

Adivasis Launch Struggle Against Coca Cola

By C.R Bijoy

The picket outside the Coca Cola plant at Plachimada has crossed well over 2 years in April 2004. It was on 22 April 2002 that the Malasar and Eravalar (Adivasis officially classified as ‘primitive tribes’) of this valley in Palakkad District of Kerala state launched the picket with the demand that the Coca Cola plant be shut down because it was devastating the ground and surface water – the very source of their survival, Coca-Cola company be held fully responsible and liable for the destruction of livelihood resources of the people and the environment, and initiate criminal action against the company. The struggle against the unit of the Hindustan Coca-Cola beverages Pvt. Ltd by Coca-Cola Virudha Janakeeya Samara Samithy (Anti Coca Cola Peoples Struggle Committee) was inaugurated by C.K Janu, Chairperson of Adivasi Gothra Mahasabha, with a blockade by over 1300 people, mostly Adivasis belonging to the Eravalar and Malasar communities. The protestors were taken into custody by the police and removed.

Plachimada is predominantly an Adivasi area with over a thousand families, mostly landless and eking out a living as agriculture labourers. The Hindustan Coca-Cola Beverages Pvt. Ltd established this unit in 1999 in a 38-acre plot (previously multi-cropped paddy lands) at Plachimada of Perumatty Panchayat in Chittoor Taluk of Palakkad District in Kerala. 134 permanent workers and about 150 casual labourers are employed in the factory, mostly from outside the area. On an average about 85 lorry loads of beverage products (Coke, Fanta, Sprite, Thumbs-Up, Mirinda, Maza besides Kinley Mineral Water), each load containing 550-600 cases and each case containing 24 bottles of

300 ml capacity leave the factory premises every day. Water is sucked out from the 6 bore wells and 2 open wells in the factory compound, extracting some 0.8 to 1.5 million liters of water per day. The site is located a few meters away from the main irrigation canal from the Moolathara barrage.

Within two years of the establishment of the Coca Cola plant, the people around the plant began experiencing problems that they never ever encountered before. The ground water receded. The quality of water available drastically changed. The effect spread to around 1 to 1.5 km radius of the Coca Cola plant. Water shortage upset the agricultural operations – the mainstay of the Adivasis. Salinity and hardness of water increased with high concentrations of calcium and magnesium that rendered water unfit for human consumption, domestic use (bathing and washing), and for irrigation. Earlier the foul smelling dry sedimented slurry waste was “sold” as fertilizer to the unsuspecting farmers which was later given “free” and now, with protests and objections, surreptitiously dumped on the way side and on lands at night.

The Struggle

On 26 April 2002 a false case was filed by Hindustan Coca Cola Beverages Private Limited in the High Court against the activists and leaders of the Coca-Cola Virudha Janakeeya Samara Samithy such as Venugopal Vilayodi and Velloor Swaminathan. They demanded that the picket be dismantled, people be prevented from voicing their dissent and the plant be provided police protection. A counter was filed by the Samara Samithy in the High Court. The Court conceded the right of people to protest peacefully and ordered the police to provide protection to the Coke plant as well as the protesters. Heavy police protection since then has been provided to the Coke plant. Police intimidation of the protesters persists to create a violent situation that has failed till date.

For the first two months or so, the struggle faced hostility and threat from the organized and combined strength of the mainstream political parties such as the Communist Party of India (Marxist), Janata Dal, the right wing Bharatiya Janata Party and the Congress besides the elected representatives. The local panchayat (local elected administration dominated and controlled by Janata Dal) were positively hostile to the struggle. By and large, the media pretended to ignore the

struggle or gave more credence to Coke's version with some arguing the case for Coke. These sections supported Coca Cola's campaign that the protests are 'politically motivated', indirectly meaning that extremist elements are behind this so that the state could be provided the scope and justification to crush the peaceful struggle in the most violent manner. The bogey of 'development' and threat of unemployment of the Coke workers if production is affected, were raised. Coke's environmentally friendly and socially responsible approaches were also harped upon. Despite physical threats, the struggle persisted with the Adivasi women, the main victims, forming the backbone of the struggle. The struggle soon acquired support from diverse sections – from the Gandhians to the radical left revolutionaries to the environmentalists from across the state who organized agitations in support of the struggle and constituted solidarity committees. Hundreds of protesters and their supporters have been arrested on various occasions and false cases foisted on them. Support campaigns soon emerged from different parts of the country as well as internationally. Similar protests against Coke plants from other parts of the country were also reported. The media could no longer ignore the struggle despite Coke's arm twisting. Coke then acknowledged that there indeed was a problem with the water for which they were not responsible. They offered drinking water as well as started rainwater-harvesting programmes within the plant as well as outside it. Coke itself found that they had to organize water from elsewhere as the aquifers were depleted. The people of course were not impressed.

