

# Class Struggle and Environmental Activism

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## Introduction

A very popular view of environmentalism is that trade unions and left parties are set in opposition to the environmental activists. It is believed that in the perception of the left parties and trade union activists, environmental activism is very often anti-labour. One has only to consider the famous New Delhi case where pollution was raised as an issue in such a way that shifting the factories out of Delhi was seen as a good solution. For unionists, this was doubly a bad solution, for it put a burden before the workers, who, if they wanted to retain their jobs, would have to move out; and who, in addition, were just not seen as being the major victims of industrial pollution. So there can be real reasons for conflicts, notably where the environmentalists have a purely middle class orientation.

On the other hand, environmentalists often find trade unions narrow and corporatist. Class approach to them turns out to mean, not steps to class unity and the struggle for social transformation, but certain short run apparent benefits of their direct constituency. So trade unions have been known to oppose the shutting down of industries even when they are hazardous. Thus, Gopal Krishna of Toxics Link argued that he had found no response from even respected and senior unionists like M. K. Pandhe over the problem of asbestosis and the continued import of asbestos in India. (1)

This paper will explore the complexities of class struggle and environmental activism by looking at a case where environmental activists and labour movement activists and left party activists made a serious attempt to come together. This was facilitated by the fact that there was a significant overlap of the core activists. Yet, the story as it has developed till now shows that while a simple reading of opposition between Green and Red is incorrect, any prospect of a Red-Green alliance in India, as it has already happened in a number of countries, (e.g., the large scale presence of socialists in the Green party in USA, the Red-Green alliance in Denmark, the Left Bloc in Portugal and other cases) is a long way off.

## **A Preliminary Look at the Major Organisations**

The actors in this story are the workers of Vadodara (Baroda), the Vadodara Kamdar Union, a militant trade union in the city; the Paryavaran Suraksha Samity, an organisation concerned with the environment in a broad sense and the PTRC/VSSM, a health and safety organisation; and the Inquilabi Communist Sangathan, a radical left political organisation.

We need to begin by looking at the ICS, the VKU, and their relationship with the working class. The ICS is unusual in Indian politics. It is a Trotskyist party. Consequently, it stresses proletarian class independence with a very distinctive definition - no subordination to bourgeois interests in the name of any kind of cross class alliance for a "democratic" revolution. So it pushes such a line both in elections and in mass movements. Thus, the ICS submitted draft statutes for the world Congress of the Fourth International, an international grouping to which it belongs. The preamble to the draft contained the following passage: "The minimum programme of a workers' international was set out by the International Working Men's Association, which proclaimed that the emancipation of the working classes must be conquered by the working classes themselves, that all efforts aiming at that great end have hitherto failed from the want of solidarity between the manifold divisions of labour in each country, and from the absence of a fraternal bond of union between the working classes of different countries; that the emancipation of labour in neither a local nor a national, but a social problem, embracing all countries in which modern society exists, and depending for its solution on the concurrence, practical and theoretical, of the most advanced countries. These principles remain the starting point of our principles." (2) Similar arguments were put forward when the ICS put up candidates for parliamentary elections. In 1977, for example, when even those Maoists who were not calling for a boycott as a matter of principle, wanted people to vote Janata Party, the Communist League, a forerunner of the ICS, had put up a trade unionist and run an aggressive campaign calling for a break with bourgeois parties in general. In more recent times, the ICS practice has demonstrated its attempts to explain what independent proletarian politics would mean in the Indian context. The ICS issued a statement on the occasion of the Pokharan and Chagai nuclear weapons tests: "National security, yells Vajpayee. National security, screeches the *Organiser*. National security, agrees happily Mulayam Singh Yadav, ex-defence minister, spurious socialist, and a supposedly major rival of the BJP. National security, agrees the Congress, going on to assert that not the BJP, but the Congress is the real father of the Indian nuclear denture. Finally, national security, mumbles the shame-faced left. Yet, who is threatening whom, and whose security will the nuclear explosions safeguard?

For the Indian working class, the answer is clear. Even as the nuclear devices were exploded, Maoist activists were being murdered again in Bihar by the Ranvir Sena, having close connections with the BJP. Striking nurses in Delhi were threatened with eviction, arrest, the application of the Essential Services Maintenance Act, and any number of repressive measures. Delhi University teachers, on strike a short while back over demands for a better pay-structure and additional benefits, were threatened with pay cuts for the period of strike.

The blood of Shankar Guha Niyogi, slain trade unionist of Madhya Pradesh, is in the hands of people well protected by the BJP. Although the BJP did not get a clear majority by itself, and hence had to formally tone down its programme, the fascist agenda was never given up. And one part of that agenda has always been jingoistic nationalism. Such a nationalism on one hand threatens peace in the region. On the other hand it is a weapon in the hands of the ruling class to ideologically break working class solidarity. A threat of war is always a good weapon. It whips into a frenzy the petty bourgeoisie, and even layers of the working class. It isolates the class-conscious vanguard.

It gives the regime legitimacy in leading attacks on working class standards of living, and into

attacking and seeking to smash trade unions. In the case of the BJP, in such attacks it will also have the assistance of the mass organisations of fascism that have been built up over the years. Already, the Prime Minister, the Finance Minister, the Deputy Chairman of the Planning Commission, and other such persons have warned that sanctions must be faced with determination. No doubt, for Indian capitalism, the determination is there, for they were, in the person of Rahul Bajaj, quite upbeat. They are determined that this time the costs must be passed on to the working class, and that trade union protected, hard-earned rights of the workers must go. At the current juncture, after the sanctions begin to bite, every struggle by the working class to maintain its standard of living will be branded a treasonous activity. Every major strike will face, not only state action, but the organised violence of the fascist forces.” (3) This makes the ICS stand out, in so far as it argues that even national security has to be viewed from class perspectives, rather than accepting the hypocritical claim that in matters of national security there are no class distinctions.

The second and third extracts are from a document of the 1980s. This was an organisational resolution entitled “Proletarian Party, the nature of its relationship with mass organisations”. The resolution had been moved by the Gujarat State Committee of the ICS at the 1989 National Conference of the organisation, and accepted after considerable debates and a number of amendments. The final version started off by explaining the ICS concept of a revolutionary party as the organisation of the class-conscious vanguard elements among the workers in the first place, along with politically conscious representatives of the democratic allies among the exploited and oppressed masses. It then went on to explain that while historically, the communists had discussed the relationships between party and trade union, after World War II, and in the specifically Indian context, there had developed organisations of various types, including single issue organisations, as well as organisations of poor peasants, agricultural labourers, students, youth, slum-dwellers, socially oppressed Dalits, Adivasis, oppressed nationalities and national minorities. The resolution then went on to argue what was legitimate and what was not, in the relationship between the revolutionary party and such mass organisations. “It is completely legitimate for a revolutionary workers party to try to win influence in the mass organisations. Otherwise it would condemn itself to vain, pseudo-revolutionary chattering. But it must do this by methods that flow from the very nature of the mass organisations and that reinforce them. The party has to attract elements, increase the number of members, and contribute to the development of the correct means of struggle against the exploiters and oppressors. People, while joining the mass organisations, see in it a means of defending themselves against their immediate day-to-day harassment. In order to stabilise them and hold them and to take them further and develop their consciousness it is first necessary in a leadership to show that it can defend them well.

It is something else when working class parties adopt methods of manipulating the mass organisations for narrow and sectarian politics, diverging from the class and mass politics, and its independence from its exploiters, oppressors and subjugators. In the history of mass organisations of India, all the capitalist and socialist parties, in the footsteps of the communist parties, have misused the mass organisations only for their narrow and electoral party politics, rather than expanding unified struggles and infuse solidarity. This has caused divisions, splits among the mass organisations due to the misguided manipulation for controlling it by a single party.” (4)

As a result, argued the resolution, expanding democracy in the organisations was the key to building them both for their immediate goals and for lasting revolutionary hegemony within them. “Any mass organisation built up by party comrades must not become the party’s front or its fiefdom. It is the responsibility of the party and of party members working in the respective mass organisations. The party has to honour this democracy and autonomy of mass organisation and it should help to create a conducive situation in it so as to enable the elected committee members of the mass organisation to discuss and decide their day-to-day problems and long drawn orientation. The party should not

succumb to opportunist and unprincipled narrow-minded temptation of leading the mass organisation by only party members. Rather the party should encourage the militant active members of different political orientation to function in it or lead it.” (5)

Moving to the relationship between party comrades functioning in particular mass organisations and the party as a whole, the resolution stressed several aspects. It pointed out that in certain types of organisations, like women’s organisation, dalit organisation and national minority organisation, two currents were at work, including within party comrades. To seek to subordinate them to a tight democratic centralist perspective could result in harming the party as well as those comrades. The party had to learn from those organisations and those comrades, instead of always assuming that it was only there to teach people. Secondly, the notion of ‘party work’ was sought to be problematised. Work in the mass organisation by party members was also party work. At the same time, the political propaganda and agitation of the party was also necessary. This was in a way harking back to a problem mentioned by Rosa Luxemburg a century ago. As she wrote:

*“The unification of the great mass of the people with a goal that goes beyond the whole established order, of the daily struggle with the revolutionary overthrow - this is the dialectical contradiction of the Social-Democratic movement which must develop consistently between two obstacles: the loss of its mass character and the abandonment of its goal, becoming a sect and becoming a bourgeois reformist movement.”* (6)

Building a revolutionary party, in the conception of the ICS, therefore was something very different from bureaucratic manipulations and a beans-counting method whereby the growth of a revolutionary party was to be measured by the number of trade unions it controlled and similar bureaucratic techniques.

The full political evolution of the ICS is not an essential part of the present essay. In a later section, a small part of its history, its politics and organisational functioning will have to be discussed. At this point, however, we are still setting the stage, and therefore need to move on to a preliminary consideration of the Vadodara Kamdar Union.

The VKU was founded in the 1970s, by a group of workers who had come out of the All India Trade Union Congress. The AITUC had been solidly under the grip of the CPI. What it meant was that when a group of Trotskyist workers got into problems, they found the local AITUC leadership being less than keen to defend them. Having had this experience, the workers, while being compelled to create a new trade union to defend themselves, were determined from the start that this would not be a party controlled trade union. This statement of intent did not of course mean the resolution of the problem. Two kinds of solution were sought. On one hand there were attempts at organisational solution, through resolutions like the one which stopped Communist League members who were not trade unionists (the Communist League was a forerunner of the ICS, and the VKU had been set up by members of the CL) from holding party classes or party meetings in the VKU office.

This was of course only one small aspect of the VKU’s orientation, but worth mentioning as it shows the VKU consciously setting out to be an independent union. But the VKU also wanted to be a class struggle oriented union. Its leadership also held radical views on caste, gender and environmental questions. This is borne out by the stand it has taken at different times. The present writer first reported about the VKU in *Amrita Bazar Patrika* in late 1988. Much of the following narrative is based on interviews and notes dating back to 1987-88. The Kevadia struggle of 1987-88 was an issue where the radicalism of the VKU was evident. The Narmada Valley Project was already in full swing. The VKU office at Dandia Bazar was also the Vadodara office of the Narmada Bachao Andolan. At the same time, the VKU, as a union, was interested in the condition of the workers of the dam and related projects, as long as the work was going on. In August that year, a Commission of Inquiry

appointed by the Gujarat High Court to look into the charges of human rights violation by M/s Jai Prakash Associates went to Kevaida Colony in Bharuch district, 93 kilometres from Vadodara. The management showed them only the few hundred permanent workers. Realising that the company's security forces would not allow them to report before the Commission, nearly one hundred of the 2000 labourers who lived in a separate camp run by company goons walked 15 kilometres, across a hill and turned up at the Circuit House, Kevadia Colony, to put their case before the Commission. On 16<sup>th</sup> August, nearly 150 goondas attacked the workers. After a decade of silent suffering, the workers hit back. The thugs were thrown out and a public meeting was held. Nearly 650 workers joined the VKU. (7)

The background to this was an effort by two Jesuit priests, Father Mathew and Father Joseph of the Rajpipla Social Service Society, to secure legitimate termination benefits for dismissed workers. Finding the going difficult, they had turned to unions for help. But none of the big unions - AITUC, INTUC and CITU, were keen to tangle with Jay Prakash Associates, a big construction company reputed to be very close to the ruling party, for the slender benefit of recruiting a couple of thousand contract labourers. It was then that the two priests turned to the VKU, which had already made a small reputation as a union that fought earnestly without looking at what fringe benefits it was getting. The first breakthrough came at the Mahalinga Shetty & Co., who were building parts of the main canal for the Sardar Sarovar Project. From mid-1987, the VKU built up a union there. The initial response of the management was to throw out any worker openly claiming to be a member of the VKU. Working conditions at the canal colony were terrible. The normal working day was 12 hours excluding the lunch break. No overtime was given at all. A system of staggered time off ensured that all workers never had a common day off. When in late October 1987, a strike started, the management promptly declared that the strike was anti-national. This has been a refrain connected to all aspects of agitations over the Narmada project. It should be remembered that it was in 1987-88 that Medha Patkar and other colleagues of hers were unifying several distinct currents into one Narmada Bachao Andolan. Claude Alvares and Ramesh Billoray's book on Narmada appeared in 1988 and was banned by the government. (8) Since the first whisper of criticism, in fact, the line of the Gujarat government of the day, regardless of whether it was the Congress or the BJP in power, has been to dub critics and protesters "anti-national". The SSP, the Narmada Sagar and related projects are supposedly in the fundamental interests of Gujarat and Gujaratis, especially of areas like Saurashtra. So the accusation of being "anti-national" was not exceptional for that period and space. But despite intimidations and threats of applying various anti-terrorist laws, the workers went on strike for 23 days, compelling the management to come to terms. A number of gains were made, including the introduction of wages at the rate of the minimum wages for local tribal workers, the payment of all arrears, the introduction of the 8-hour working day, and the absorption of some 150 of the workers into the permanent workforce because they had already worked for 140 days. This successful strike established the VKU in the Kevadia area.

