

# Plachimada against Coke: People's Struggle for Water

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## Description

Plachimada is a small village in Palakkad district of Kerala. It is situated in Chittur block's Perumatty Panchayat of the district. In 2000, this Panchayat gave license to the Hindustan Coca-Cola Beverages Private Limited (HCCBPL) to manufacture Coca-Cola (Coke) and other products viz. Fanta, Limca, Thums Up, Sprite, Kinley, etc. But very soon due to the contamination of groundwater in that locality by the chemical waste discharged by the company, local people started a small-scale protest against the company. Later, this protest was supported by the Panchayat authorities. In a long run, with national as well as international support to this protest against a multinational company (MNC), this movement became an icon of other such movements worldwide.



Source: <http://palakkad.gov.in/images/map2b.gif>

## The Conflict

The case selected to study is very famous for the fight between local tribal and non-tribal population against an MNC like Coke. The chronological facts given below give a detailed account of this ten-year long struggle.

### **Brief facts<sup>1</sup>:**

1998	HCBPL acquired 34.64 acres, mostly paddy fields in Plachimada.
27.1.2000	Licence issued by Panchayat for running factory.
March 2000	HCBPL factory commissioned at Moolathara Village, Perumatty Panchayat
2002	Kerala Groundwater (Control and Regulation) Act, 2002 enacted.
22.4.2002	Plachimada struggle launched by Coca-Cola Virudha Janakeeya Samara Samithy (Anti Coca-Cola Peoples Struggle Committee) on 'Earth Day'.
7.4.2003	Resolution passed by Perumatty Gram Panchayat not to renew licence.
9.4.2003	Show cause notice issued on ground of depletion of groundwater resulting in drought in Plachimada drought and environmental issues agitation since 1 year by tribals.
30.4.2003	HCBL files reply to show cause notice before Panchayat. Also argues poor monsoon/ other factories responsible for depletion of groundwater.
13.5.2003	Primary Health Center It is not mentioned in that document but as far as my understanding from various readings is that it should be Plachimada Gram Panchayat only declares that the water is 'not potable'.
15.5.2003	Order passed by Perumatty Panchayat cancelling licence.
16.5.2003	Matter came up for hearing in Kerala High Court, which disposes of writ petition with order directing: - HCBPL to move appropriate authority against decision of the Panchayat - To be considered and decided within one month - Status quo to remain till then.
25.7.2003	BBC Radio 4 'Face the Facts' programme reported that carcinogens were found in the waste.
Sept. 2003	Kerala State Pollution Control Board (KSPCB) confirmed the BBC Report. KSPCB ordered Coke to stop supplying the waste, recover all the waste transported outside and store them safely in the plant site.
February 2004	The Government banned the use of groundwater by Coke until mid-June when the monsoon was expected to set.
17.2.2004	HCBPL files application for renewal of license for 5 years.
9.3.2004	The plant stopped operations after the High Court upheld the government order.

<sup>1</sup> This chart is mainly based on a document named "Plachimada : brief facts" by Mr. C. R. Bijoy. Some of these are also chronologically ordered in the book by Sree Mahadevan Pillai as given in reference (but only till 2007).

12 Aug. 2004	The Supreme Court Monitoring Committee on Hazardous Wastes (SCMC) constituted.
14.8.2004	SCMS report indicted Coke for ‘the unauthorized disposal of sludge’..‘without prior approval of the authorities concerned with agriculture, disposed of its sludge (containing heavy metals) to farmers in the neighbourhood as fertilizer’ and ‘was unable to convince the Committee of the source of the toxic heavy metals found in the sludges.’ SCMC concluded that ‘the company will take quick measures to ensure water supplies to all the persons in the vicinity of the plant.’
23.4.2005	‘Outlook’, a news magazine, commissioned Sargam Metals Laboratories to carry out a water analysis from a well. The lab reported that the water ‘chemically does not meet the requirements for most of the parameters tested for potability’.
7.5.2005	Gram Panchayat issues a further letter to HCBPL stating that the application for renewal of licence was incomplete.
1.6.2005	Judgment and order passed by Kerala High Court directing the Panchayat to renew the licence within a week
June 2005	Hazards Centre, New Delhi and People’s Science Institute, Dehradun released “Groundwater Resources in Plachimada: Coca Cola stores toxics for future generations. A report on present status of water quality and problems faced by the villagers in the surrounding areas of Hindustan Coca Cola Beverages Private Ltd located at Plachimada, Palghat“
5.7.2005	Review petition filed by the Panchayat is dismissed by the Kerala High Court in a reasoned order.
16.11.2005	Kerala HC directs the panchayat to once again issue licence.
19.11.2005	Chittur declared a ‘notified area’ under the Groundwater Act, along with 4 others, all classified as “over exploited.”
28.11.2005	Proposal for relocation of Plant to Pudussery Panchayat, Palakkad
7.12.2005	HCBPL makes fresh application for licence.
20.12.2005	Panchayat resolution passed that based on the declaration of Chittur block as a notified area, ‘the streams and ground water in all the areas under Wards 1 to 8 and Wards 11 to 17 that were privately and publicly held shall be used exclusively for domestic use and irrigation purposes only from 1 <sup>st</sup> Jan 2006.
16.1.2006	Perumatty Panchayat replies to a letter from Coca Cola protesting against the abusive and authoritative language of corporate dominance.
May 2006	Kerala State Groundwater Department releases the study report on Plachimada titled as “Report on the monitoring of water levels and water quality in wells in and around the Hindustan Coca-Cola Factory at Plachimada, Palakkad”
5.8.2006	Govt. of Kerala withdraws the criminal cases against the Plachimada struggling people.
24.1.2007	Environmental Committee of Kerala Legislative Assembly visits Plachimada.
18.8.2007	Kerala Groundwater Authority (KGWA) appoints a committee to report on issues related to Plachimada.
23.10.2007	KGWA approves the report submitted by the committee on Plachimada and decides to recommend the state government for further action on the issues of compensation of damages.
23.9.2008	The sub committee appointed by KGWA submits report recommending KGWA to form a high power committee.
13.10.2008	KGWA decides to recommend to the Govt. of Kerala for forming a High