With the struggle gaining popularity and support from a wide section of the people in the state, the main opposition party, the Communist Party of Indian (Marxist), organized protest against Coke, Congress (the ruling party) and the government and in the process de-legitimizing the local party leaders who were supporting coke. Janata Dal, who controlled the local administration – the panchayat – too had to fall in line lest they lose face. Except the ruling party in the state, the Congress, most of the small and larger parties now vie with each other in declaring their opposition to Coke's extraction of water. In addition, the critical days of US invasion of Iraq had led to a call for boycott of US products that caught popular imagination in the state. Coke symbolized US imperialism in the popular mind.

As early as 4 March 2002, a private laboratory had tested the water and concluded that the water contained very high levels of 'hardness' and salinity that would render water from this source unfit for human consumption, domestic use (bathing and washing), and for irrigation. This was further corroborated by the government Primary Health Centre on the basis of the analysis carried out by the government's Regional Analytical Laboratory. They concluded that the water is not potable around the Coca Cola Factory and asked the Panchayat on 13 May 2003 to ensure that the public be informed about this.

On 25 July BBC Radio 4 Face the Facts programme released a damning report of finding carcinogens in Coca Cola plant waste upon testing in the laboratory of the University of Exeter. Dangerous levels of toxic metals and known carcinogens, cadmium and lead, were found in the 'product' passed on to local farmers by the Coca-Cola plant as 'fertilizer'. Some other heavy metals, including nickel, chromium and zinc, were also present at levels significantly above those expected for background, uncontaminated soils and sludge. The BBC Report was subsequently confirmed by the Kerala Pollution Control Board, the official pollution monitoring authority on 8 August, in fact, reporting a figure that was more than double of what the BBC reported and four times the prescribed norm by law. The Board then had ordered the company to stop supplying the waste to others and to recover all the waste transported outside and to store them safely in the plant site. The same Board in an attempt to placate Coke subsequently carried out one more test, which reported negligible traces of carcinogens, which the government itself had to reject as being conducted in an unscientific and careless manner. At the same time, on 5 August another major damning exposure was made when Down to Earth of Centre for Science for Environment of New Delhi reported that soft drinks including that of Coca Cola tested for pesticides higher than the permissible level in the US and European Union. Around the same time, the US ambassador to India on behalf of the US government was pushing the case of Coca-Cola that Coca Cola was willing to divest 49 percent (which was obligatory under the license under which the company was permitted to operate in India) but on the condition that this 49 percent would not have any voting rights!

The Perumatty Panchayat, where Plachimada is located, cancelled the license issued to the Coca Cola Company on 7 April, which was challenged by Coke. The High Court asked the government to

take decision. The government stayed the decision of the panchayat to cancel the license on 12 June. On 16 December the High Court directed Coke to close all the bore wells and to stop extracting ground water beyond what was required for irrigating 34-acres of land. Further the government was asked to carry out elaborate investigations into all allegations related to water and contamination of water and land. In its ruling, the court held that groundwater was a public property held in trust by a government and that it had no right to allow a private party to overexploit the resource to the detriment of the people.

Though the single bench had ordered Coke to find alternative sources of water, the Division Bench in effect upturned the decision ensuring status quo. In January 2004, the consumption of water was also ordered to be monitored to determine the quantity of groundwater that the company utilized. This was to be carried out under the control of the representative of the High Court appointed expert committee along with Perumatty Grama Panchayat. Between Jan. 12-19, it was found that the Coke plant used 275,000 liters per day. Meanwhile scientific investigation ordered by the court was to continue. The Panchayat was also ordered not to take any steps that would lead to the closure of the plant.

Meanwhile, the Kerala Government declared seven out of the total fourteen districts in the State, including Palakkad, as drought hit. Once regarded as Kerala's rice bowl district, Palakkad is the only district that has been under drought spell since 1998. In February, the Kerala Government banned the use of groundwater by the Coca-Cola factory at Pachimada in Palakkad district until June 15. The ban was limited to four months as the monsoon was expected to set in by June.

The High Court then granted Hindustan Coca-Cola Beverages Limited one month to close down its wells and find an alternative source of water. But the judge also directed the village council to renew the licence of the plant and restrained it from interfering with the functioning of the factory.

The renewal of licence to Coca Cola that was cancelled by the Perumatty grama panchayat on April 7, 2003 came up once again. The Panchayat refused to renew licence for the next five years. The state government promptly upturned the decision of the Panchayat saying that the Panchayat did not

have this power. The High Court however stayed the government's decision and directed Coca Cola company not to resume operation of the company's plant.

The plant had stopped operations from March 9 after the high court upheld the government order prohibiting the company from drawing groundwater till mid-June following severe drought in the region.

As the Coca Cola Company reiterates that they would reopen the plant, the struggle of the Adivasis of Plachimada continues, as the situation of their source of water remains the same without any reprieve. Water for the people and therefore their survival is yet to become the issue for the system as the political-administrative-judicial system is still debating over jurisdiction of power, the scientific validity of the allegations and other such dilatory matters being preoccupied with the issue of 'water for Coca Cola' ! This struggle has also become well known by drawing people from all over the world and as a symbol of the struggle against imperialist globalization.

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