embassy.

"This we did in October. But so far, there has been no response from the MEA or the Embassy. In a query to the MEA filed through the Right to Information Act and a question asked during an MEA briefing about this issue, the response was that they had forwarded the details to the company and that discussions were happening," Subhash says.

In September 2020, after news reports about the issue surfaced, NSH asked LBB for the details of the workers who had complained. The LBB then sent the details of 22 such workers. However, the company claimed that the workers had received the benefits and showed vouchers as proof. But, Subhash alleges that these vouchers will be contested.

"They presented vouchers for it, but we demanded bank statements of the transfer, which they couldn't submit. The vouchers were fabricated by forcing employees to sign on blank papers. The workers on our direction filed complaints at various police stations and the NRI Cell in Thiruvananthapuram for threatening and creating fake documents. On this too, no action has been taken," he says.

The fear of the workers is that they will lose the compensation if it's further delayed because as per Saudi Labour Laws, the labour claims should be filed within a year. "Some of the workers lost jobs in March last year and what the company is doing is buying time so that they can object to the claims in a court, stating that they were not filed on time," he alleges.

"They can't cite the pandemic as an excuse as those who were sacked from the company in 2005 and 2010 have also approached us with similar complaints. The company's approach to workers had been the same; they would inform workers one fine morning that they had been sacked," Subhash alleges.

The company however has called all these allegations baseless and has threatened legal action. "We, at NSH, are shocked by the allegations and attempts to defame our company and are pursuing this matter legally. We have come to know about some people who are trying to mislead journalists and even some lawyers and based on that get some benefit. Some of them left the organization almost a decade back and some are still on the roles of the company and yet on vacation. We will investigate and take appropriate action," the statement said.

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