Jai Prakash Associates were of course a much bigger fish than Mahalinga Shetty & Co. In 1988, in the Narmada project alone, they already had contracts worth Rs. 700 crores or more. My own experience was that when I wanted permission to enter the prohibited area where the local office of the company was situated, the government official who had to give the permission told me that he had seen me talk to Thakore Shah, the General Secretary of the VKU, and therefore would not give me the permission. This establishes the close connection between the private company and the government of Gujarat. This close connection was clearly in evidence during the workers' agitations in 1987-88. In March 1988, there was a strike by the workers demanding implementation of labour laws and in protest against their posters being torn down. This was followed by three activists, Anil Kumar Singh, Satnarain Dubey and Rohini Prasad Upadhyay, being detained in the office by the management and interrogated by the police led by the Deputy SP Mr. R. G. Patel and PSI Jadeja in the presence of Mr. Mohan Misra, the General Manager, and other company officials. The workers

claimed they were forced into signing a statement after being held without food for the whole day and being subjected to threats of various kinds. They were then driven all the way to Vadodara and left near the station at night. Only one radical journalist managed to get past the barrier, and his report exposed the contradictions in the management's claims. (9)

The VKU waged a long and bitter struggle. Thakore Shah was followed by goondas, and on one occasion stabbed by some of them. On 6<sup>th</sup> November 1988, I was present at a meeting of the VKU at Kevadia. Interestingly, it was attended both by workers and by would be or actual oustees, that is, the people who were being rendered homeless so that the dam and its canals could be built. Throughout 1988, affected people had been agitating at Kevadia. For some activists, like Thakore Shah and Rohit Prajapati, both the workers' struggle and the struggle to save the land and water from an ill-conceived political project which evidently also had a big financial motive for contractors and their politician backers, were important. But even for a large number of workers in the union, an original interest in simply building their union and protecting the rights of the workers was gradually transformed into a more serious reflection on the peasants of the locality who would be evicted. Throughout the decade after this, there would often be VKU statements expressing support for the Narmada Bachao Andolan, or the VKU would take part in such struggles. (10)

The foregoing, combining the story of the origins of the VKU and its politics in the late 1980s-early 1990s, shows that it was indeed quite an unusual type of union. Another facet of its very unusual politics was the struggle to build up a working class leadership. There is a sustained campaign by owners and management against unions. To them, unions are "third parties". According to them, unions are outsiders out to make trouble, while management is really quite capable of looking after workers' interests. Such corporatism lends itself easily, at times, to support for fascist forces. Even on other occasions, the attacks on unions and union leaderships is acute. So unions often reject, very legitimately, demands that there should be fewer outsiders, because they see such demands as attempts to weaken unions. But there is another side to this question. That has nothing to do with management aims. It is a peculiarity of trade unionism in India, and perhaps in some other third world countries, that major union leaders are party full timers or lawyers, rather than being union full timers. This has more to do with the history of how trade unions were built in India, and with the fact that conditions of work even now often make it difficult to develop a more 'internal' leadership. (Of course, US unionism, where the labour bureaucracy is a career path, is hardly better than party bureaucracies). But the activists of Communist League who had launched the VKU in the first place were determined to build up a proletarian leadership. The VKU therefore adhered from the beginning to the principles of working class democracy. The large majority of trade union leaders have been workers or sacked workers. Negotiations have been open, and based on militant class struggle. Regular trade union schools had been organised in the 1980s and the early and mid-1990s to ensure that the political education of the members was real, and that no external bureaucracy could usurp their control over all the processes of union work.

Over the years, the VKU has created a number of leaders like Sanabhai, Siraj Sheikh, Narpat Sinh Solanki and Ramkailash Saroj. Some of them were also to play an active role in the Communist League and the Inquilabi Communist Sangathan. Narpat Sinh Solanki, for example, would be both a key trade union activist, and a Central Committee member of the ICS. From the point of view of developing a mass trade union with a class leadership and class struggle perspective, even more significant was the example that the VKU set. It had several small but noticeable consequences. One was the growth of the organisation itself, from a membership of just over a few hundred when I first encountered it in the early 1980s, to several thousands, despite the fact that its main focus was in organising workers of small factories and therefore the turnover was often fast. A second consequence was its growing political influence in Vadodara. This was manifested in many ways. One was its political role. On one occasion, the VKU offered to organise a May Day rally with the

CITU and the AITUC in Vadodara. These unions, led respectively by the CPI(M) and the CPI, insisted on inviting bourgeois politicians of the Janata Dal, though these were people not even heading any trade union. The VKU objected to this, arguing that their opposition was not a matter of debate between Trotskyist and Stalinist politics, but simply based on the fact that of all programmes, the May Day programme is so absolutely proletarian that bourgeois politicians, regardless of how secular, democratic, or anything their credentials, had no space in it. So the VKU organised its own programme, campaigning among the workers, and put up a bigger show than the “united” effort of the others. Another development was more clearly organisational. The Jyoti Karmachari Mandal, affiliated to the CITU, broke away from the CITU, and till 2005, it was working together with the VKU. Though maintaining its separate union registration, it elected VKU General Secretary Thakore Shah to a leading position. Amrish Brahmabhatt of the JKM was another important working class cadre who for a time would be active in the ICS. In the early 1990s, he would be a delegate to an ICS National Conference. A similar development occurred in connection with the Apollo Tyre Kamgar Sangh. It would also be in the 1990s, when ecology and the environmental crisis began to enter into the vocabulary of the radical activists in India in a big way, that the VKU would turn to a number of environmental issues, not just the Narmada Bachao Andolan.

But before we look at that, we need to turn briefly to two environmental organisations. Though nowadays all organisations are being called NGOs, in fact, one of these, the Paryavaran Suraksha Samity, is a non-funded organisation, whose members strongly objected to the blanket classification NGO and its application to them. Though the Gujarat government views the PSS as a considerable threat, Anand Mazgaonkar, one of the PSS activists, said during an interview that the PSS is a paper tiger in terms of mass base. The PSS, according to him, “does not hanker after tokens of success. It stresses popular mobilisation and a process of environmental consciousness building and mass movements. As a mass movement oriented organisation, the PSS is aware that struggles do not and cannot proceed indefinitely. There have to be halts and compromises. But there are types of compromise the PSS will accept and types it will not. The type of compromise the PSS accepts is the compromise where the goal is scaled down. But it does not accept the type of compromise whereby the government is to bear the costs of pollution done by private polluters.” (11) The logic behind this argument is clear. When the demand is that the “government” must clean up, it can mean that the ordinary people will be compelled to pay up, since governments cleaning up tend to become governments giving subsidy to the polluters.

Swati Desai and Rohit Prajapati, both of the PSS, provide another dimension. Swati in her interview said: “We are interested in fighting for a value based movement.” Rohit Prajapati said that PSS dreams of a new society. It feels that vision is only possible when inputs are given by diverse currents. (12)

The difference they were trying to point out was one between those environmentalist groups that seek to manage the existing system and groups like theirs. This is not simply a difference between “elitist” environmentalism versus the environmental concerns of common people. Even organisations that do not subscribe to elitism can be enmeshed in the ideology of capitalism, and argue that there is no alternative to market and therefore the goal has to be one of using the market to tilt activities in an eco-friendly direction. As Rajnibhai, a senior (13) member, stressed, the activities of the PSS had links with globalisation and its devastating effects.

Finally, we can look at the VSSM/PTRC. A small organisation led by Jagdish Patel, this is concerned solely about the occupational health and safety problems of workers. Patel is a chemical engineer by training, and while it is legitimate to call the PTRC an NGO, it is worth looking at its style of functioning. For example, Patel puts out a periodical. Each issue of this is funded by one trade union or other. So the PTRC can be viewed as reformist (it never claimed to be revolutionary) organisation. But unlike the simplistic left-wing model, according to which all NGOs are instruments of

imperialism or the existing regime, this is clearly an organisation critical of dominators. In the subsequent sections we will see how these organisations forged an alliance, and how the struggle over Hema Chemicals was fought out.

### **The United Front over Environment:**

One of the major involvements of the Paryavaran Suraksha Samity as well as the Vadodara Kamdar Union has been in the matter of industrial pollution in Gujarat. In 1993, the Indian people's Tribunal on Environment and Human Rights was launched in Bangalore to highlight environmental and human rights violations both by state and private parties. In a concerted move, the PSS, the VKU, the Vyavasaik Swastha Swaksha Mandal and others requested the IPT to carry out an enquiry into the toxic and hazardous pollution in the so-called 'Golden Corridor' stretching from Vapi in Valsad district to Nandesari in Vadodara district, a short distance from Vadodara city. The enquiry was conducted by a Tribunal including Justice H. Suresh, retired judge of the Bombay High court, as chairperson, and as members Girish Patel, Advocate of the Gujarat High Court, Dr. K.C. Sahu, retired Professor of Geology of IIT Mumbai, Dr. Amar Jesani, at that time coordinator of CEHAT, an organisation involved in community health issues, Dr. Ashwin Patel, Paediatrician and Public Health expert, Maharukh Adenwalla and Kerban Anklesaria, both Mumbai High Court Advocates specialising in environmental law, Dr. Nimita Bhatt, Suhas Paranjpe, former editor of Science Today, Vinay Mahajan, agricultural engineer specialising in water resources of Saurashtra and Kutch, and Vijay Kanhere, expert in industrial and occupational health and a consultant to PRIA, New Delhi. The petition relating to Vadodara-Nandesari was filed by the PSS through its activists Rohit Prajapati and Nileshbhai Patel.

There is a need to stress the fact that the united front was not simply due to the overlap of membership, though that certainly helped. But Rohit Prajapati and Maya Valecha were the only two ICS members in PSS, and of them, the role of Dr. Valecha was much more restricted. Likewise, the fact that not only a few leaders of the VKU, but a considerable number of workers were involved, was clearly related less to Prajapati's personal role and more to the fact that industrial health and safety was a matter of considerable concern for the workers. This finding is based on the present author's discussions with workers as well as PSS activists, though, as it will be shown below, when the united front blew up, leaders of the VKU, including workers like Ramkailash Saroj and Narpat Singh Solanki, would place both the united front and its collapse solely on Prajapati's shoulders. That at this stage the ICS also went along was connected to a sizeable body of opinion within the ICS about the need to reconceptualise what the struggle for socialism should mean. This was connected to a wide-ranging discussion in the Fourth International, (14) which was discussing a document entitled 'Ecology and Socialism'. The first draft, prepared in 1990, had been significantly altered over the years. The text was self-critical, acknowledging the fact that revolutionary socialists had not always paid the necessary attention to the ecological dimensions of social struggles. It stated:

*The ecology question is one of the greatest challenges for a renewal of Marxist thought at the dawn of the 21<sup>st</sup> century. It demands of Marxists a thorough critical reappraisal of their traditional concept of 'productive forces' and a radical break with the ideology of linear progress and the technological and economic paradigm of modern industrial civilisation. But despite these weaknesses, the Marxist critique of capitalist political economy remains basic to any emancipatory project, and the environmental movement cannot afford not to engage with it. (15)*

Within Indian Trotskyism, there had already existed a number of thrusts that combined to move in this direction. Many of the activists had been involved in anti-nuclear, public health, river water allocation, and other issues. In the 1980s, an attempt to draw up an agrarian programme of the



organisation had resulted in the call for accommodating ecological concerns in the agrarian programme. So there developed one line of thinking, exemplified by people like Prajapati, who were strongly in favour of environmental activism and the integration of environmental with class struggle issues. The organisation was to try and show in practice its commitment to environmentalism. This was why so many of its members were involved in various kinds of environmental work. In Gujarat, the formation of the PSS and the existence of the VKU meant a greater thrust on industrial pollution.

The February 1999 report of the IPT showed clearly the hard work done by the PSS and the VKU activists. The chapter on Nandesari recorded that the regulatory regime in Nandesari was very poor, and there was a “fast deteriorating and already alarming extent of water, soil and air pollution.” (16) The report further stated that the Gujarat Pollution Control Board “has failed to take action against errant industries”, and that “66 industries have succeeded in not treating their effluent and releasing it untreated for a period of 3 years on the specious plea that the drain pipe to the effluent plant was broken.” (17)

The fact that the investigation had been made partly as a result of an attempt by a trade union, in alliance with a left wing environmentalist group, had a clear impact on the recommendations. Unlike in a number of cases like the one mentioned at the beginning of this essay, the recommendation was not simply for the shifting of the hazardous unit to someplace else where the elite layers would not suffer pollution. The Tribunal suggested:

*“The 26 hazardous polluting units should be closed down and ought to be fixed with responsibility to pay workers’ legal dues and compensation, pay for at least three years additional wages to all its workers - regular and contract, and also pay for restoration of the environment. They should be compelled to bear these costs particularly in view of the enormous profits earned by the manufacture of hazardous chemicals that are banned in most developed countries and elsewhere in India. Criminal prosecution should also be launched against the errant industries and its responsible officials. The world over it is a recognised fact that manufacture of H-Acid, G-Acid and Vinyl Sulphone leads to grave environmental damage. The manufacture of these products should be banned as a matter of law and policy.”* (18) The recommendations also included one calling for detailed examination of the health situation of villagers in the areas surrounding the industrial estate. (19)

The report also revealed the patent work done by the PSS, both in terms of research, and the mobilisation of people. The research included locating government-sponsored studies made but tucked away for fear of uproar, to studies by the organisation’s members themselves, to locating work done by others. Mass mobilisation included getting people to depose before the IPT as well as building agitations.

Another case heard by the IPT as part of the Toxic Pollution issue was that of Hema Chemicals, where health and safety of workers was at stake. The Petition in this case was brought by Ram Kailash Saroj of VKU and Jagdish Patel of the Vyavsayik Swasthya Suraksha Mandal. This was a fulcrum of the united front. But as we will see, this also proved to be issue over which the conflicts became most acute.

### **The origins of the Hema Chemicals Issue: Several Perceptions**

The struggle over the Hema Chemicals has been going on for close to a decade by now. Yet, or perhaps just because of that, perceptions about the struggle are very different among different people. I would like to begin therefore, not by a reconstruction based on my handling of the data, but by a short presentation of the data as presented to me by Rohit Prajapati, Narpal Singh Solanki,

Jagdish Patel, advocate Rawal, and Mitul Dhar. Dhar's evidence would not stand up in a court of law, because his interview is about an internal meeting of the ICS, and he was repeating ostensibly what others have said. But it tallies with some other data, as it will soon emerge. At one national meeting of the ICS, where the Hema Chemicals struggle was a major issue in debate, several leading activists accused Prajapati of having personally foisted a disastrous course, till, accidentally, one of them admitted that the organisation as a whole had wanted closure as a means of forcing the hands of a reluctant owner. (20)

Mr. Rajendra D Rawal is an advocate of the Ahmedabad High court who also fights cases for the Vadodara Kamdar Union. He has been associated with labour and environmental cases for quite some time. In his interview, he acknowledged that as a professional lawyer, he has had to fight cases on both sides of the environmental divide. However, since 2004, the ICS seems to be viewing him as a person particularly close to them, since he has been using space in the ICS office as his office space for the period he is in Vadodara. During his wide-ranging interview on environmental issues in Gujarat and the law courts, Mr. Rawal spoke at length about the VKU and the Hema Chemicals. While not about the Hema Chemicals as such, one comment he made was very significant. He had been asked a question about the relationship between workers; issues and environmental issues. He had a long list of criticisms, of workers who did not turn up in courts, of workers collaborating with management for fear of industry shut-down and loss of jobs, and so on. Then he explained: "If workers or the union want to make environment related demands, they find this is not covered by the Industrial Disputes Act. So you go to the Factories Act. Unions do not use it. It speaks of occupational health and safety. If you apply its provisions properly, production will go down. If you want workers to live for 60 years and as healthy persons, then workers in certain chemical industries cannot work more than two hours a day." (21)

Mr. Rawal's argument was that union leaders are bureaucrats who have more interest in the organisation and their own benefits than in long-term interests of the workers. That was why, in his view, there was so little use of the provisions of the Factories Act in the Gujarat chemical industry. As he put it very brutally, "Unions are an industry. The VKU is the only union that does not take commissions from me for my court cases. I take payment directly from the workers, not from the union. I want workers in court, not some union leaders. But of the payment given to me by workers, the unions take a commission. The old, honest unionists are dead or retired. The new breed has ample offers, of staying in good hotels, of company cars, and so on." (22) This could be tagged the observations of one lawyer, on the fringes of the working class movement rather than inside it. But his personal experience cannot be discounted - that most unions avoid fighting over chemical pollution, and most union leaderships are bureaucratic and venal. This is often used as an argument against unions by owners, by bourgeois ideologues, and by the mass media. This of course overlooks the point that the corruption exists in the unions thanks to utmost efforts by owners, and that had there been no unions there would have been no labour laws. But at this moment, Mr. Rawal's testimony is important for an understanding of why it is so difficult to fight environmental cases, either legally or politically, in collaboration with unions of certain types.

