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Title: Regarding "The Plachimada Coca-cola Victims Relief and Compensation Claim Special Tribunal Bill, 2011" which was passed by Kerala Assembly.

SHRI P.K. BIJU (ALATHUR): Chairman Sir, I would like to draw your attention on the following matter. Plachimada, a predominantly tribal village in Perumatty Gram Panchayat in my constituency, has over the last one decade become synonymous with the fight of the common people against Coca-Cola over exploitation of water.

The Coca Cola bottling plant, set up in March 2000, began drawing over five lakh liters of water from the wells on its premises each day. The plant was producing one liter of Cola from four liters of water, leaving behind 2.7 liters of wastewater and solid wastes. The company distributed the solid wastes to the farmers as fertilizers, thus harming the farmland too. The high-decibel campaign that ensued was quite spontaneous attracting world-wide attention and resulted in the temporary shutdown of the plant in March 2004.

The Kerala Government has appointed a 13-member high-powered committee, headed by the Additional Chief Secretary to the State Government, K. Jayakumar. The Jayakumar Committee found that there has been a steady decline in agriculture production in the area and the production of milk, meat, and eggs has declined. Metals like cadmium, lead and chromium have been detected in the sludge, which was distributed to the farmers as fertilizers. Skin ailments, breathing problems, and other debilities among the locals have been on the rise. They have noticed low birth-weight in newborns. Apart from this, children have dropped out of schools on account of the social, health, and economic factors caused by the pollution and the Committee suggested that an amount of Rs.216.25 crore should be paid as the compensation to the affected people for the loss in agriculture, health problems, loss of wages, loss of education opportunity and the pollution caused to the water resources by the Hindustan Coca Cola Beverages Private Limited.

Following the Jayakumar Committee Report, The Plachimada Coca Cola Victims Relief and Compensation Claims Special Tribunal Bill 2011" was adopted by the State Assembly on February 24, 2011 and forwarded the Bill to the Centre for Presidential assent. But, the Central Government, instead of sending it for President's assent, sent it back to the Kerala State Law Department, primarily on the ground of legislative incompetence of the State to set up such a tribunal when National Green Tribunal is present. 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 Private Limited.

Sir, the Home Ministry, instead of proceeding with the Bill at the end of six weeks, heeded to the legal opinion sent by Coca Cola India Private Limited. It was an impetuous for the Ministry and it sent the Bill back to Kerala State seeking explanation.

Sir, it is learnt that, recently the State Government of Kerala, citing that the State has legislative competence to set up such tribunal, has sent back the Bill to the Centre for Presidential assent.

But no action has been taken or conveyed to the State Government in this regard. I had also submitted this matter on 7.12.2011 during 'Zero Hour' in this House, but I am yet to receive a reply.

MR. CHAIRMAN: Please conclude. You have already mentioned it.

SHRI P.K. BIJU : It is no wonder if one has to think that the Government is giving a preferential treatment to the corporate by snubbing the rights of the tribal people.

MR. CHAIRMAN: Please conclude now.

SHRI P.K. BIJU : It is evident that the Central Government in cahoots with the pompous corporate is trying to cover up the mind-boggling ground water exploitation in the garb of technicalities.

MR. CHAIRMAN: Shri Dhruvanayarana will speak now.

SHRI P.K. BIJU: The move also sabotages the constitutional provision of Article 21.

MR. CHAIRMAN: Now, nothing will go on record. He has made enough of his point.

*(Interruptions)**

MR. CHAIRMAN: I said 'no'.

*(Interruptions)**

MR. CHAIRMAN: Next time you stick to your time. You cannot make a speech. I gave you more time.

Shri P. Karunakaran is also allowed to associate with the subject raised by Shri P.K. Biju.

Shri R. Dhruvanarayana, you start. I gave him enough time.