	Power Committee (HPC) on Plachimada to assess the damages occurred.
9.4.2009	Cabinet Meeting of Kerala Govt. decides to appoint HPC on Plachimada.
23.5.2009	Order constituting the members of the HPC to determine the extent and nature of loss resulting from the working of Coca Cola Company at Plachimada and report to be submitted in four months.
7.7.2009	Submission to the HPC by Adivasi Samrakshana Sangham & Plachimada Struggle Solidarity Committee.
28.8.2009	Public Notice Dated August 28, 2009 published in Mathrubhumi on August 28, 2009 by this Committee appealing to the affected people to file claims before 30 September 2009.
21.9.2009	Submission to the Chairman, HPC On Plachimada by Adivasi Samrakshana Sangham & Plachimada Struggle Solidarity Committee.
29.9.2009	HCBPL submitted a letter questioning the authority of the State government to constitute the HPC.
9.10.2009	Public Hearing at Plachimada by HPC.
22.3.2010	HPC submission of Report to the Government.
30.6.2010	Kerala Cabinet decides to form a tribunal to assess and realise compensation from Coca Cola for the damage caused by its bottling plant at Plachimada in Palakkad.



In front of the Company



The near by markets—plastic pots for storing the supply water



The Coke Company that has been closed

Source: These photographs are taken by the author during her visit (June, 2011) to Plachimada (Kerala) in order to understand the see the reality of the field chosen for case-study.

## **Current Status**

The Plachimda Coca-Cola Victims Relief and Compensation Claims Special Tribunal Bill, 2011 based on the principle of POLLUTER PAYS, proposed by Left Democratic Front (LDF) Govt. has been passed without any discussion on Feb 24<sup>th</sup>, 2011 by the 12<sup>th</sup> Assembly. Now, it has been sent for the approval by the President of India.

## **Highest and Lowest Point**

In January 2004, a three-day water conference was held at Plachimada and people like Maude Barlow, Jose Bove, Vandana Shiva, etc participated in this conference. The Plachimada Declaration took place with its proclamation like *water is a basis of life, it is the gift of nature. It is not a private property but a common resource for sustenance of all*. At that point of time, there was an immense unity among the participants. But later on, there was a split in the movement with one group projecting Mylamma (a tribal woman) as the leader of the struggle and another group considering Vilayodi Venugopal (a non-tribal human rights activist) as their leader under the banner of Plachimada Anti-Cola Struggle Committee. This split has weakened the movement and seems to be lowest point of the struggle.

## **The Opposing Stands**

Like all other struggles, there are two parties – on the hand, the Coke Company and on the other, the local people fighting against it. However, the split among the local people as mentioned above has further complicated the situation.

## **Scope for Dialogue**

To the participant, the scope of dialogue is minimal. There is a need for dialogue between two groups of local people. The dialogue between Coke Company and local people seems to be very difficult.

## **Key Institutions and People**

Adivasi Sanrakshan Sangham – Mylamma's group

Plachimada Anti-Cola Struggle Committee – Vilayodi Venugopal (local level)

Plachimada Solidarity Committee – (a) District Convenor- Armughan Pathicara

(b) State level Convenor – Vijayraghavan Cheliya

National Alliance for People's Movement (NAPM) – Geo Jose

## **Publications and Website**

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2. 'The Bitter Drink' by Third Eye Communications.

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