Turning to the Hema Chemicals case, Mr. Rawal noted that there were two cases, one dealing with the health and safety of the workers, and the other a straight pollution case. He asserted that he had been associated with the two right from the beginning, and that the two cases are in substance one. "The whole issue is environmental. I take it as effect of environment. Chromium poisoning affects serious thinking. I had observed from the start - there are frequent scuffles and quarrels. This is the natural result of chromium poisoning. Mr. Patel (the manager) stays in his separate air-conditioned chamber. So he feels nothing. But so long as the employer gave salary, the workers tolerated all this. But when he reverted to minimum wage, a struggle broke out. Then the health issue was taken up. They felt, why should we work in this rot when we are not even given a decent pay." (23)

For Mr. Rawal, the lawyer, the legal case was the main issue. For Jagdish Patel it was different. Patel was a chemical engineer by training who was exposed to the reality of the exploitation that workers faced, together with some elements of Marxism. In 1982, he played a role in organising the supervisory staff in the factory where he was employed. The workers there previously had a company run union, which was guided in fact by the manager, who told them what to demand and how to demand it. When the supervisors formed their union, many workers wanted to join it. Out of these activities he met activists of the Union Research Group of Bombay, and Vijay Kanhere. Kanhere was working on health and safety issues. At his invitation, Patel attended a workshop, and then, when Kanhere visited Vadodara, took him to the VKU, with which by this time Patel was acquainted. The reason why Patel chose the VKU, according to him, was his experience with the workshop. While trade unions from all over India had been invited, only the VKU had sent workers. "What impressed me most was that the union chose shop floor workers. My impression was that unions normally chose office bearers or middle class activists." (24) One of those workers was Ram Kailash Saroj, who was himself suffering from chromium-induced ailments. But according to Patel, he found that even those workers were not too keen to get compensation. The society for Participatory Research in Asia (PRIA) made a film, which interested Patel. He asked PRIA to organise a workshop in Vadodara. At the workshop, there were 35 people present, a figure beyond the expectation of the organisers. It was as a follow up of this that the Vyavasayik Swasthya Suraksha Mandal was formed. Its work included publications to inform workers about the real situation and the legal avenues open to them, organising exhibitions, and trying to use existing laws for prevention of occupational illnesses and to provide workers with compensation. Armed with literature from PRIA, the International Labour Organisation, etc, Patel had formed a clear conception of chromium hazards.

However, Patel feels that some of the union officials were not too keen to take up health issues. Ghanshyam Patel quizzed him about his intentions and wanted to know why he was 'singling out' Hema Chemicals. But he did manage to get VKU support. The workers took him inside the factory without informing the management. For this, Ram Kailash was later served a notice by the management. This again created a tension. Thakore Shah felt that his style of functioning was laying the workers open to charge sheets. More hostile was the attitude of Magan Desai, a key leader of ICS to whom we will return in detail later on. According to Patel, "Maganbhai was suspicious. In my presence he would tell party members - 'don't show that document to outsiders'. I realised he meant me. I mention this to indicate relations." (25)

Patel's focus was and remains purely occupational health. So for him this struggle was the important one. His own active union work resulted in his being suspended, and he saw this as an opportunity to increase his health and safety work. His experience of most unions was far more negative than that with VKU. When he told AITUC leader Ashok Panjabi about noise pollution inside the workplace and how it impairs hearing, Panjabi told him that talk of noise pollution was luxury. Initially Patel had assumed that middle class party workers and trade union professionals (often lawyers who become trade union leaders) do not understand the problem because they are not themselves shop floor workers. Later he changed his views, and concluded that they do not like health and safety issues because agitation over such issues seem an extra burden, they do not bring in money, and so on. According to the Hema Chemicals story, as told by him, was that the chromium poisoning was going on for a long time, but VKU leaders were indifferent. "It was very frustrating for me. I thought there were problems. So I stopped pursuing. Rohit used to locate me. But I thought it was lip service. Only when Ram Kailash was admitted to hospital and his toe was amputated - that was the turning point for Rohit. He came directly from hospital and said he wanted to make sure whether the amputation was due to occupation. I showed him the ILO encyclopaedia, chapter on chromium. He found it clearly written that chromium exposure will lead to chrome ulcer. If secondary infection spreads, fingers or toes may have to be amputated. The encyclopaedia said this was very common in

17<sup>th</sup> century Europe. This article had been shown to Ram Kailash in 1985. This was 1995 - one decade later. Only then was it taken up by Rohit.” (26)

Thus, in the perception of Jagdish Patel, the health and safety issue was the issue, and it was his organisation's push, combined with the realisation by the VKU after one of its key leaders in the Hema Chemicals, that the issue became important.

Kantibhai F. Christian, a VKU activist, had a quite different perception. In his interview, he argued that the VKU had formed a union at Hema Chemicals in 1983. The first strike took place in 1984. This was a very protracted strike over the issues of low wages and high workload. The workers used to work for 12 hours per day and get wages at the rate of 8 rupees daily. Even for the hours beyond 8 hours no double rate (overtime rate) was paid. Neither clothes nor boots were issued to the workers. Eventually, the matter was settled with the workers getting four months' salary for the strike period, but with no wage rise. Between 1985 and 1992, there were repeated negotiations and over the table settlements. But from 1992 the owner said the union was demanding too much and refused to settle. A court case in 1995 resulted in a defeat, as did two small strikes. It was then that the union decided to take up other issues whereby the owner could be legally cornered. A number of workers were suffering from nasal septum perforation. Skin problems, breathing problems, hearing difficulty and liver problem were also common. So health and safety was taken up. (27)

What emerged from every interview, however, was that Rohit Prajapati had some role in the process. Sometimes he was viewed as one of the few unionists who had an environmentalist perception, as with Jagdish Patel. Kantibhai Christian was to provide a critical view, arguing that Rohit's insistence on environmental issue may not have been good. Narpat Solanki was initially very reluctant to give an interview. He told me that he wanted to forget the bitterness of the ICS split and related issues with which the Hema chemicals struggle was connected. Throughout his formal interview he refrained from mentioning Rohit Prajapati. But he made a candid confession: “We wanted a way of twisting the owner's arms. We did not realise that the company might be closed”. (28) This refers, as we will see, not to taking up the health issue as such, but certain specific tactical lines.

What does the foregoing evidence indicate? It would be wrong to argue that one version alone is correct, or even that failing memory is responsible for errors. Rather, this brings out a typical aspect of a united front. Different participants come into a united front for different reasons. A united front is an agreement between people who disagree on other issues. The different views of how it all began reflect the different starting points. For the VKU, it was wages first, and a recognition of the environmental dimensions emerging gradually, and growing and receding depending on a combination of factors like the ebb and flow of the class struggle, the perceptions of different people in the leadership, and so on. For the VSSM, it was a very specific interface between trade union activities and environment - namely health and safety of workers in dangerous industrial set-ups. For the PSS, it was an attempt to rework radical perspectives, combining environmental activism on a broad scale with the struggles of the oppressed as conceptualised hitherto.

### **Different Dimensions of the Hema Chemicals Struggle:**

Hema Chemicals has two units, Hema Chemicals 1 and Hema Chemicals 2. It produces basic Chromium Sulphate, and Sodium and Potassium Bichromate. Chromium is used widely in alloy and metal plating; and bichromates form the raw material for a number of chemicals used as wood preservatives, for the manufacture of coloured glass, glaze, in tanneries, for pigments for lithography and so on. The production process involves crushing chromate ore into small pieces and then roasting it after mixing with soda ash or lime at 1100 -1200 degrees Celsius in a reverberated

furnace. Then the metal is cooled and the bichromate is extracted. Chrome ore and other raw material are fed at one end of the more than 100-ft long furnace manually. The material is manually pushed toward another end of the furnace, to be ultimately emptied into handcarts for further processing. A large quantity of dust is generated during this process. Workers are also exposed to high temperature, infrared rays and other hazards. Unit 1 of Hema Chemicals manufactures the bichromate, while Unit 2 crushes and roasts the ore. Each unit employed about 125 workers. (29)

The Vadodara Kamdar Union organised workers there in 1983. At that time, given the abysmally low wages and high working hours, wage and workload were the only issues taken up. The strike of 1984 did not achieve its goals immediately, but the protracted strike made the owner aware that he would have to deal with the union. For several years, that is what happened. The change in the owner's attitude was possibly linked to India's turn to a globalised world economy and the clear indication by most parties and state as well as central governments that they would stand by employers even when they blatantly flouted existing labour laws. In any case, in 1992 the owner refused to accept the union's demand for Rs. 550 per month hike over three years, and even did not want any direct negotiation. Instead, he called in an arbiter. As in most cases, the latter actually talked the owner's language. Neither the wage demand, nor the demands for bonus at 20% and clothing for the workers, were conceded even partially. The demand for taking up health and safety came up, not just as an arm twisting ploy, but because going by the law, it seemed easier to compel the employer to provide compensation for workers who had become ill due to workplace conditions.

Sodium and Potassium Bichromate, produced at Hema Chemicals, are carcinogens which produce chronic rhinitis, chronic pharyngitis, nasal septum perforation, lung cancer, deep slow-healing ulcer, pigmentation of tooth and perforation of eardrums. It may also cause pulmonary oedema, kidney damage, skin sensitivity, and other ailments. The fact that a major end product, Basic Chromium Sulphate, is 100% export-oriented, is also worth taking into account. Though the plant is not a massive one, it was (and the sole functioning unit still is) highly profitable.

My first long conversation with Ram Kailash Saroj was in 1995, a short while after he came out of hospital. He stressed strongly the need to take up health and safety issues, no doubt as a result of his own experience.

Before this became the main thrust of the union, however, there was another very important battle waged by the VKU. This was for the entire chemical industry in Gujarat. Existing legal provisions of minimum wages did not cover the chemical industry. The VKU went to court over this. Realising that it would be defeated, the Government of Gujarat announced minimum wages. But in the case of Hema Chemicals, the owner, Mahendrakumar Patel, or Manubhai, merged a number of allowances to claim that he was paying minimum wages. In effect, the workers gained nothing. It was at this stage that the health and safety issue moved in from the margins to the centre stage.

Despite court injunctions, the management decided in 1998 to cut wages. At this point the workers went in for a strike, which lasted just under ten months. (30) The strike ended when the union ran out of funds and the workers were compelled to return to work. At this point, workers wanted to teach the management a lesson, and went in for a court case on pollution and health and safety grounds that led to the closure of one of the units.

However, this does not mean the health and safety issues did not exist, or even that nothing had been done prior to the defeat of the workers. As we noted earlier, the hospitalisation of Ram Kailash Saroj was an eye opener for the union leadership. This was admitted by Rohit Prajapati: "Then came the amputation of Ram Kailash. He was an important leader of the VKU and the ICS. I took up his issue and focussed on it. We met the factory inspector and the certifying surgeon. Then we started campaigning. The general body of the Hema Chemical workers discussed it. We started these efforts

from 1995. We also brought in the PUCL. We saw there was repression and we wanted to build a human rights group to campaign against violations of human rights.” (31)

So there had been an ongoing campaign over health and safety. Union leaders had come to understand it from a failure of their agreements. During an earlier wage settlement, the owner had agreed to make an additional pay rise for those who had worked 240 days in a year. But then it was discovered that lots of people had not completed 240 days. Prajapati admitted: “I accepted that this was a mistake. I had never thought why workers were not completing 240 days. I had mistakenly thought this was because workers were migrants. I now recognised that one of the main problems was and is acute occupational health problem face by the workers. There was a small conflict on this issue. The ICS comrades felt it was wrong to admit that we had been wrong.” (32) But the process was long and complicated. According to Jagdish Patel, Prajapati went to the Factory Inspectorate after consulting him. They asked the certifying surgeon to examine the workers and give a report. He was however not confident enough, and needed assistance from his colleagues at the Employees’ Sickness Insurance Scheme. Eventually three doctors, Patel and Prajapati went to the factory. Manubhai took them round the factory and explained the process. There was a clinical examination of the workers of Unit 1 at that time. The examination of workers of Unit 2 came later. It was for the first time during these examinations, carried out in the presence of the activists, that the surgeons, first a Dr. Joshi, then a Dr. Verma, admitted that they were finding a large number of cases of nasal septum perforation. According to Shah and Saroj, the ESIS doctors, despite erring on the side of caution, found 43 workers suffering from Nasal Septum perforation and 23 suffering from contact and sensitising dermatitis. (33) The pressure that compelled Dr. Verma to finally examine the workers was quite considerable, as journalists found out. Wrote Darshan Desai in Indian Express: “Relentless demands by workers, right since 1990, forced Dr. S. K. Verma, the certifying surgeon at the Vadodara Factories Inspectorate, to conduct a health check-up, lasting a year, before a report came recently.” (34) In another article, Desai gave a partial explanation for the delay: “For the 100,000-odd workers of 3,000 units in and around Vadodara (excluding those employed in the small-scale sector), there is only one doctor with the Factories Inspectorate”. (35) This is another way of showing where governmental priorities lie, but that is an area we can only mention in passing.

According to Jagdish Patel, there was another factor behind the delay. The workers told him that the doctor was threatening them with factory closure if the health and safety issue was raised too strongly. However, ultimately the examinations were done and the organisations and the workers moved to the next step - demanding compensation. But form 16A of the ESI, for the declaration that injury has taken place in the factory, is not valid unless the workers were examined by insurance medical officers. So the workers had to go to ESI dispensary first, get a note advising them to go to the ESI hospital, and there get them examined at the Occupational Disease Centre. And now, we give the field again to Mr. Darshan Desai.

“Twenty-nine diseases are considered ‘officially notifiable’ under the Factories Act as occupational health problems, which officials and researchers admit are not uncommon. But the country’s second-largest industrialised state, Gujarat, has absolutely no machinery to either check or monitor their incidences.... Except in Vadodara, there is no separate occupational diseases centre in any of the ESIS hospitals in Gujarat. Set up just six months ago, the Vadodara centre examines workers twice a week and aims at [sic!] record in detail the medical history of workers.” (36)

It is therefore possible to hazard a guess, though ESIS authorities as well as the Factory Inspectorate will probably be at pains to deny it, that the struggle of workers led by unions, especially the VKU, had some role in the setting up of the centre in Vadodara. The interesting thing was that the centre would refuse to hand over to the workers a copy of the medical examination report. (37) This suggests a stronger degree of collusion between the ESIS and the management than the bland statements of the ESIS authorities indicate. “That the incidence of occupational

diseases is high particularly in the chemical industry, is an open secret. Officials say it is difficult to quantify it since industries do not maintain health histories of workers.” (38) As Jagdish Patel maintained, both in his interview with me and with Darshan Desai, the government not only has no records, but also seems bent on misleading people. (39) The ESIS contended that since the workers were sent by their employers, the organisation was responsible to the employers and not to the workers. VSSM and VKU maintained that workers also contribute to the running of the ESIS. Moreover, medical ethics demands that the health report of a particular individual must be communicated to that person in proper form. In addition, it was found that the certificate being given simply stated that a particular worker had visited the ESI centre on a particular date, and that he was being advised to visit to such and such out-patient department. No diagnosis was being written. To get even the diagnosis written on the certificate there had to be a confrontation between the ESIS and the agitating organisations.

