

# JANANEETHI REPORT

## ON THE AMPLITUDE OF ENVIRONMENTAL AND HUMAN RIGHTS RAMIFICATION



**BY THE HCC BPL  
At Plachimada, Moolathara village,  
Chittor taluk, Palakkad Dt.  
July 2002**

*“Everything is connected to everything else,  
Everything must go somewhere,  
Nature knows best,  
There is no such thing as a free lunch”*

**Barry Commoner in 'The Closing Circle'(1971)**

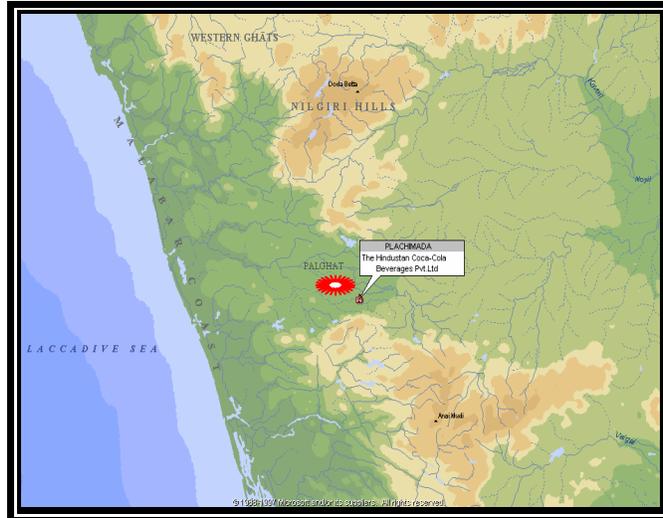


Multinational companies (MNCs) invading developing countries under the pretext of development deviate into devious devices to amass wealth, breaking the above subtle laws of ecology. There is chaos following the greed. The Hindustan Coca-Cola Beverages Pvt. Ltd. too followed the same path while taking roots in a hamlet of a developing country, brutally uprooting the agriculture, culture, health and peace, to plunder.



*A distant view of the unending heaps of plastic cartons for filling cola.*

**Topography:**



**Fig:1**The Hindustan Coca-Cola Beverages Pvt. Ltd is located in water rich village of Palakkad

Plachimada of Perumatty Panchayath is a little hamlet and is an abode for some of the schedule casts and schedule tribes. This agricultural village is located in *Chittur thaluk* of Palakkad district “The Rice Bowl of Kerala”.The villagers are predominantly landless agriculture wage laboureres.The Area is marked as ‘arable land’ according to the Government of India records and satellite pictures(Fig.2& 3).It is surrounded by the Meenkara irrigation dam on its south(3km)and the branches of its irrigation canal called Moolanthodu.The river *Chittoor puzha* runs hardly 2 km from this area.Plaachimada was a water rich region in Palakkad. The indigenous people viz. *Eravalar*(17 to 19 families) and *Malasar* (1000 families) too live here, colonized by the government after the land reformation act. Generally the villagers are not interested in farming. 80 % go for agricultural labour and 20 % earn wages from other labour activities.They get only 100 to 120 work days per year. Education and health status are very poor and the population is highly vulnerable.



