

>

Title: Need to pass the "Coca-Cola victim's relief and compensation claim special Tribunal Bill".

SHRI P.K. BIJU (ALATHUR): Sir, I would like to raise one important issue pertaining my constituency.

Plachimada, a predominantly Adivasi village in Perumatty Gram Panchayat in Alathur Constituency, Palakkad District, Kerala, had over the last one decade become synonymous with the fight of the common people against corporate over-exploitation of natural resources. The Coca Cola Bottling Plant set up in March, 2000 began drawing over five-lakh litres of water from the wells on its premises each day. This resulted in the drastic depletion of water levels inviting the wrath of the locals and environmental activists alike.

18.03 hrs (Dr. Girija Vyas *in the Chair*)

The plant was producing one litre of Cola from four litres of water leaving behind 2.7 litres of wastewater and solid waste. The company distributed the solid waste to the farmers as fertilizers, thus harming the farmland too. The high-decibel campaign that ensued was quite spontaneous attracting worldwide attention and resulting in the temporary shut-down of the Plant in March, 2004. The Government has appointed a 13-member High-Powered Committee headed by the Additional Chief Secretary, Shri K. Jayakumar, of the State of Kerala. The Committee found that there has been a steady decline in the agriculture production in the area and the production of milk, meat, and eggs has declined.

The Committee also found that the Coca Cola company also violated the Water (Prevention and Control of Pollution) Act, 1974; the Environment (Protection) Act, 1986; the Factories Act, 1948; Hazardous Waste (Management and Handling) Rules, 1989; the SC/ST (Prevention of Atrocities) Act, 1989; the Indian Penal Code; the Land Utilization Order, 1967; the Kerala Groundwater (Control and Regulation) Act, 2002; and the Indian Easement Act, 1882.

Following this report the Plachimada Coca Cola Victims Relief and Compensation Claims Special Tribunal Bill 2011 adopted by the State Assembly on February 24 and forwarded the Bill for Presidential Assent. Instead of sending it for President's recognition, it was sent back to the Kerala State. The Bill, once enacted, would legitimise the constitution of a special tribunal for securing compensation of Rs. 216.25 crore to the inhabitants from the Hindustan Coca Cola Beverages (HCCB) Private Limited for profaning the ecological and socio-economic condition of the area. As per the Cabinet guidelines for disposal of State Legislative Assembly matters, the Bill would be processed without waiting for further comments if the concerned Ministry failed to submit their observations within six weeks. Within six weeks, the Home Ministry, which was coordinating the Bill at the Centre, received comments only from the Ministry of Rural Development, Ministry of Law and Justice (Department of Justice) and Ministry of Agriculture. The Home Ministry, instead of proceeding with the Bill at the end of six weeks heeds to the legal opinion sent by the Coca Cola India Private Limited. It was impetuous for the Ministry and it sent the Bill back to the Kerala seeking explanation.

It is evident that the Central Government in cahoots with the pompous corporate trying to cover up the mind-boggling ground water exploitation in the garb of technicalities. The move also sabotages the constitutional provision of Article 21 that assures the right to live with human dignity, free from exploitation. I urge upon the Central Government to take necessary action for Presidential Assent for "Coca-Cola Victim's Relief and compensation claim special Tribunal Bill" passed by Kerala Assembly.

MADAM CHAIRMAN : Shri M.B. Rajesh is allowed to associate with the issue raised by Shri P.K. Biju.