To process the claims, there were other problems. The compensable diseases schedule has Chromium related diseases listed in Part B, where the worker must show a minimum six months continuous work record. Since chromium related illness in fact made it very difficult for the workers to work continuously, it was difficult to get hold of many people. In addition, the examination process was complicated, as we can see. With so many steps and therefore so many trips to various doctors, workers would have to be absent from work. So the first year it was possible to get only three workers to agree. They were Lakshman Solanki, Amrut Prmar and Pandit Chitte. They were eventually called before medical Boards, and one was awarded 15% damage and the other two 10% damage. 10% damage meant, they would have to be given Rs. 157 per month as compensation till they died. This would have to start from the date of injury, which really meant date of diagnosis. As a result they were also awarded over Rs. 3000 as arrears.

According to Jagdish Patel, on the fourth month, Laxman was made to sign his receipt without being given the money, because, he was told, the over 3000 rupees given had been awarded by mistake. This was procedurally questionable, so Patel wrote a letter. This was followed by a court case in the labour court, seeking a stay on the recovery. Even then, the next month there was a refusal to pay. So a contempt of court case was filed. (40)

Though the amounts were small, even this limited victory cannot be underestimated. As an article by Laxmi Murthy, distributed by Inter Press Services and circulated by the South Asia Citizens Wire service (SACW) said: “Early this year, when Pandit Govind, a worker here in the Hema Chemicals factory, won a lifelong monthly compensation for nasal perforation from exposure to chemicals at the workplace, he was making history. Rarely does the Special Medical Board set up under India’s Employees State Insurance Act, 1948, accept claims of work-related injury. For thousands of workers in the 400-km-long ‘Golden Corridor’ — a string of vast industrial estates in the western Gujarat state — their jobs are a daily courting of death.” (41)

After the first three cases, even though the gains were limited, the workers were enthused, and they prepared for the next round. In the second batch, cases of 21 workers were put up. The Medical Board is sent from Delhi, and on the first occasion had come to Ahmedabad. The VSSM and VKU wanted it to meet at Vadodara, since it was expensive for the workers to go and put up at Ahmedabad. But the Board refused to come to Ahmedabad. So all 21 workers travelled to Ahmedabad. Though the Board admitted that there was nasal septum perforation, it rejected awarding any degree of damage. This has been challenged at the highest ESIS level - a tribunal. This met several times from 2001, but till now almost nothing has been done. As one correspondent put it bluntly: “Hema’s political connections have protected it from liability for its actions. Fifty-two workers with nasal perforation — a dead giveaway of chromium poisoning — were refused compensation by the Employees’ State Insurance Scheme. The justification: that they had not been disabled by such perforation. Chromium is a deadly toxin that causes deep ulcers and perforation of

the nasal septum.” (42)

A second line of attack was simultaneously developed. This was to appeal to the National Institute of Occupational Health. But when its team came, it was with no prior warning. So the workers got in touch with Patel, Prajapati, Dr. Maya Valecha of the ICS, and they, together with Kanti Christian and Dinesh Jadav met the NIOH committee. Patel felt that the NIOH did not do its work adequately. It did not meet with a number of retired workers. The majority of its members were, according to him, people not too aware of chromium and its problems. Nonetheless, the findings of the NIOH, through the report entitled ‘Report on Biological and Environmental Monitoring and Health Surveillance of Chromium (Cr) exposed workers in Chemical Industry’ (43), is significant. It indicates:

- Blood chromium levels exceeding permissible levels in 14.80% of the workers, in some cases, as high as 27 microgram/100ml.
- Chromium related morbidity (symptoms and signs) associated with biochemical abnormality was noted in about 25% of high-risk group of workers.
- **Nasal Perforations:** Out of the 176 subjects examined 24 were having perforation of nose i.e. (13.6%), had exposure time more than 10 years. Perforation Cases were more in subjects working in ore mixing and furnace department.
- Out of 176 subjects examined 62 (35.2%) were having hypertension. For hypertension, the normal BP criteria were 140/90 m.m. of Hg. Those subjects who have got more than 140 Systolic and 90 Diastolic labeled as hypertensive.

The NIOH report shrugged off complaints of high noise pollution etc, and the activists felt it was also weak on stressing the degree of chromium related illnesses. This perhaps explains Patel’s rather long critical commentary and somewhat grudging acknowledgement. He argued, for example, that the NIOH team did not take X-rays and they did not even carry out audiometry. But the above comments from the NIOH report were the first support the workers received from some kind of high level official body.

This was followed by the Indian People’s Tribunal. This was of course a non-governmental effort, and the owners of Hema Chemicals simply did not respond to the notice of the IPT. The IPT findings noted, concerning the nasal perforation of the workers, that **“Instead of expressing concern or remorse for the predicament of the workmen the Proprietor of the company Mr. Mahendrabhai Patel in a newspaper interview said that the workers have deliberately made holes in their noses.”** (44)

The IPT report said: “Dichromate manufacture is a hazardous process as per the provisions of the Factories Act, 1948. The occupier is therefore, **required to have periodic medical examinations and maintain accurate and up to date health records for the workmen working in a hazardous process. The company is required to disclose information regarding hazards, establish safety committee, and make an emergency site plan.** The Company should give strict proof of having satisfactorily complied with the health and safety measures under the Factories Act, 1948.” (45)

Meanwhile, the Paryavaran Suraksha Samity had been highlighting, since 1999, another dangerous development. PSS had taken up a wider agitation over waste disposal by the chemical industry. One part of that campaign was the highlighting of the massive dump created by the Hema Chemicals.

For years, the PSS wrote and made phone calls to various individuals and bodies, including the Gujarat Pollution Control Board, the ministry of environment and forests, the Central Pollution Control Board and the Central Vigilance Commission. (46) Dr. Maya Valecha’s (undated) letter on behalf of the PSS to the High Power Committee on Hazardous Solid Waste set up by the Supreme Court explained the issue clearly. In view of its clarity, and also in view of the subsequent conflicts



where Dr. Valecha would take a position very hostile to Rohit Prajapati, I quote extensively from the letter:

*"Hema Chemical Industries is located at Gorwa in Vadodara. Established in 1967, the company manufactures Sodium and potassium Bichromate. The manufacturing process consists of crushing of chromate ore into small pieces, mixing it with Soda ash or lime at 1100 to 1200 degree Centigrade in reverberated furnace. After that metal is cooled down and bichromate is extracted. The resultant solid waste still contains a high percentage chromate. This solid waste is disposed off in the surrounding area.*

The amount of this disposed off solid waste is enormous. Even if we take the year 1989 as the base line when the rules for hazardous solid waste came into action, the company has dumped minimum about 14,600 tractors of hazardous solid waste, that is total 73,000 tones in last 10 years. Though we keep aside the waste disposed between 1967-1989 time being, it remains our one of the main point.

Some of the sites where this solid waste is dumped are; at and around the gate of ESIS Hospital, on the road to ESIS Dispensary, on the road towards D-cabin, on the road opposite the D-cabin, around Khatrinagar, at Dharamnagar slums, Jankinagar slums, Ramnagar Gamania Talavadi, on both sides of the Refinery road at short distances and further down on right side of canal at Janakpuri and on left side in Gnaganagar and many other societies. They have done some land-filling near their other company, Bombay Alcohol, also with the same solid waste, which is obvious from the yellow discoloration of its wall. Some of the sample photographs are annexed herewith.

This has spoiled ground water and Gorwa pond water. The bore-well of nearby factory, Chandan Metal Product Pvt. Ltd is closed as it started giving yellow water full of chromium. Bore-wells situated in company's own unit 1 and unit 2 are closed because of the same reason. The bore-wells functioning at present in the company also contains high levels of chromium.

Hazards of chromium are well-known. Bichromate is hexavalent chromium, which is a human carcinogen. It causes chronic rhinitis, pharyngitis, and nasal septum perforation. It is also known to cause lung cancer, deep and slow healing skin ulcers, called "chrome ulcers". It also causes allergic and sensitizing dermatitis, pulmonary edema, lung fibrosis damage to kidney, dental carries, stomach pain, toxic jaundice leading to liver damage. The workers repairing diesel locomotives and those handling cement and oil are known to face skin problems as they contain small quantities of chromium in these materials. People in the above mentioned areas where company has dumped its solid waste do face skin ailments and its late healing. The company violates various provisions of Factories Act. Chromium level is not monitored. TLV for Chromium is 0.05 mg/meter Square as per schedule II of the Factories Act, 1948. The technology employed by the management is highly unsafe. In fact, management is known for its callousness regarding safety. In one of the units owned by this management, at Nandesari, named Ushma Chemical, Explosion in December 1996 took life of four workers." (47)

The solid waste dumping was of course not a problem of the Hema Chemicals alone. Michael Mazgaonkar of the PSS wrote to the High Power Committee, a detailed letter, listing government document and a number of studies, and discussing problems in Vapi, Ankleswar, etc. (48) Along with public campaigns and agitations within the factory, the PSS also moved to a PIL against such dumping.

Eventually, in 2004, the struggle of the PSS bore fruit. On August 13, 2004, the Supreme Court's Monitoring Committee directed Hema Chemicals to inspect the site where it had illegally dumped over 77,000 tonnes of extremely hazardous hexavalent chromium waste. The order directed the

company to have the waste removed by an expert body. It instructed the National Institute of Occupational Health (NIOH) to conduct a medical study to evaluate the impact of unattended waste on the health of people living at the site, with a view to awarding damages. The court ordered Hema Chemicals to deposit Rs 17 crore towards the initial remediation work. Dr Tapan Chakrabarti (NEERI) and Dr Claude Alvares (The Goa Foundation), as members of a sub-committee of the SCMC, produced a detailed report. (49) This was a devastating report, not only about the owner of Hema Chemicals, but also about the Gujarat Pollution Control Board. Some salient points were:

- "Since the enactment of the Hazardous Waste Rules in 1989 and until 2001, the company had illegally disposed 77,000 tonnes of toxic chromium waste in areas neighbouring the factory. There is no account of how much toxic chromium waste has been disposed of in this fashion between 1965 and 1989".

- "The contaminated soil and groundwater has exposed the residents of the Gorwa industrial region to dangerous toxins and thus gravely endangered their health and well-being".

- "Based on a) the findings of the company's EIA report (which clearly indicated chromium contamination of ground water and soil); b) an investigation report by the Vigilance Cell of GPCB; and c) numerous complaints from Paryavaran Suraksha Samity, GPCB cancelled the authorization granted to Unit II of Hema Chemicals on 25/7/2001. Unit II, where chromate ore was crushed and roasted, was the main source of toxic chromium waste. GPCB also directed Gujarat Electricity Board, the Vadodara Municipal Corporation and Baroda Industrial Development Corporation to disconnect the electricity and water supply to this unit on 3/8/2001. This direction was implemented only on 17/8/2001. The power and water supply to Unit II was disconnected for a mere 24 hours and reconnected the following day".

- "The owner of Hema Chemicals appears to be politically influential and is able to use his political links to disregard GPCB's directions. Unit II continued to operate even after the cancellation of authorization".

- "From 2/7/1996 till 21/6/2001, the office of the Factory Inspectorate filed nine criminal cases against Hema Chemicals on the grounds of health and safety of workers for breach of Factories Act, 1948 and Gujarat Factories Rules, 1963".

- "Workers of Unit II have not been paid wages since September 2001 despite a Gujarat High Court order, which states: '135 (xiv) Closure of the units at any point of time due to their not meeting GPCB parameters will not result in the denial of wages to any of the workmen. This will not mean a closure under the Industrial Dispute Act, 1947.' (High Court of Gujarat, Sp. C. A. No. 770 of 1995. Coram Mr. B. N. Kripal, Chief Justice, and Mr. Justice H. L. Gokhale dated 5/8/1995". (50)

- "At the present moment, the continued existence of the hazardous wastes violates the order dated 14.10.2003 of the Supreme Court of India. The company is liable to remove the wastes. Gujarat PCB has estimated the cost of waste removal at Rs.17 crores. The Committee, however, is not confident any longer that GPCB can handle this major problem. As the chronology of actions taken by the GPCB itself demonstrates (see Annexure 2), the GPCB has been unsuccessful in dealing with the unit and its illegal activities". (51)

This is, however, the limit of legal activism by an environmentalist group. The Supreme Court Monitoring Committee report can become a base from which the VKU could launch an agitation combined with legal action provided it was willing to combine the two issues - solid waste dumping and the workers' rights. One might argue, as I propose to do later, that if workers' parties and associations want to build proletarian hegemony, such types of action where they combine wider interests, rather than focussing exclusively on economic-corporate demands of specific groups of workers. But, as I discuss in the next sections, this is where the ICS and the VKU failed to progress further.

## **The ICS Transformation and the Unravelling of the United Front**

In the second half of 2002, even as Gujarat was still reeling under the shock of the extreme pogrom-like violence, Rohit Prajapati, who was also one of the most active anti-communal activists of 2002, resigned from the Inquilabi Communist Sangathan (52). According to the evidence of Mitul Dhar and Haridas Ghosh, two delegates to the 2003 Conference of the ICS, nonetheless, the entire Conference was dominated by Rohit Prajapati and a concerted effort to condemn him for the organisational failings of the ICS. It is therefore necessary to examine why this happened, and what implications it had for the attempt to integrate an environmental dimension as a key aspect of class struggle.

At this point, therefore, we need to get back to the ICS. We had earlier stressed the existence of certain forces within the ICS pushing it to activism of a new sort. By 2002, however, most of the activists who had been creating new type of areas of work were out. M.Navid [a pseudonym of a well known intellectual], a key leader who was deeply involved in the anti-nuclear movement, was out of the organisation. So were well-known feminists, human rights activists, health movement activists, and others. It would be easy to come to one of two conclusions, both of which are however erroneous. One is to conclude that these people were “petty bourgeois opportunists” who were now creating a career for themselves. The other is to conclude that Magan Desai, who will feature rather prominently in the further discussions, was out to wreck the ICS for his personal desire for control.

To understand the history, one has to go back some distance. Magan Desai was a CPI activist who joined the CPI(M) and was a delegate to some of the earliest national level meetings when the party was being founded in the early 1960s. Desai then moved further left. But unlike the overwhelming majority of others who moved left from CPI(M), he did not become a Maoist. Quite unusually, especially given his location is Vadodara, with no significant left political culture, he became a Trotskyist. (53) Over a period he played a key role in building up a Trotskyist group in Gujarat. However, Desai's Trotskyism shared many of the defects of the Stalinism he abjured. For him, building a proletarian party meant building an organisation with as many full timers as possible, and “applying” the lessons of Marxism already stitched together in the right books of the right authorities. At certain stages of history, such mechanical work can pay off. In periods of retreat, political groups have sometimes held together by their faith in the texts. Yet in all such cases, they have also paid for such one-sided and narrow politics. One can mention the case of the US Socialist Workers' Party, at one stage the most influential Trotskyist party in the imperialist countries. (54) In the case of Desai, it seems that his Stalinist origins remained with him, not in the political sense of supporting popular front governments (alliances with bourgeois parties), advocating alliance with “progressive” bourgeoisie in the struggle for revolution, or being soft on the Soviet Union, but in his advocacy of tight organisational principles. Members of the 1970s and early 1980s remember him as staunchly telling them that to understand how to be a communist, they should read Cannon. This requires some elucidation.