Fig.2 Satellite picture of the arable land and water rich tables of Plachimada

### Background:

The Hindustan Coca-Cola Beverages Pvt.Ltd, started in 1998-99, in this agricultural village is blamed of creating environmental problems in the vicinity. Forty acres of land were taken over by this Multi National Giant and the factory buildings were erected .The multi cropped paddy land (*Poonthal padam*) a traditional slushye paddy land with a unique and different eco system)of ester years, houses the big factory complex(see the Panchayath document appended as **axnnexure1**). Truck loads of *Coca-Cola*, , *Thumps Up* and now barrels of *Kinley Mineral water*” are churned out from this cola -giant – campus, every day to the “thirsty south Indian” states. Though Jananeethi team approached the MNC to get their views on the existing issues and the related struggle by the poor, indigenou people, for the last three months; the management was adamant in preventing the team from talking to any responsible persons under the pretext that there is a court order-*which is still questionable because the MNC’s prayer is dismissed by the Hon High court!*- to have Police protection. The right to know is bluntly denied to the outside world, under the guise of a false interpretation of the court judgment.Moreover all responsible people of the MNC were reported to be “away’ on the day of Jananeethi visit. We, there for depend only on the press release from the Coca-Cola factory on this issue. But the Jananeethi team visited all affected areas and the experts collected samples and had meetings with all the groups and leaders involved in the present struggle. The support from the villagers was overwhelming. Jananeethi had also visited the places where the residual waste from the factory is dumped as” organic manure”, fooling the farmers. About 220 labourers are working in the unit, out of which 70 are permanent workers and the rest temporary. It is learned that the factory had worked on nearly 60 bore wells apart from the two open ponds. The unit has a working capacity of 1500000 liters of water-based product. Around 85 truckloads of beverage products are churned out with each truck carrying around 600 cases of the product. Each case contains 24 three hundred ml

bottles. The working of the unit involves purified water for soft drink manufacture and mineral water. Preparation of bottled drinks, bottle cleaning, etc gives out contaminated water and chemical wastes. Plastic, Metal and Paper wastes are also generated. The chemical waste called as “slurry” by the factory; is dumped into the fertile agricultural lands of this village under the pretext that it is manure.

**The agitation and associated facts:**



April 22<sup>nd</sup> 2002 the Indigenous people dwelling around the Hindustan Coca-Cola Beverages Pvt. Ltd at Plachimada, a water rich area with lots of arable land in Palakkad district; arranged a symbolic march to protest against the immediate environmental problems the new factory is creating in the locality. Blockades, Dharna and Picketing were all resorted to, in these ninety days struggle. The MNC was clever enough to influence the media not to give coverage of the struggle, in which they have succeeded so far. The most notable aspect is multinational giant is facing the struggle from the indigenous people for their right to live and right to know. This struggle is going on despite the severe threats by most of the local political parties who now function as agents of the MNC. Police force has been deployed to the criminal- factory gate under the pretext that Honourable high court has ordered it which itself is a big lie. The judgment itself has been misinterpreted by the MNC! (Judgment copy appended annexure 2 )

The Prime Minister of our nation, Shri A.B.Vajpayee, in the recent meeting of the 5<sup>th</sup> National water resource council emphasized that right to drinking water should accord priority over every other alternative use and the policy should also recognize that the **community is the rightful custodian of water**. He has also emphatically urged industries to cut its water needs by 40 to 90 % without any sacrifice of economic output or quality of life, utilizing technologies and methods available today. But what the Prime minister emphasized may not be applicable for an MNC like Cocacola!, who firmly believes that India is a country where all rules and regulations and the rulers can be manipulated easily if you have money.

The Coca-Cola company has released a press note (Vernacular Newspapers dt 16-06-2002) which reads like this.” At present the factory has two ponds and six functioning bore wells which pumps out 600 kiloliters of water. The slurry is given off to farmers free of cost and State pollution control Board(PCB) has cleared that there is no harmful ingredients in the waste slurry. The Plant manager Shri N. Janardhanan signs the note.

The environmental protection act 1986 Schedule1,rule3, insists that Coke factory should have a standard of 350mg particulate matter per NM3 and wet scrubbing system along with by product recovery shall be provided. The waste slurry which is an unidentified

chemical disposed off in the arable lands, is a breach of the rule and regulation. The guide lines for emission control to improve the work zone environment (applicable for industries at serial no. 64, 65, 66) insists that the water used for quenching and wet scrubbing shall be re-circulated and reused through catch pits. There should be proper maintenance to avoid fugitive emissions. Green belt shall be developed along the boundary of the industry.