James P. Cannon had been a pioneer Trotskyist. A founder of the CPUSA, he had been a delegate to the Sixth Congress of the Communist International, where he was able to read Trotsky's critique of the Comintern. Smuggling it out of the USSR, he made it the basis for recruiting around a hundred people into a Trotskyist faction before they were expelled from the party. By merging with another left moving party led by A. J. Muste, and then by infiltrating the Socialist Party and attracting the radicalising youth in it, these Trotskyists had founded the Socialist Workers party in 1938, with 1000 party members and a quite substantial group of supporters, fellow travellers, youth movement adherents, and a considerable penetration in the working class movement. However, the assumption that Cannon's organisational writings of the 1930s or 1940s could provide clues to party building work in India in the 1970s and 1980s was rather bizarre. Specifically, the work upheld by Desai was an intensely polemical work written at a particular historical juncture in 1939-40. A very intense

factional conflict had broken out in the SWP, partly over the characterisation of the USSR in the wake of the invasions of Poland and Finland, and partly over style and content of the party's work. Cannon wrote his *The Struggle for a Proletarian Party* in this context. Since many of the opponents of Cannon, belonging to the minority faction, were intellectuals who seemed to have too little regard for the party and how to work for it, there was considerable stress on being a full timer. There was also a stress on counterposing proletarian and petty bourgeois members. With Desai, this turned into an obsessive drive against student-youth members, and an attempt to "proletarianise" them by insisting on their fulltimership. This was a far cry from the real Cannon, who combined the skills of a real party organiser (not a disciplinarian and a manipulator) with a populariser of socialism along with possessing a good grasp over the key Marxist tools, which enabled him to explain important theoretical and strategic issues better than many intellectual Marxist writers. (55) The Desai version of Cannonist Leninism was however the kind that Tariq Ali would recoil from.

In the late 1960s and early 1970s, Desai would contribute to the building of a dedicated team in Vadodara, recruiting both among factory workers and among radicalising student-youth. Student-youth recruits of that period would include Vibhuti Patel, later to become a well-known name in Indian feminist circles, Maya Valecha, Amar Jesani, and others. The recruitment was substantially through study circle methods, and based mainly on classical texts. Concrete analyses of Indian reality were relatively less prominent, and filtered through a model where all analyses were to end by stressing permanent revolution. This had a contextual validity. When to move to the left of CPI(M) meant becoming a Maoist, building a Trotskyist party was possible at least partly by sharply dissociating with them in theoretical matters and planting the flag. However, within a few years, many of these cadres would discover that this was not enough. A number of them moved to Bombay, the industrial heart of western India. Trying to work with trade unions and other radical groups, they soon found that without a new vocabulary as well as a new way of thinking and doing politics, they could not function. Around the same time, another group of Trotskyists had come into existence. Some of them were people originally recruited to Trotskyism abroad. Others were moving away from the Communist League political style and line for various reasons. They formed the Bolshevik-Leninist Group. Given that both groups owed their origins to the United Secretariat, and continued to proclaim loyalty to it, and further that in Bombay, the real content of their work was more or less the same, the period of the Bombay textile strike led by the Girni Kamgar Union of Datta Samant saw them come closer. Unity negotiations were started and culminated in the foundation of the Inquilabi Communist Sangathan in 1984. A look at the ICS political documents of the 1980s and early 1990s show a much more serious grappling with Indian politics and an attempt to develop tactical orientations suited to India, without giving up Trotskyist politics, than by any group of Trotskyists since the Bolshevik Leninist Party, the first Indian section of the undivided Fourth International. ICS documents of this period show concrete analyses and the attempts to elaborate how the party should operate in the context of the ongoing evolution of communal politics (56), how to examine and fight over the issue of reservations for Other Backward Classes (the ICS faced this problem well before most left parties, for its political line had to be decided at the time of the Baxi Commission in Gujarat, some years before V. P. Singh's unearthing of the Mandal Commission report would shake the whole country, and so it would not do the kind of flip-flop that the CPI-ML Liberation did), the changing nature of the working class and working class struggles, the question of integrating human rights struggles with a class dimension, and so on. (57) As a result, the nature of the ICS was very different from what the Vadodara unit of the Communist League had been. It was also very different from the CL as a whole, for in the period 1969-1977/78, the CL had been part of a nerve-wracking internal struggle, substantially as part of the conflicts within the Fourth International. These debates had global implications, but were mostly about tactics in Europe and Latin America. Though the Fourth International's statutes did not have a Zinovievist, far less Stalinist centralist line, the CL had, instead of working out its own politics, tended to put too much of its energies in this international struggle. This lack of balance was what

the ICS would rectify. But in order to do so, it was often necessary to have open discussions, going beyond party boundaries, especially since the party was so small in such a vast country. This for example was at the heart of the conflict between Desai and Navid. Navid felt that fighting the rising communal threat called for occasional alliances, including electoral alliances, with secular bourgeois parties. For Desai, this was a priori incorrect, and Navid had compounded his sins by putting his case in public (as a journalist he wrote for the mass media frequently). So the level at which Desai handled the issue was not primarily in terms of politically examining Navid's arguments, looking at whether the arguments developed by the Trotskyist movement in the 1930s were still valid, and if so, what was wrong, specifically in the Indian case, with Navid's proposals, but in terms of violations of discipline and "crossing the class lines". (58)

The failure of the ICS to grow corresponding to the growing influence and role of some of its militants in various segments led to a pressure. This was to result in some of those cadres moving away from the organisation, either formally, or informally. By the late 1990s, this war of attrition had led to a decline in the size of the organisation. Correspondingly, it led to a growing influence of Desai and his style of politics. In the early 1990s, a group of ex-Maoists had joined the ICS. For the years that they remained in it, there was an axis between them and Desai. Coming from a Maoist background, their Trotskyism was similar to Desai's, being a replacement of one Great Helmsman by another. Both Desai and the key leader of this ex-Maoist group, Abhijit Roy, believed in addition that either full timers or certified horny-handed proletarians should be in the leadership. In Roy's case this also had the ulterior motive of getting himself catapulted into the top leadership of the organisation. (59) The first attack on Rohit Prajapati was indeed mounted by Roy and the undeclared faction he headed. They had expected that Desai, with whom they had been in secret correspondence for several months, would side with them, and would also be able to line up the working class delegates to the ICS party Plenum. In fact, the workers were not pliant elements, and Desai withdrew at the last moment. The Roy faction thereupon tried to break up the meeting, and when Roy was suspended, they split and formed their own group. (60) This however, did nothing to discourage Desai. He firmly believed that his style of proletarianisation was essential.

This now began to have several effects. One was to in fact cause a decline in the quality of proletarian cadres. Political education of working class cadres was halted. Serious political classes were replaced by stepped down talks and mechanical analyses that would simply move from current affairs to a proclamation that only with the socialist revolution could the given problem be solved. In this, Desai found an ally in Dr. Maya Valecha. Valecha had dropped out of the CL sometime in the 1970s. Returning to politics after two decades, she tried to pick up exactly from where she had left. In this she was given full support by Magan Desai. (61) This meant that though she started off by working in different mass organisations, her focus was strictly on rapid recruitment into the party, even at the cost of alienating some elements of those organisations.

Politics for Valecha meant little more than administering the party and its discipline. Her interventions during the crisis of 2002-3 showed the poverty of her political writings, which were only matched by her organisational immaturity. Since this sounds unduly harsh, we need to go into the specifics.

At the 2001 Conference of the ICS, the organisation seemed to be united. Most resolutions were passed with very little votes against them. Yet, immediately after the Conference ended, the Gujarat state unit of the organisation, especially its leadership, was entering into conflicts. Despite the terrible events of 2002, these apparently continued unabated, resulting in Prajapati submitting his resignation in 2002. This appeared as all the more damaging, because of the exemplary role of some ICS members during the pogroms of early 2002, and their aftermath. Prajapati and Trupti Shah were deeply involved in anti-riot work from the first day. They lived in Tandalja, a Muslim majority area, where they organised a peace committee and ensured that rioting did not reach their area. They

were also involved in the Best Bakery campaign subsequently. Valecha figured as one of the contributors of the PUCL report on the Gujarat pogroms, and went to Calcutta, where she spoke at a meeting organised by Maitree, a women's network. But according to Mitul Dhar, one of the ICS members in Calcutta, in her discussions with ICS members, she was even then complaining that Prajapati and Shah were pushing themselves forward everywhere. ICS members and supporters all over India were deeply involved in anti-communal political work. Given this, it was expected that the forthcoming Conference of the ICS would focus on deepening anti-communal work. Instead, the best publicly known anti-communal fighters of ICS left the organisation either shortly before or shortly after the Conference of 2003.

The conflicts may have stemmed in some small measure out of petty jealousy, but documented evidence suggests that divergent politics was at its heart. There was a three-fold classification of party members by Valecha and Desai, and a very narrow conception of class politics. There were the working class members - with a definition of working class rather different from serious Marxist definitions. (62) Wage earners who did not work in factories were eliminated by this. So Mitul Dhar, a salaried employee of a private sector concern selling commodities, not in a managerial capacity, was still ruled middle class, one of the vaguest terms. Party full timers are however a case apart, for they have become 'declassé' through becoming 'fulltimers'. Rather different again are the fulltimers of mass organisations. Rohit Prajapati was a full timer, but one not drawing his wages from his party, and dividing his time between party, trade union, anti-communal work, and environmental work. Such people were also classified as middle class, if their social origins had been petty bourgeois, or of salaried non-factory parentage. Such 'middle class' members were expected to be subordinated tightly to the party, in an extremely bureaucratic way. A report by Robin Singh, Mitul Dhar, Rina Roychowdhury and Haridas Ghosh to the leadership of the Fourth International after the Conference is the main source for what went on in 2002-3.

*"Comrade Magan gave us one very precise answer which is worth recording in its entirety.*

*Question (by Robin): Comrade Magan, we want to ask you another question. If a member of the ICS is in a leading position in some mass organisation, like, say, comrade Haridas in the APDR or is extremely trusted, like comrade Rina in her organisation, and if the organisation tells him or her, that there is an emergency, we have already discussed our views, so we authorise you to write a statement in the name of the organisation and issue it straightaway, because there is no time for further meetings to consider your draft, what should that comrade do? Should she or he write the draft according to the consensus view of that mass organisation, or should she/he discuss the matter with the local party committee and push in the standpoint of the party even if that is not exactly the view of that mass organisation?*

*Answer (comrade Magan): I consider she or he must work under the direction of the party. But that is not followed here.*

*Question: But don't you think that is manipulative and Stalinist type?*

*Answer: No. That is Leninism."* (63)

This report also corroborates what has been said above concerning the classification of party members, and it is worth quoting here:

*"Another claim of comrade Magan was that Trupti and Rohit are opposed to the building of workers' cells. After the entire experience in Baroda, we are of the opinion that the concept of workers' cell is in fact a manipulative device of comrade Magan. Comrades engaged in immense amount of mass work, even when they meet those same worker comrades, discuss mass work. The creation of the workers' cell has the effect of dividing members by class origin, totally unwarranted. This is not a cell in a particular factory. This is a class stratification within the party. "Full timers" are deemed not petty bourgeois and discuss "politics" with the workers' cell members. These 'full timers' are in fact therefore people who do not engage in mass work so much. This gives them all the time in the*

*world to act factionally while pretending to be party-minded.” (64)*

On the basis of this, and other evidence mentioned in the report or given as appendices, the four signatories write:

I. *“The point of political principle involved in the conflict is how party comrades should function in their work - both in the ICS and in mass organisations. This was the substance of comrade Maya’s letter of 27<sup>th</sup> August to the CS, which led to comrade Rohit’s resignation. The crucial difference was between a perspective which held that a) The party is by definition superior to mass organisations; b) the task of party members is to first report and discuss all matters in the party, get clear and detailed guidelines, and only then act in the mass organisations; c) there is nothing wrong or manipulative in ICS members using their authority in mass organisations to push in the full views of the ICS, but rather, this is desirable; d) that comrades not doing the above, but accepting the discipline of the mass organisations, are harming the party; and a second perspective which was most clearly stated in comrade Trupti’s letter of 14.1.03, when she said: ‘The document on relationship between party and mass organisation is there and I have no differences with that document.’ ” (65)*

It is partly within the framework described by the foregoing extracts that we need to situate the dramatic change in ICS attitude to the Hema Chemicals issue. But of course, this only begs the question, why did the ICS change its stance? If Rohit Prajapati is to be viewed as a recalcitrant party member of ICS in his work regarding Hema Chemicals, why is it so? A summary is to be found in the report. But it is inadequate, and will require some elaboration. But first, the extract.

*“The Hema Chemicals issue was a different kettle of fish. Here, the well-orchestrated set of untruths was exposed in open session. That was when we realised that the entire notion of “private conversations” was a trap for unwary comrades from outside. In full session, wrong statements could be caught out as one person contradicted another. In short, the accusation was that Rohit had falsely assured the workers of Hema Chemicals that even if environmental action caused a stoppage of production they would all continue to be paid, and this had led to the closure of the factory because of violation of environmental laws. Moreover, now that Rohit was instrumental in filing an environmental Public Interest Litigation vs. Hema Chemicals, the management was refusing to settle with the union, insisting that Rohit must be involved in helping the owner of the factory to restart the factory from the State Pollution Control Board. Then, when the same issue was again being aired in open session, one comrade flatly opposed this story line, and asserted that Rohit had not been particularly keen about the closure of the factory for the violation of Environmental laws, and that to get the demand of the workers first the weapon of the strike by ballot was used and later on the issue of violation of Environmental laws was used. As an activist of the Vadodara Kamdar Union, he with others had then carried on his duties in a disciplined way. The point view of Rohit as PSS activist was about the dumping of hazardous chromium wastes by the company and involved people in general, not the factory workers. As far as we could understand, the management was utilising the fact that Rohit was both an activist of the VKU and of the PSS to twist the arms of the workers, telling them, in effect, that it would brook no settlement on the trade union issue unless Rohit and the PSS also gave up the hazardous chromium waste-dumping issue. After such a protracted struggle, the workers are tired, and many want to settle anyhow. But here, the notion of class vanguard does not apply. Here, the party members are not being told that the management is deliberately confusing issues, and that workers should resist this attempt of the management to link reopening of the closed units with aggressive action against the people in general, since this would be contrary to the goals of building a worker-local resident’s alliance under proletarian hegemony. Instead, here the so-called party leadership, those who are supposedly possessed of a true understanding of class-party relationship and ideal understanding of theory, are tacitly joining hands with the management in egging on the workers to believe that Rohit is the villain. This gravely*

*damages all ideas of class struggle, for it seems to corroborate the typical canards spread by managements that all troubles in factories are caused by outsiders for their political gains. It also causes workers to distrust so-called outsiders. Finally, it reinforces the narrow viewpoint that environment is not an issue of the working class but of the wealthy. It is surprising to know that such an important issue was never raised in past ICS formal meetings. During the deliberations the issue of strike and the issue of closure due to violation of environmental laws was mixed. As such, it undermines the splendid work of our comrades, including in the past over Hema Chemicals.” (66)*

This report needs to be supplemented briefly on some factual matters. As Narpat Sinh Solanki and Kantibhai F. Christian said in their interviews, the VKU, finding no gains coming from other struggles in the Hema Chemicals, had decided to focus on health and safety. Relying on a judgement of the Gujarat High court, (Sp. C. A. No. 770 of 1995, dated 5/8/1995) delivered by Coram Mr. B. N. Kripal, Chief Justice, and Mr. Justice H. L. Gokhale, the Union had thought that if the Company was closed due to its not meeting GPCB terms, the workers would have to be paid their wages. While this is true as far as the judgement goes, this underestimated the political clout of the owner of Hema Chemicals, and seemed to be taking a rather naïve view of the class struggle. Prajapati had in fact been opposed to this move, for he apprehended just this. (67) Indeed, Prajapati asserted that after 1996-97 he was not signing any document in the name of VKU, though he continued to be in the Executive Committee (and was often misreported in the media as the Secretary of the Union), because he had taken up the issue of pollution created by the Hema Chemicals, and felt that combining two roles by one person might create trouble. In fact, in 2004, Mahendrabhai Patel moved a Petition in the Ahmedabad High Court, which stated that: “9. It is submitted that Shri Rohit Prajapati, Officer of the Vadodara Kamdar Union, on failure to getting the demands approved by the Management, formed a Samity known as “ Paryavaran Surksha Samity ” (P.S.S.), and had started making applications after applications against the company before various statutory authorities i.e. District Collector, Commissioner of Vadodara Municipal Corporation, Gujarat Pollution Control Board, Central Pollution Control Board, National Human Rights Commission, etc. The said Shri Rohit Prajapati has also approached the National Human Rights Commission, being Case No. 706/6/2001-2002 on 27.11.2001, and the same came to be rejected by the Hon’ble N.H.R.C., on 4.1.2002.” (68)

The petition also argued that Prajapati had connived with the GPCB, and with the Supreme Court Monitoring Committee, and described the order to pay up Rs. 17 crores as unjust and illegal. As it is put in one place: “in fact no action, in whatsoever nature, was initiated against any companies except petitioner, for the reasons best known to the authorities, and probably it is because of the constant complaint made by said Shri Rohit Prajapati, President of Paryavaran Suraksha Samity.” (69)

Prajapati, as we noted, had anticipated this kind of trouble. As he said in his interview: “There was pressure on me by the workers to take up the pollution case from the workers’ angle to get compensation. I said, if we do such a follow up, the Company might close due to anti-pollution laws. The workers wanted closure because of the bitterness of the defeat in the long struggle. I was not keen on a long closure. The PSS had taken up the issue of illegal dumping. Ground water was being contaminated by hexavalent chromium. Many of the affected people were hesitant to take up the issue, as they were a community staying on what was technically government land -i.e., they were “illegal occupants”. They feared that the government would collaborate with Manubhai [Mahendra Patel], and in the name of taking out waste, evict the people.

*“I said I will fight to close the industry only if employment is guaranteed. The workers here knew quite well that their life had been reduced by a number of years. They still had to work to survive. If there is a collective decision then community cannot be set against it self. We wanted to take up the environmental issue to convince people that a worker-resident community alliance was needed. We*



*put out a leaflet. I gave an explanation to the media. We said, the workers have no choice but to work. We explained to the community that the workers were not their enemy. But the workers continued to put pressure, urging for a closure so the management would negotiate. ...I was accused by the workers that I was not seriously fighting for closure.” (70)*

Within the ICS, this led to the first rift. For Desai, who has never been a serious trade unionist even though he has on and off been a member of the VKU General Body and of its executive, it seemed a good tactical move. So the workers' cell meetings of the ICS, from which Prajapati was excluded as a non-worker, but to which Desai had access as party full timer, discussed the issue and opposed the position taken by the VKU under the persuasion of Pajapati. Eventually, in 2000, the Vadodara City Committee of the ICS wanted Prajapati to take up the issue and move for speedy action on the hazardous matter and health and safety issues. Both units of Hema Chemicals closed in 2001.

The crisis that was to come was not perceived at the 2001 conference of the ICS. Part of the Gujarat state report reads, in the summary form in which it is preserved in the minutes:

*“To rebuild the group in Gujarat, full stress had to be given to mass work - in the VKU, in the Paryavaran Surksha Samity, in Sahiyar, etc. It is only now that the situation has changed. With Comrade Maya becoming a party full-timer, we can now do party work. The VKU has expanded beyond Baroda, and in recent times we have been trying to mobilise agricultural labourers. We are also playing a key role in the chemical industries workers' struggles against pollution.*

The basic issues in the conflicts in Baroda stemmed from petty-bourgeois elements who thought some “new” comrades had “risen” too fast - e.g., Rohit and Trupti. These members thought in terms of recognition, trips abroad. The 1993 Conference itself was a watershed. The Bhupesh group boycotted the conference. (Addendum from Magan).” (71)

The foregoing quotation brings out that in 2001, the ICS unanimously emphasised the need for mass work, and that at that time, Magan Desai publicly supported Prajapati, arguing that critics of Prajapati were the “petty bourgeois elements”, who wanted recognition, trips abroad (In the 1990s, Prajapati had made several trips to Germany with a scholarship to do his Ph. D., and this was a sore point both with Vadodara based critics as well as the Abhijit Roy group). In 2003, however, the situation was radically changed. As the four delegates' report, our sole written source for the Conference, says, “we found a tremendous lack of gendering. This has also been clearly instilled through classes into the minds of working class comrades, so that we could hear comments like, comrade Trupti does Sahiyar's work (Sahiyar is a feminist organisation) not party work.” (72) So work in mass organisations was now viewed as not political work, and certainly not party work, unless, as Desai made it clear, the party member was willing to abuse her or his position of trust in the mass organisation to push through the line dictated by the party committee, regardless of the will of the mass organisation. Nor was this a personal desire for control on the part of Desai. Maya Valecha submitted a resolution for the Conference, which was clearly a bid to overturn the previous ICS position on the relationship between a revolutionary party and mass organisations. The crucial argument was made in the following paragraphs:

*“While applying the principle of autonomy, it should not become the autonomy of the members working in the MOs [Mass Organisations - K.C.] from the party and informing the activities of the MO post facto, off and on as and when desired. The autonomy should not become a loophole to do the activities independent of party, its decisions and/or ideology.*

Party must have its documents on the issues of the mass organizations and these should preferably be prepared by two persons in collaboration - one directly involved in the MO and one more active on party front. This is not to lose the track of either technicality, latest trends in a particular mass

movement or other details of the mass movements on one hand and the Marxist approach to the problems on the other hand.” (73)

Thus, the relationship was shifted from one concept of autonomy to another, the new one being a concept that allows tactical freedom to the mass organisation while insisting that the party must have the ultimate reins of control. Secondly, the second paragraph clearly creates a hierarchy within the revolutionary organisation itself. Comrades of the organisation working in mass movements and mass organisations are presumed to be less serious Marxists. This has a serious meaning for the understanding of Marxism itself. It is viewed less as a body of ideas that have to be regularly creatively applied and developed, and more as a set of texts to which all new realities must be subordinated. The person who is “more active in party front” - what does it mean? It means a supposed full-timer who does not work in mass organisations, but spends time in the office, and becomes a better Marxist by reading the collected writings of one’s chosen pantheon - in this particular case, presumably Marx, Engels, Lenin and Trotsky. Finally, the idea that an activist in a mass organisation should always get directions from the political group but must inform the party beforehand and take directions from the party appears as an impossible one. One should also remember the context. This was a document drafted in Gujarat in late 2002. Earlier that year, there had been a massive pogrom. Those who had fought against the pogrom, (and Prajapati and Trupti Shah, to repeat a point made earlier, were among the most active of such fighters all over Gujarat) could not get back constantly to their political organisations at all times for guidance.

As for Prajapati, charges were hurled continuously at him. Of these, only the Hema Chemicals issue concerns us here, and it is also the only one that merits serious discussion. (74) The dominant view within the ICS, especially in Vadodara, was that the legal process being necessarily reformist, there was not much point in fighting that battle seriously. It viewed the PSS as a threat, because apparently PSS-style environmentalism was a diversion. By 2003, ICS members were determined to get the factory reopened, because they felt that the environmental case seemed to be based on a false perspective, where the livelihood of workers was not being taken into consideration. (75) The result was a series of mutual confrontations between party members, trade unionists and Prajapati and Jagdish Patel. At the same time, Mahendra Patel, owner of the company, tried to take advantage of the growing differences. As the extract from Patel’s High Court Petition shows, Patel is seeking to club the PSS struggle with the VKU struggle. The workers of Hema Chemicals are ill. Their cases have also been so well publicised that if they now try to get jobs elsewhere, they will be turned down. Yet they are not getting compensation from the Company as the ESIS medical board refused to certify that they are in any way affected by chromium. After a decade of fighting, many of the workers have become tired. Many have left. Advocate Rawal alleged that some workers are working in other places so they are not interested in full compensation but their legal dues and other benefits. As a result they do not turn up at court on all days. (76) All the trade unionists have a different argument. They argue that the workers find it difficult to stay away from work, as it would mean loss of a day’s wage. During periods of intense class conflict, such a loss matters much less than during ebb-tides. This was the point made by Christian when he argued: “No owner has been punished for pollution. Any factory accused of pollution can shut down and simply reopen elsewhere. The workers lose jobs. There has been a significant shift from Gujarat to Haryana. Regarding Court case dates, you must understand that many of the workers have got short-term work. For money they have to go and work. So they cannot go to court. So mobilisations have gone down 75%. One slogan now is, let pollution remain, but reopen the factory.” (77)

### **Problems for a Red-Green Alliance**

Three sets of questions need to be asked. First, what went wrong? Was it a tactical error, were the

owners too strong, or was it an error of principle in highlighting environmental cases? Second, what does this have to say about the politics of the ICS, and more generally about the relationship between class struggle and environmental activism? Finally, what does it say about the PSS type environmentalist radicals?

Concerning the struggle, the existing evidence suggests that it was the ICS and the VKU that made a tactical miscalculation. Kantibhai's interviews, even Narpat Solanki's interview, indicate: "The workers thought if we fight over the environment, our health issue will be solved.... But the reverse of what we had hoped for has happened. Many have lost jobs. Illness is still there. Compensation has been received by very few." (78) What was quite 'unfair' but also part of how human beings often behave in times of defeat, was the attempt to seek a scapegoat. A number of leading union activists, finding the going tough, the union itself in partial disarray, opted for such a course and chose to put the blame on Prajapati. What was much more unfortunate was their shift in line. In 2004, Thakore Shah, the veteran union leader, died. This was followed a little later by fresh elections to the union executive, with a number of additional ICS members coming into the executive. With tightening party control, in line with the perspective outlined in 'Revolutionary Party and Mass Organizations', the VKU now lost its unique character. As a small party run union, it had little ability to influence wider working class circles, in the way that it had done as an independent working class union. This resulted in further depression setting in, and a further sectarian turn - a vicious cycle from which it can break free only if the leadership changes its outlook or the ranks decide to throw off the existing leadership. For the moment, the ICS activists in the union, whether of working class or non-working class origin, are united in their desire to open the factory at any cost. Mahendra Patel is quite aware of this mood of depression, and has been trying to create a bloc with the union against the PSS. As Christian's interview, quoted above, shows, reopening the factory at all costs has become the final call for those workers who cannot go anywhere else and are desperate. According to Prajapati: "Even today, when the workers wanted a further closure, this time of Unit 1, I refused. I told them I cannot fight to get Unit 2 reopened until the owner pays full damages. And if Unit 1 is closed then he has no more functioning productive unit and we cannot pin him down. This does not mean that Unit 1 is not creating pollution. Unit 1 is also creating severe air pollution. I also told the workers that if the VKU gives it to me in writing I can go for the closure. Likewise, when Patel pressed VKU saying that the PSS case on dumping was simply an attempt to strike at him, I told the VKU that I am willing to withdraw the PSS fight against Hema Chemicals in the interests of the working class if the workers get their rights and the company pays for the environmental damages. PSS never asked for closure of any industry unless it is proved beyond doubt that the company's pollution is crossing its limits and damages the health of the workers and community staying around. Therefore I will be willing to withdraw the struggle over the dumping issues only if VKU assures that workers will get their rights and company will pay for the environmental damages and takes remedial steps to clean up the pollution to us in writing." (79)

While the VKU leadership was not willing to go so far, especially as it feared this was a trap, Patel was definitely trying to widen the rift between the VKU and the PSS. Patel's High Court Petition was full of errors. For example, it claimed, as we saw, that Rohit Prajapati was the President of the Vadodara Kamdar Union, and suggested that the PSS was merely a stalking horse created by Prajapati to serve the VKU. As a matter of fact, Prajapati had never been president of the VKU. This seemed to be a part of an effort by the owner to make a hint to the workers that if they were willing to leave their association with Prajapati and the PSS, he would take a soft line towards them.

Does this mean that the ICS has suddenly turned into a reformist party, or, in the language of the more simplistic "Marxist" groups, that it has sold itself to the owners? In the first place, the ruling class would not be very interested in buying up what is a relatively small organisation. In the second place, the reality of the transformation of the ICS is rather more complex.

The political stance of the ICS is passively sectarian, rather than reformist. A little discussion about Trotsky's concept of the transitional programme would be useful here. The programme of revolutionary Marxism is one that by definition cannot be simply taken from outside to millions of workers and explained to them one at a time. Even when the revolutionary organization is present, it can win over the masses only by the method of the transitional programme. It is based on the concept of self-emancipation, aimed at bridging the gap between the workers' given consciousness and that level which made them partisans of the struggle for power. It was a set of demands which in their totality organise the proletariat and constitute the stages of the struggle for the rule of the working class and its allies. Each specific demand expressed an urgent need of the broad masses, and thus aimed to draw in those who were not consciously fighting for workers' power. But this does not mean that the programme kind of planned to con the workers into supporting a revolution. Rather, it was felt that by fighting for those specific demands the workers would become more conscious, and eventually fight for class power. A programme of action of this kind cannot be a holy text, unchanged and unchanging over time. (80) The ICS was perfectly aware of this in earlier times, as the Draft Programme of the ICS, discussed at the 1995 Central Committee plenum, shows. Robin Singh, reporting on the draft programme, had remarked: "In Part III, we have the demands. Here, criticisms have centred round demands for women....It has been said, that if socialist feminism says anything other than what Marx, Engels, Lenin and Trotsky said, then it is wrong. This is not our tradition." (81) One decade later, environmentalism posed the same kind of challenge. In both cases, it is possible to have two approaches that do not lead to revolutionary action. One can think of "possible" feminism, "possible" environmentalism, stressing immediate goals, and even more, stressing forms of action that centre on lobbying the state, seeking top-down reforms. It is not the struggle for reforms that is reformism. It is the belief that reforms from above, combined with "pressure" from below, is a better substitute for revolutionary action. On the other hand, revolutionary action does not lie in declaring rhetorically that the women's question, the environmental question, will all be solved after the socialist revolution. The content of the socialist revolution has to incorporate real emancipatory struggles, and that can be done only by putting forward demands that start from the present consciousness and aims of exploited people but pushes the struggle beyond immediate goals. In the case of the environment, this means challenging existing dominant models of environmentalism - both the absolute elitist environmentalism that focuses on things like beautification of cities at the cost of the urban poor, or the environmentalism of economic reductionism. There are different variants of economic reductionism, but key to all of these is the aim of turning the environment into a series of commodities. (82) This therefore follows the very logic of capitalism. As Marx wrote about capitalist society, "For the first time, nature becomes purely an object for humankind, purely a matter of utility; ceases to be recognized as a power for itself; and the theoretical discovery of its autonomous laws appears merely as a ruse so as to subject it under human needs, whether as an object of consumption or as a means of production." (83) Capitalism thus represents, notwithstanding all technological progress, not a development of human needs in relation to the powers of nature, but an alienation of nature from society and the development of a one-sided, exploitative and destructive relation to the world. Moreover, such attempts at commodification of the environment ignores the intrinsic worth of everything, in favour of a price set by the market. Yet, after the knowledge we have of what happened in the Soviet Union under the veil of secrecy, any claim that socialism will solve all problems must be treated with complete disdain. Only that socialism is meaningful, after the collapse of the bureaucratically run states originating from a number of revolutions, or their restoration of capitalism while retaining the signboard of the Communist party, as in China or Vietnam, which reworks the socialist agenda by incorporating all the progressive social struggles. It is not the task of the present essay to provide a sketch of such a programme valid for India. But the ICS experience indicates that a failure to do so will have serious repercussions on the organisation from its own declared standpoint.