**The agricultural scenario:**

Agriculture forms the major livelihood of the people of Plachimada area. Rice ,coconut, and ground nut are the major crops.Vegetables,Sugar cane horse gram maize mango and banana are the other crops grown. Soil profile of the Pachayat is diverse ranging from red soil black cotton soil, clay soil etc. S. W. Monsoon is the main source of rainfall. Cultivation is the mostly confined to plain lands. The *Poonthal padam*(marshy lands)cultivation of rice exist here. The factory is reported to have come up in this Poonthal padam area reclamation of which is not legally permitted under the KLU(Kerala Land Utilization Act)The back yard of the factory is seen reclaimed with soil brought from outside .Coconut plantations surround the factory. There are no visible signs of Pollution on the vegetation at present. General yellowing and severe infestation of coconut mite are seen through out the village. Solid waste from the factory is seen incorporated into the coconut basins as fertilizer as informed by the contractors for the disposal of waste. The State Agricultural department (*Krishi Bhavan*)was not consulted or the manurial value of this waste was tested before application.This is a serious irregularity in a agriculture based area. It is difficult to demarcate the effect of bad weather and the resultant shortage of water –both drinking and irrigation-from the reported lowering of water table in this area due to excessive pumping of water by the Coca-Cola factory.

**THE RESULT OF THE WATER SAMPLES TESTED :**

The water samples collected from the nearby areas said to be affected by the factory effluents were collected and tested for physical and chemical properties .

PARAMETERS	CONCENTRATIONS	UNITS
Odour	nil	
Taste	Disagreeable taste	
pH	7.5	PH units
Total alkalinity	332	Mg/l as CaCo3
Total hardness	1120	Mg/l as CaCo3
Chlorides	540	Mg/l
Total Dissolved solids	551.6	Mg/l
Turbidity	2.5	NTU
Dissolved oxygen	4	Mg/l
MPN	90	100ml
iron	0.03	Mg/l
Electrical conductivity	2090	micromhos/cm at 25°C
Sulphates	250	Mg/l

### **Interpretation of the water analysis:**

Jananeethi team inspected the public wells and the private wells very close to the factory site and collected samples for testing in sterile clean bottles and they were sealed. All the wells had moderate levels of water in them and it looked clear. The samples when drawn from the wells, showed turbidity. A white precipitate formed a sediment when the water sample was kept without movements for some time. High levels of turbidity can protect the microbes from the effects of disinfection and the water can stimulate bacterial growth.(WHO ,1998) The water samples showed precipitates on heating. Disagreeable taste of this well water was also observed at the time of collection though there was no objectionable odour. As such no health-based value is prescribed for drinking water for the colour. .Acceptable pH of drinking water is between 6.5 and 8.5.

#### ***Inorganic constituents:***

Chloride levels in the water were 540 mg /l. The normal level of Chloride in unpolluted water for Palakkad district is not given. But the standard prescribed for the drinking water is 200 mg/l and the maximum permitted is 600 mg/l. The present value of 540 mg /l of chloride content in the water samples collected is slightly high when the topography of the region is correlated with the water distribution. The presence of sulphates at a level of 250mg/l may alter the taste of the drinking water though it also is in the permitted level.TDS (Total Dissolved solids)has great effect on the taste of drinking .Palatability of drinking water with TDS level less than 600 mg/l is generally considered good.

#### ***Hardness of drinking water:***

The present samples collected showed a very high level of hardness .The taste threshold for the calcium ion is in the range of 100 to 300 mg/l. Taste threshold of magnesium is probably less than that of calcium. More than 500 mg /l is also tolerated by consumers. On heating the water it forms deposits of calcium carbonate. The major problem with the well water in the area is the presence of hard water .It may be due to the erection of tube wells, and pumping and drainage of ground water at a very high level. Though the hardness of the well water is not posing any health problems it has other impacts on the lives of these people. More soaps and detergents are to be spent, as lathering of soap will be less in hard water. Heating of hard water precipitates carbonates. There will be more fuel use and loss of efficiency as the people are poor and depend on firewood as fuel. Heating hard water under pressure can cause explosions. So the hardness of water adversely affects cooking which is the main activity of the women of the area. Washing clothes in hard water reduces the life of the fabric and results in economic loss to this community. Hardness of water, shortens the life span of pipes and motor fittings used for pumping. Most of the farmers pump water from their wells for agriculture.