There is now a virtual certainty that the critical threshold of a 2° C increase in average world

temperature above the preindustrial level will soon be crossed due to the build-up of greenhouse gases in the atmosphere. Scientists believe that climate change at this level will have portentous implications for the world's ecosystems. The question is no longer whether significant climate change will occur but how great it will be. (84) There are growing worries in the scientific community that the estimates of the rate of global warming provided by the United Nations Intergovernmental Panel on Climate Change (IPCC), which in its worst-case scenario projected increases in average global temperature of up to 5.8° C by 2100, may prove to be too low. For example, results from the world's largest climate modelling experiment based in Oxford University in Britain indicate that global warming could increase almost twice as fast as the IPCC has estimated.

Experiments at the International Rice Institute and elsewhere have led scientists to conclude that with each 1° C increase in temperature, rice, wheat, and corn yields could drop 10 percent. It is now clear that the world is within a few years of its peak oil production (known as Hubbert's Peak). The world economy is therefore confronting diminishing and ever more difficult to obtain oil supplies, despite a rapidly increasing demand. All of this points to a growing world energy crisis.

The planet is facing global water shortages due to the drawing down of irreplaceable aquifers, which make up the bulk of the world's fresh water supplies. This poses a threat to global agriculture, which has become a bubble economy based on the unsustainable exploitation of groundwater. One in four people in the world today do not have access to safe water. Two thirds of the world's major fish stocks are currently being fished at or above their capacity. The species extinction rate is the highest in 65 million years with the prospect of cascading extinctions as the last remnants of intact ecosystems are removed. Already the extinction rate is approaching 1,000 times the "benchmark" or natural rate. (85) Scientists have pinpointed twenty-five hot spots on land that account for 44 percent of all vascular plant species and 35 percent of all species in four vertebrate groups, while taking up only 1.4 percent of the world's land surface. All of these hot spots are now threatened with rapid annihilation due to human causes. (86) According to a study published by the National Academy of Sciences in 2002, the world economy exceeded the earth's regenerative capacity in 1980 and by 1999 had gone beyond it by as much as 20 percent. This means, according to the study's authors, that "it would require 1.2 earths, or one earth for 1.2 years, to regenerate what humanity used in 1999". (87) These and other warning bells indicate that the present human relation to the environment is no longer supportable. The most developed capitalist countries have the largest per capita ecological footprints, demonstrating that the entire course of world capitalist development at present represents a dead end. A socialism that ignores this in its immediate priorities for campaigning is useless, as is any politics that aims to contain these crises within capitalism, for it is capitalism that has created this devastating situation. (88)

The question this kind and level of ecological crisis poses before forces claiming the mantle of revolutionary Marxism is how ecology and class struggle can be worked together without leading to either one more rhetorical statement ("the ecological problems will be solved under socialism") or reformism ("one has to strike a balance between development and environment" - a kind of statement increasingly articulated by politicians of diverse shades not only in India but throughout the global south). The predicament the ICS faces is not unique, and the simple answer, that it is the failure of the key leaders of the winning faction, i.e., Magan Desai and Maya Valecha, is an answer at a rather superficial level. In Latin America, it is argued that peasants are cutting down forests for lack of land. How would a revolutionary organisation respond? If the charge is factually correct, it cannot say that if it is peasants doing the ecological damage we cannot oppose it. But nor can its answer be to call for the state of the ruling class to unleash repression on the peasants. The answer would be to develop new types of demands linking land reforms, cooperative agricultural production,

etc, with organic farming, forest cover protection and so on. Industrial pollution demands similar reconceptualisation, and most organisations calling themselves Marxist have done little in the way of such reconceptualisation. At one level, it is easier for those who now want to manage capitalism rather than overturn it, for they can rely on models of environmental correction based on the market. It is more difficult for those who still want to overturn capitalism.

At the same time, given the crisis posed by capitalism, organisations like the PSS, despite their achievements, also face a problem. Their organisational principles and practices do not show how they hope to unite a majority of the people, nor whether they intend to systematically use class analysis or what their alternative is. If they are Marxists, as is Prajapati, it is not clear how their Marxism and their environmentalism mesh, or whether the two are simply sought to be kept along parallel lines. The full story of the PSS must await another paper. What is seen here is that the key PSS figure in the present story responded by withdrawing from organised Marxist politics. So the story is not simply one of old fashioned Marxists failing to rise to the occasion. It is also a failure to integrate environmental crisis and the class struggle along both sides of the fault line.

## **Appendix: see below**

### **Footnotes**

\* Research on this paper was made possible partially through a grant from the UGC-DRS Phase I, Department of History, Jadavpur University.

(1) Gopal Krishna, interview 2.3.2005. though I have identified him as a member of Toxics Link, all views were those of him as an individual.

(2) Statutes of the Fourth International - ICS Draft, p.1. All ICS documents not cited from published books or journals mentioned in footnotes are from cyclostyled, or computer generated texts. I am grateful to ICS members both current and past who have made available many documents, including some not in the public domain.

(3) The Main Enemy is at Home: Statement on Recent Nuclear Explosion at Pokhran by Govt. Of India, by INQUILABI COMMUNIST SANGATHAN, (Indian Section of the Fourth International), in Kunal Chattopadhyay ed., The Genocidal Pogrom in Gujarat: Anatomy of Indian Fascism, Vadodara, 2002, p. 55.

(4) Proletarian Party, the nature of its relationship with mass organisations, Adopted by the 1989 National Conference, Inquilabi Communist Sangathan, p.2.

(5) Ibid, p.3.

(6) R. Luxemburg, 'Organizational Questions of Russian Social Democracy', in D. Howard., ed, Selected Political Writings of Rosa Luxemburg, New York and London, 1971, p.304.

(7) Interview with Ghanshyam Patel, member of the VKU executive, 5. 11.1988.

(8) Claude Alvares and Ramesh Billorey, Damming the Narmada: India's Greatest Planned Environmental Disaster, Penang, 1988. The ban is mentioned in Sanjay Sangvai, The River and Life, 2<sup>nd</sup> Revised Edition, Mumbai and Calcutta, 2002, p. 48.

(9) Achin Vanaik, 'Sarovar Dam Firm Offers to Face Probe', Times of India, Ahmedabad Edition, 22.3.88. Realising they had put their feet in their mouths, the officials totally clammed up after this one interview. My information also came from an interview given by Thakore Shah on 6<sup>th</sup> November

1988.

(10) A statement issued in the names of Vadodara Kamdar Union and Jyoti Karmarchari Mandal, under the signatures of Narpatsinh Solanki and Amrish Bharmbhattacha respectively, after the death of Tahkore Shah, stated: "In 1975, during the Emergency rule, he was a founding member of the Vadodara Kamdar Union, an independent autonomous trade union. In the late 1980s, this organisation served as a springboard for the Narmada Bachao Andolan". — Prominent Labour Activist Thakorbbhai Passes Away, 14. 4. 2004 (e-mail from the signatories). While one may question the claim that the VKU served as a springboard for the NBA as a whole, this statement certainly indicates that as late as 2004, the VKU identified itself not only with bread and butter issues, but with social struggles of a wider sort.

(11) Anand Mazgaonkar, interview, 28.2.2005.

(12) Swati, interview of 28.2.2005; Rohit Prajapati, interview 28.2.2005.

(13) Rajnibhai, interview, 28.2.2005.

(14) There are several international Trotskyist organisations. Quite a few call themselves the Fourth International, or names close to that. This is the result of an original split of 1953. The biggest chunk that emerged was through a unification of 1963. It has usually been called USFI or USec, because from 1963 to 2003, its day-to-day leadership was in the hands of a body called the United Secretariat. The ICS was the Indian Section of this organisation. For a detailed survey of International Trotskyist organisations, the interested reader can look up the Internet Trotsky Archives. The writings of Robert J. Alexander are so tendentious as to be useless.

(15) For the full text as finally adopted, see IV Online magazine: IV351-2 - Summer 2003, at [http://www.internationalviewpoint.org/article.php3?id\\_article=178](http://www.internationalviewpoint.org/article.php3?id_article=178)

(16) The Indian People's Tribunal on Environment & Human Rights, Industrialisation and Toxic Pollution in the golden Corridor of Gujarat, Mumbai, 1999, p. 15. (This report is hereafter cited in short form as IPT , Industrialisation and Toxic Pollution)

(17) Ibid, p.16.

(18) Ibid.

(19) Ibid., p.17.

(20) Mitul Dhar, interview, 12.3.2005.

(21) Rajendra D Rawal, interview, 27.2.2005.

(22) Ibid.

(23) Ibid.

(24) Jagdish Patel, interview, 28.2.2005

(25) Ibid.

(26) Ibid.

(27) Kantibhai F. Christian, interview, 27.2.2005.

- (28) Narpat Singh Solanki, interview, 1.3.2005
- (29) IPT , Industrialisation and Toxic Pollution, pp.66-67, and Kunal Chattopadhyay and Rohit Prajapati, 'Indian strikers need solidarity', <http://www.labournet.org.uk/so/29india2.html>
- (30) Thakorbhai Shah and Ramkilesh Saroj, 'Health and safety', International Viewpoint, 14 Feb. 1999, <http://www.hartford-hwp.com/archives/52a/057.html> and Kunal Chattopadhyay and Rohit Prajapati, 'Indian strikers need solidarity', <http://www.labournet.org.uk/so/29india2.html>
- (31) Rohit Prajapati, interview 1.3.2005.
- (32) Ibid.
- (33) Thakorbhai Shah and Ramkilesh Saroj, 'Health and safety', International Viewpoint, 14 Feb. 1999, <http://www.hartford-hwp.com/archives/52a/057.html>
- (34) Darshan Desai, 'Here, the wages of labour is perforated nasal walls', Indian Express, 9.7.1998.
- (35) Darshan Desai, 'Workers' well-being sacrificed for industrial health', Indian Express, 23.5.1999. Rohit please check. This is from a photocopy with the date written by you in gujarati. Is the date correct?
- (36) Ibid.
- (37) Jagdish Patel, interview, 1.3.2005
- (38) Darshan Desai, 'Workers' well-being sacrificed for industrial health'.
- (39) Ibid.
- (40) ESI Appeal No. 2 of 2001, Laxman Ravjibhai Solanki v/s ESIC
- (41) Laxmi Murthy, Health-India: Workers Court Death in the 'Golden Corridor', SACW, dispatch #2, 19 dec.99. This is an email sent out regularly to all list subscribers, previously from act egroups.com , now from aiindex mnet.fr . Much of the material is available at [bridget.jatol.com/pipermail/sacw\\_insaf.net/](http://bridget.jatol.com/pipermail/sacw_insaf.net/)
- (42) Sandhya Srinivasan, 'Bhopal's Legacy', December 6<sup>th</sup>, 2001, [http://www.corpwatch.org/print\\_article.php?&id=874](http://www.corpwatch.org/print_article.php?&id=874)
- (43) This report was not published anywhere. However, the Vadodara Kamdar Union obtained a copy. I am grateful to the VKU for making it available to me. However, since it was a hard copy report which was scanned and put in MS Word, I shall not be giving any page references.
- (44) IPT , Industrialisation and Toxic Pollution, p.69. Text bold in the original.
- (45) Ibid. Text bold in the original.
- (46) I attach as appendix a letter dated 30.9.1999 from Rohit Prajapati, acting in his capacity as member of the PSS, to Dr. G. B. Soni, Member Secretary, GPCB.
- (47) Dr. Maya Valecha on behalf of PSS to the Chairperson, High Powered Committee on Hazardous Solid Waste. The Ushma Chemicals explosion was reported as '4 hospitalised after blast' in Indian Express, 17. 12.96. The News item informed readers that "Factory owners prefer not to inform



police, Fire Brigade'. The next day the newspaper reported, 'Blast-injured die in hospital', Indian Express, 18.12.96. Even more seriously, showing complicity between owners, and various state agencies, the newspaper reported that "Even after Express Newsline broke the news of the accident today in a detailed report, neither the police nor the factory inspector visited the site, where the blast occurred during trial operations".

(48) In view of the importance of the letter, I am adding it as an appendix. To quote from it in the main text would be digressive.

(49) SCMC report on Hema Chemicals, Report of the Sub-Committee; Supreme Court Monitoring Committee on Hazardous Wastes : Hazardous Wastes of Hema Chemicals, Vadodara, By Dr Tapan Chakrabarti (NEERI) And Dr Claude Alvares (The Goa Foundation); Sub-Committee, Supreme Court Monitoring Committee, 7<sup>th</sup> April 2004;

[http://www.toxicslink.org/docs/SCMC\\_Report\\_Hema\\_Chemicals.doc](http://www.toxicslink.org/docs/SCMC_Report_Hema_Chemicals.doc)

(50) In reality, no payments have been made in such cases despite the court order.

(51) SCMC report on Hema Chemicals, Report of the Sub-Committee; Supreme Court Monitoring Committee on Hazardous Wastes : Hazardous Wastes of Hema Chemicals, Vadodara.

(52) There has also been a charge that Prajapati's image as an activist was an exercise in self-glorification. While apparently extraneous in connection with the environmental activism issue, these got enmeshed in 2003. I therefore provide below a public statement. This is an extract from Crime Against Humanity, a report by a Concerned Citizens' Tribunal. It was headed by Justice V. R. Krishna Iyer (retired judge, Supreme Court), and included Justice P.B. Sawant, (retired judge, Supreme Court), Justice Hosbet Suresh, (retired judge, Mumbai High Court), K.G. Kannabiran, senior advocate and President, PUCL, Ms. Aruna Roy, (Mazdoor Kisan Sakti Sangathan - the well known rural workers' association of Rajasthan), Dr. KS Subramanian (retired IPS, former DGP, Tripura), Professor Ghanshyam Shah (Professor of Social Science in Community Health, JNU), and Professor Tanika Sarkar (feminist scholar, Professor of History, JNU). The following section speaks for itself:

"Tirades against peace initiatives, secularists

In their public exhortations and speeches, hate pamphlets and articles published in blatantly communal newspapers like Sandesh, and mouthpieces like Hindu Vision and Hotline, top level state functionaries in Gujarat and their minions, have specifically targeted the small number of men and women from Gujarat and outside, who have stood out at this moment of crisis, speaking for sanity and reason, and against hatred.

Among those singled out for slander, abuse and threat were senior journalists Shri Batuk Vora and Shri Digant Ozha from Ahmedabad, social activists Shri Rohit Prajapati, Smt. Trupti Shah and Shri Jussar Bandukwala from Vadodara, Star News' political editor Shri Rajdeep Sardesai and co-editor Communalism Combat, Smt. Teesta Setalvad." Communalism Combat, Nov-Dec. 2002, p.23

(53) Magan Desai, Why I Am Resigning from the CPI(M), Bombay, 1966.

(54) On this see Paul Le Blanc, 'Leninism in the United States and the Decline of the Socialist Workers Party', in Paul Le Blanc, ed., In Defence of American Trotskyism: Revolutionary Principles and Working Class Democracy, New York, 1992.