#### **General remarks on well water:**

The drinking water in the vicinity of the Hindustan Coca-Cola Beverages Pvt.Ltd is of poor quality. Water having disagreeable taste and turbid appearance is not preferred for domestic use. The high alkalinity, total hardness, chloride content, TDS and MPN value are not conforming to the drinking water standards. The water available is very hard. The dissolved oxygen content is less. Since the MPN value is higher bacterial contamination may be suspected. ***Hence Jananeethi feels that the water of the wells of this area are polluted and unfit for domestic use.***

### ***Chemical Examination of the Waste Slurry:***

The samples of waste collected from the farm lands were tested for the manurial value as this factory waste was sold out to farmers under the pretext that it is good manure. The cream coloured and tar black residue which was spread in the farm lands were a clay like matter with 28 to 30 % calcium in it and 4 to 5 % Phosphorous. There was no Nitrogen content in the collected waste, proving that the manurial value of the waste is nil. Too much of calcium in the soil can leach into the wells and ponds as they will be washed by heavy rains and this again may pose severe problems in the area, The presence of excess calcium in the farmland may lead to nutrient imbalance in the soil. The farm lands which are having apparently very good soil structure may in due course get spoiled. Slurry disposal system needs immediate attention from the factory management and selling the slurry waste to farmers, as manure has to be stopped forthwith. Earnest effort has to be taken up to detect the heavy metal residues in this waste as this is spread in all farmlands of the area. The residents are experiencing severe foul odour from the factory especially in the evening and night time. It is also reported that the waste water generated emits a putrid odour when it is used for irrigating the gardens in the factory compound.

### ***Jananeethi team***

Prof.K.G.Sankara Pillai, Adv.George Pulikuttyil, Dr.Mini Raj, Mr.Naveena Chandran, Mr. Ajaya Kumar Melveetil, and Dr.Francis Xavier of Jananeethi, visited Plachimada on 22<sup>nd</sup> July to make an on the spot study of the impact of this Multi National Giant in this small village and on the lives of people around the factory especially the indigenous landless laborers.

Jananeethi poses the following queries to the management of The Hindustan Coca-Cola Beverages Pvt. Ltd.

1. How can a factory be set up in a land which is demarcated as *Poonthal padam* when the Kerala land Utilization Act prevents it?
2. Is there a written permission from the competent authorities to erect a factory in this land?
3. Does the factory pay taxes?
4. Does the company comply with all the environmental regulations in generating electricity using generators, as there is no power supply by the Kerala State Electricity Board to the Factory?
5. Will the factory management publish a detailed report on the water scenario in the factory compound - i.e. the total daily requirement of water and its sources, the number of bore wells etc.
6. Is there a Pollution Control Board clearance for water, air and environmental friendly operation?
7. What are the arrangements of waste management and what sort of waste has been generated during the process?
8. Has there been any initiative or step from the side of the company to address the public grievances subsequent to the deprivation of their drinking water and clean environment?

## PLACHIMADA REVISITED

Ever since the politically christened developmental bloom, spelled doom in the little hamlet of PLACHIMADA, **Jananeethi** was worried and genuinely involved in the environmental and human rights violations and assaults on the pristine ecosystem and the indigenous people who struggle for their existence, fighting a lone battle with the soft drink giant The Hindustan Coca-Cola Beverages Private Limited. Jananeethi report [www.jananeethibulletin.org](http://www.jananeethibulletin.org) which was widely quoted by the scientific community as well as the media is the result of the first effort by Jananeethi in addressing this issue. Ever since the publication of first report, Jananeethi has contacted the Hindustan Coca-Cola Beverages Private Limited trying to collect internal data from the company. Unfortunately the company is yet to respond to this. The first Jananeethi report dated July 2002 contains a scientific evaluation and recommendations for the struggle for existence and rights by the people.

On February 12<sup>th</sup> 2003 Jananeethi team revisited the place to make a follow up study and to conduct a public hearing on the issue. The Jananeethi team was lead by the noted poet and literary stalwart Prof. K.G. Sankara Pillai who is the chair man of Jananeethi The other members were Advocate George Pulikuthyil, Dr. Elizabeth Joseph, Advocate Bijo Francis, Advocate Jasmine Joseph, Dr. Francis Xavier, Mr. Naveena Chandran and Mr. Ajayakumar Melveetil. This time we could get permission from the management of The Hindustan Coca-Cola beverages private limited to visit the factory.

### **What the factory management says:**



*No lens men inside! Rigid security check and metal detector imbroglio*

After a thorough security check which included an examination with metal detector the Jananeethi team was escorted into the company campus by the security officer. Inside the company the Jananeethi team was received by the officers of the company which included Mr. Jose Alex, the plant manager, Mr. Vikas K. Sinha, Assistant manager HRD, and Mr Durai Murugan.

Despite being very clear and unambiguous regarding the purpose of our visit, which was as plain as “to see and believe” the initial attempt of the officers of the company was to give a classroom style of lecture. With this intention in mind, the Jananeethi team was lead to a room equipped with all paraphernalia to give a full session justifying the presence and functioning of the Plachimada unit. At this juncture, the Jananeethi team made it clear to the company officials that the purpose of the visit is not to say, but to

move around the factory and then see things and if possible too take some samples and then to decide what is going on. When the company officials felt that their policy of explain-defend and retaliate would not suffice the purpose of the visit of Jananeethi team, we were allowed to move around the factory premises and to inspect the site. But the inspection was limited to see things. The company did not permit us to collect samples

As against the tall claims of the company of having, only six bore wells we observed a few more bore wells in the compound. On enquiry it was explained that these bore wells are not used now. Under the circumstances, we deciphered that three are no operational bore wells in the factory premises. They could not give a reason for not drawing water from these wells. We presume either that these wells are non-operational due to lack of water or due to inferior quality or the statement that they are non-operational is a farce. There are hardly any laws or regulations in India on ground water extraction and use of water. This lacuna is often exploited by companies and individuals resulting in literal plundering of ground water resources for profit.

The mud ponds allegedly for rainwater harvesting are another ploy by The Hindustan Coca-Cola beverages private limited to pose as an environment friendly company. Only one of the three ponds, said to be excavated, for rainwater harvesting contained a meagre quantity of water that has been claimed to be harvested from the roof tops. However, the Jananeethi team was denied permission to collect a sample for analysis. Since there was no significant rain in the recent past in this area the credibility of their claim that the water harvested in the pond is rain water, is doubtful. These mud ponds said to be dug up for rain water harvesting could collect only the surface runoff which is not an efficient harvesting method. No percolation pits, trenching or contour bunds were observed near these ponds or in any other inclined land. The embankments of these ponds were not protected by turf or planting to prevent soil erosion. During torrential rains of monsoons the embankment is likely to be eroded adding to the turbidity of the collected water.

The six operating bore wells and two large wells all of which are claimed to be recharged with rainwater and underground aquifers are said to be sufficient to meet the needs of this water consuming industry. However, a number of water tankers were seen bringing water into the company very frequently. Though the officials claimed of water self sufficiency they could not give any reason for these rows of water tankers transit into the factory.

As per the regulations, the company guzzling water should maintain greenery around the factory premises. The only eco restoration effort is laying lawn grass around the factory, which the authorities presume adds green to the environment. Though the company boasts environmental protection by planting lawn grass no attention seems to have been paid to choosing a species specifically meant for water conservation or reduction in evaporation loss on in bringing down ambient temperature. The campus also has *Parthenium* weeds of which the executives are not even aware! The sediment waste from the treatment plant though claimed to be a good fertilizer by the company, the company does not use it for their own garden plants or other crops. The dug up soil from the rain water harvesting ponds located in the *Poontal* paddy lands were used to reclaim the other paddy lands and they are planning to have Tomato and vegetable cultivation. The

vegetables were disputed about their usability as per reports in Frontline magazine and studies by TNAU.

It is not known whether the fish species said to be stocked in the rainwater-harvesting pond are native species. Introduction of exotic fish species will be dangerous and against the rules. The exotic, coloured carps were kept in a small tank holding treated water from the water treatment plants. The prototypes of rainwater harvesting ponds treatment plants and loud talks on environment give us a feeling that the company hides lots of anti environmental actions.

### **What do the people say?**



Jananeethi had visited the neighbourhood and conducted a structured interview with the people of the locality. The responses of the people were collected based on the following issues.

- Environmental impact of the establishment and continuation of the factory
- Quality of the water before and after the commissioning of the company
- Impact on the health of the people
- Impact on the cattle rearing and animal husbandry

There are four colonies around the company and the people therein belong to the economically backward class, some of them belong to the tribal communities. The team interviewed Krishnankutty, Kunja, Sharada, Uthara, Shanmugham, Kochugovindan, Vijayaragavan, Govindaraj, Kannimma and Gopalan.

The environmental impact is directly related to water. Water scarcity and deterioration in quality is the primary response when asked about the issue of impact on environment. The waste disposal of the company was a problem for the residents coupled with the odour that used to emit at times. However, many had pointed out that now the smell reach only occasionally and the factory waste are being disposed of at far away places, this development they attributed to the agitations. The respondents were unanimous in stating that the quality of the water has gone down because of the functioning of the company. Some old ladies like Ms. Kunja and Ms. Kannimma gave examples of getting the food stuff stale very fast, the problems with hair and skin. Mr. Shanmugam gave a statement

that people have to go nearly 1 ½ to 2 Kms to fetch potable water and it takes away a lot of their time and energy. People had a common opinion that the situation was not like this before and immediately after the commencement of the factory. Smt. Sharada said that the problems relating to water had began an year after the establishment of the company.

The responses of Mr. Kochugovindan and Mr. Vijayaragavan who resides in a different village but having an interest in Plachimada by way of paddy land gave an impartial response as to issues of water. The scarcity of water according to them is attributable to scarcity of rainfall too. According to them, the water available in the place is of poor quality. They have stopped using the water from their well, which is adjacent to the factory premises. Their present source is from a neighbouring place, which according to them is also showing deterioration in quality of water.

People generally had the opinion that contaminated water and air pollution by way of smell are affecting their health. Some were complaining about Asthma, Stomach ache, Dizziness and Hair loss.

The problem of water shortage is having an adverse effect on cultivation. According to the people the company is drawing water continuously and excessively thereby causing depletion of underground water sources. People had an observation that the company itself experience water shortages. The justification offered was that the company used to work with the water resources they had for the first two years, off late the company is bringing water from external sources. When asked about cattle rearing, the response was as if they find it difficult because the cattle too do not drink water from the water sources near the factory, because of which they are compelled to bring water for the cattle too.

The massive conversion of a vast extent of wet paddy land into dry land on the pretext of industrialization is one aspect every one seems to ignore while commenting upon intelligent land utilization. The conversion of poondal padam into dry land and its impact on the surrounding environment is a scenario, which needs to be closely observed in future. Given the amount of depletion of cultivable land in the state and the over dependency of the state on other sources from outside even for daily food is a good reason for resisting these multi national giants from exploiting our land and its natural wealth. If in our time we are to permit this plundering where money generated is siphoned off to the corporate offices out side the country, what explanation or justification will we have to offer for our future generations for exploiting their natural rights and resources? Well, if our justification is based on industrialization and economy we should plan to give birth to machines not humans.

The activities of the plant in the course of its operation had caused devastating damage to the people and environment. The 'polluter pays' principle accepted by the judiciary warrants the company to compensate the hazard caused to the environment and for adversely affecting the human rights of the people and their posterity. The façade of the cola giant being environment friendly is proved absurd by its own actions and misdeeds. The fact that this plant had used up all available water source of the region is a compelling reason for them to evacuate the place for better pastures and so proves the

track record of the bottling plants. A closure therefore may prove beneficial to the selfish interest of the MNC. Therefore, Jananeethi demand the following:-

- Complete close down of the operations of the plant
- The management should not be allowed to shift the plant to a more water rich area for further growing
- A scientific Environmental impact study should be done to identify, assess and compute the damage caused to the environment by virtue of the plant by an independent authority
- The management should compensate the damage so computed by the said authority
- The people of the locality should be compensated for the human rights violations by the company

**Every citizen has a right to know and have a right to live in a healthy and comfortable environment.**

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