(55) Cannon's opponents in the SWP often accused him of being both a manipulator and a devotee of mechanical discipline— see George Marlen, Earl Browder, Communist or Tool of Wall Street; Stalin, Trotsky or Lenin. New York, 1937, pp156,157; Max Shactman et. al., 'The War and Bureaucratic

conservatism', in James P. Cannon, *The Struggle for A Proletarian Party*, New York, 1972, esp. pp. 275, 277; Albert Goldman, *The Question of Unity*, New York, 1947, pp. 27-29, 38. But is possible to read *Struggle for a Proletarian Party* in such way, if one omits the actual history of the 1939-40 struggle, including its culmination. Thus, Tariq Ali writes that this book "had shocked my sensibilities" because it documented "the single minded and relentless pursuit of an oppositional current within the same organization until it was defeated, demoralised and expelled". Tariq Ali, *Street Fighting Years, an Autobiography of the Sixties*, New York, 1991, p.246. This is absolutely incorrect. Shachtman, James Burnham, Martin Abern and their supporters were politically defeated, but they were not demoralised, unless factors other than Cannon's role demoralised them. And they were to violate every rule in the book and establish their own party. Burnham was a well off person, a university professor who had warmed his hands in a leftwing fire in the 1930s, when it was acceptable even in the USA. But he was to swiftly leave even his comrades in the new Workers Party founded by them, and eventually end up as a cold warrior aligned with the CIA and in the editorial board of the right-wing *National Review*. C.L. R. James, the well-known Black Marxist, who had been part of the Shachtman faction, wrote later that an objective study of the documents showed that the minority of 1940 had not been "bureaucratically mishandled by the Cannon-led majority." J. R. Johnson [pseud. Of C.L.R. James], F. Forest [pseud. Of Raya Dunaevskaya], Martin Harvey [pseud. Of Martin Glaberman], *Trotskyism in the United States, 1940-1947: Balance Sheet*, cited in Paul Le Blanc, 'Leninism in the United States and the Decline of the Socialist Workers Party', p.24. Cannon's writings and speeches also show that he was a political person, with abilities not only in popularising Marxist ideas, but in developing them. He may not have produced a massive corpus of theoretical work, but he was quite capable of developing meaningful political analyses on tactical as well as theoretical issues of various kinds. For example, despite the previous role of the CPUSA in enouncing the Trotskyists during World War II, (the SWP had taken a resolutely internationalist position), when cold war witch hunts began against the CPUSA, Cannon laid down the main principles of Trotskyist refusal to amalgamate with the right-wing in the name of "anti-Stalinism".

(56) A number of these are included in Kunal Chattopadhyay, ed, *The Genocidal Pogrom in Gujarat: Anatomy of Indian Fascism*, Vadodara, 2002.

(57) A number of essays by ICS activists, elaborating political analyses, would be published by A. R. Desai in the C. G. Shah Memorial Trust Publications series.

(58) Generally speaking, Magan Desai has written few political documents. Though he was the co-signatory of a number of texts in the 1970s and early 1980s, most of these were actually written by the late Sharad Jhaveri, a lawyer and talented writer of Jamnagar.

(59) The foregoing is based on interviews of Haridas Ghosh, a member of the CL, and then of the ICS, since 1978.

(60) Much of my information is based on the post-split documents issued by both sides. The ICS issued a detailed minutes. Since speeches had to be translated from several languages, and then recorded in English, the minutes in fact provided long summaries of the speeches, not merely who spoke and on which subject. The pamphlet issued by Roy and others contained very little politics, but a scurrilous attack on Prajapati and his allies, along with some attacks on Desai thrown in at their anger at what they evidently felt was his betrayal of their common cause.

(61) In February 2001, Desai told me that in his opinion, Valecha was the best member he had ever recruited, contrasting her with Vibhuti Patel, who had left the organisation.

(62) My own conception of working class is based on my study, *White Collar Workers and the Proletarian Identity*, Report of the Prabhat Kar Memorial Endowment Research project, Calcutta,

2001. Since this exists only in a small number of DTP copies, other material that can be consulted includes Ernest Mandel and George Novack, *The Revolutionary Potential of the Working Class*, New York, 1974, and Alex Callinicos and Chris Harman, *The Changing Working Class*, London 1989.

(63) Haridas Ghosh, Robin Singh, Rina Roychowdhury , Mitul Dhar, ' Report on the June 2003 ICS conference', pp. 5-6.

(64) Ibid, p.7.

(65) Ibid., p.9.

(66) Ibid, pp. 6-7.

(67) Interview with Kantibhai F. Christian, 6.6.2003.

(68) IN THE HIGH COURT OF GUJARAT AT AHMEDABAD  
DISTRICT : VADODARA SPECIAL CIVIL APPLICATION NO. 1222, OF 2004.

(69) Ibid.

(70) Rohit Prajapati, interview, 1.3.05.

(71) Minutes of the ICS National Conference, 10<sup>th</sup> and 11<sup>th</sup> February 2001, p.5.

(72) Haridas Ghosh, Robin Singh, Rina Roychowdhury , Mitul Dhar, ' Report on the June 2003 ICS conference', p. 10.

(73) Revolutionary Party and Mass Organizations, resolution submitted for the ICS Conference of 2003, p.2

(74) Other charges ranged from the trite (Rohit and Trupti do not study, they do not read any Marxist literature) to the one's below the belt while also false (e.g., Rohit, Trupti and Thakore Shah act as a family unit - this is based on the fact that Trupti Shah is Thakore Shah's daughter, and she is married to Rohit Prajapati), to the one's that were not only slanderous but extremely dangerous for Prajapati. Prajapati's father had been a life-long RSS cadre, and he too had begun his political career in the RSS. One opponent of Prajapati asked , "why should a forty year old person who claims to be a communist call an RSS man uncle?" (ibid, p. 8). The four authors of the Report commented: "to insinuate now, after the events of 2002, that Rohit is soft on the RSS in some sense, is a political crime. This is the worst sort of scandal mongering, whose lessons have been learnt, not from Trotskyism, but the filthiest sort of Stalinism." More accurately, this was petty politics of sects, regardless of whether they call themselves Stalinist, Leninist, Trotskyist, or whatever.

(75) Interview with Mitul Dhar, 27.3.2005. Dhar was one of the delegates to the ICS Conference of 2003 and one of the signatories to the statement on the conference by four members.

(76) R.D. Rawal, interview, 27.2.2005.

(77) Kantibhai F. Christian, interview, 27.2.2005.

(78) Narpat Sinh Solanki, interview, 1.3.2005

(79) Rohit Prajapati, interview, 1.7/2005

(80) I have discussed this at length in my book, *The Marxism of Leon Trotsky*, Calcutta, 2005,

especially in chapter 9.

(81) Minutes of the CC Plenum of ICS, 11-13 January, 1995, p.9.

(82) See Michael Jacobs, 'The Limits to Neoclassicism: Towards an Institutional Environmental Economics', in Michael Redclift and Ted Benton, eds, Social Theory and the Environment, New York, 1994.

(83) Karl Marx, Grundrisse, New York, 19723, pp.409-10.

(84) International Climate Change Task Force, Meeting the Climate Challenge, January 2005, <http://www.americanprogress.org>

(85) Scientific American, September 2005.

(86) Nature, February 24, 2000

(87) Matthis Wackernagel, et. al, "Tracking the Ecological Overshoot of the Human Economy," Proceedings of the National Academy of Sciences, July 9, 2002.

(88) For this analysis of the role of capitalism, I am indebted above all to the following, John Bellamy Foster, Ecology Against Capitalism, Kharagpore 2003; Joel Kovel, The Enemy of Nature, New York, 2002.

## **Appendix-I**

Michael Mazgaonkar  
Paryavaran Suraksha Samiti  
At Kantidra, Post Pipadhara,  
Via Rajpardi, Dist Bharuch 393 145  
Email: pss wilnetonline.net

To,  
Honourable Members  
The High Power Committee,  
Supreme Court of India,  
New Delhi.

### **Problems Associated With Solid Waste**

#### **Summary**

All chemical industrial estates in Gujarat have hazardous solid waste as a ubiquitous landmark. All kinds of such multi-coloured and highly toxic waste can be seen in road-side ditches, low lying areas, near homes, near rivers and public as well as private lands and in Industries' own premises. This combined with the fact that there is no information provided to the general population about the hazards of living and working with these kinds of wastes creates a situation that few people avoid contact with the wastes, hence health effects due to contamination are frequently seen but not diagnosed as such. Very often, such waste is also sold as landfilling material for construction purposes.

The situation is so bad that GIDC Vapi has in fact sold industrial premises, which were filled with

hazardous waste by other industries in Vapi. (1)

All this makes it clear that both the government agencies and the industries (both of whom know the hazardous nature of solid waste and the toxic effects) are least concerned about the problem and experiences in the past have shown that unless forced to do so by the civil society, both will not take any action at all. It is quite obvious that people are more concerned and responsible than industry or regulatory agency.

## **Recommendations**

1. Complete and exhaustive inventorisation of all illegal solid waste dump sites, with inputs from civil society & NGOs to be carried out immediately.
  2. Clean up of all sites on public/private land to be carried out at the cost of industries.
    - A. Clean up Sarangpur waste dump site (next to Sarangpur river). Also, remove the contaminated topsoil from the area and the contaminated sediment from Sarangpur river. Re-cover the contaminated soil with fertile soil/manure and plant trees and maintain them.
    - B. Clean up both Valia Road and National Highway 8 (village Gadkhol) completely and pay compensation to the victims and panchayats.
    - C. Stop illegal handling of toxic containers/drums and other packing materials all over the estate. Especially Ansar market in Ankleshwar is a severely polluted place due to handling of toxic chemical containers. Industries themselves should take responsibility to decontaminate such containers.
  3. Affected people should be immediately compensated for the pollution they have borne and are bearing for all these years and will have to bear in the future.
  4. Those companies who cannot deal with their own waste should be made to stop production until they can meet the rules & norms.
    - A. Heubach Colour Ltd must be penalised for the illegal dumping of solid waste and should be made to decontaminate its own premises so that no health effects come to workers in the factory. Workers have to handle extremely hazardous waste (red category) by hand and all their clothes are contaminated with the dye. These wastes are known to contain phthalate esters and other persistent organic pollutants. Workers should be financially compensated for working with unprotected clothing in such conditions.
- Extent of contamination of soil and ground water by products, waste, and process chemicals of ground water and soil should be studied for Heubach.
5. Regular sampling done in and around industrial estate wherever solid waste is suspected to be dumped, in the presence of local people and NGOs/Civil society groups.
  6. Public display of analysis of above mentioned samples and information about the health effects due to this waste should be provided.
  7. Education of people on the toxic & health effects of hazardous waste.
  8. Punitive/criminal action against companies which have defaulted all these years.
  9. Suspension/Disciplinary action against officers of Regulatory and other responsible

agencies(Gujarat Pollution Control Board, Gujarat Industrial Development Corporation , Factory Inspectors.....) should be taken.

10. A detailed study by a competent agency of health impacts and other toxic effects on population and impact on crop should also be studied.

11. Industries should be made to pay compensation and clean up costs to people, and wherever applicable should provide drinking and irrigation water free of charge.

12. Pollution of ground water is ubiquitous in and around all industrial estates. This is due to a combination of factors like dumping of hazardous solid waste as well as indiscriminate untreated effluent discharge. This should be cleaned up at all costs to make it potable again.

13. Right to information should be implemented immediately and respected by both industry and government.

14. Each industry generating hazardous waste should be compelled to provide information about the waste it generates. This information should be publicly made available in the form of Toxics Release Inventory.

### **The Problem of Solid Waste in Ankleshwar, Gujarat**

Gujarat has over ten chemical industrial estates, and more are being developed. It has been recognised nationally and internationally that all areas around these chemical industrial estates are severely polluted and that the industries have been indiscriminately and blatantly polluting for over two decades.

The Ministry of Environment and Forests (MoEF), Govt. of India (GoI) in August 1997 has listed the following key issues in hazardous waste management (2).

- i) insufficient information on the quantity and risks of waste
- ii) inadequate vigilance and enforcement of regulations
- iii) inadequate awareness of the risks to health, environment and safety
- iv) lack of proper infrastructure for the safe containment or disposal.

Evaluating the above mentioned issues and then adding a bit of local/field investigation it is quite clear that industry operates in a paradise where hardly any monitoring and regulation is done and no defaulters are brought to book.

In a personal interview with a Regional Officer of GPCB, he said that industry does not tell the truth about the amount of hazardous solid waste generated and therefore it is not possible to arrive at an accurate figure. This flies in the face of claims of industry and Government that industry works scientifically and that there is a serious concern for the environment. The same officer also said that it was not a viable proposition to monitor and regulate such a large number of industries and the only way out was banning of hazardous substances.

There has never been a complete inventorisation of hazardous waste generation in all of Gujarat state. Hence there are no real figures available. Even where needed, Gujarat Pollution Control Board relies on figures provided by the factories themselves and there are no cross-checks. And as written above, it is a known fact that the factories do not provide true figures.

CPCB has tried to estimate the amount of solid waste generated by five districts only in Gujarat and a report was published in 1996. These five districts (a total of 15 industrial estates only) alone are

estimated to generate around 0.44 million tons of hazardous solid waste while the actual figure is probably much higher as mentioned in the same report. (3) Apart from this, the report has not even tried to estimate how much waste is dumped in the illegal dumpsites, and is still being dumped. Therefore, it is grossly inadequate to use figures from this report. Apart from this, there are no figures available after 1996, when the CPCB report was published.

It is quite obvious from the various submissions and affidavits Gujarat Pollution Control Board has made to the honourable Supreme Court that there is no consistent and solid information available on the issue. Gujarat Pollution Control Board does not even analyse all the samples before providing authorisation to factories. And given the infrastructure available to the board, proper monitoring and regulation is not a viable proposition for it.

CPCB, MoEF, NPC and other Government agencies propose landfills and incineration as the solution to the hazardous solid waste problem. This is grossly inadequate and inappropriate. Experiences the world over have that such end-of-pipe solutions are not the right direction. In fact these solutions themselves are a problem.

Experiences in the US and elsewhere in the last half century have shown that all landfills, however well engineered leak and there is nothing like a "secured landfill". (4) In the context of all industrial estates of Gujarat this information is crucial as groundwater is polluted in all estates. Therefore, it would be impossible to prove liability and pinpoint responsibility to a landfill, hence Industry would go scot-free. In fact in countries like Germany, there is a definite shift away from landfills.

Also, it should be borne in mind that constructing a landfill, which anyway would last only around 30 years, costs between US \$ 100 to \$ 250 million in countries like Germany. (5) Compare this with the Ankleshwar landfill that has cost approximately Rs. 20 crores (US \$ 4.65 million), and the one in Nandesari that has cost around Rs. 1.27 crores.

There have been many studies about the health effects around landfills in the West. One of the recent studies has found a strong correlation between various types of cancers in people living around these dumps due to gases escaping from these landfills. While Gujarat Pollution Control Board gives authorization to landfills to dump ETP sludge, incinerator ash and iron sludge only in landfills and Volatile Organic Compounds are specifically disallowed in landfills, it is quite obvious from the smell from landfill in Ankleshwar that VOCs are regularly dumped there. However, no health studies in any of Gujarat industrial estates have been carried out with these issues in mind. The Ministry of Environment and Forests has written about an epidemiological study being carried out in Vapi, results of which have not been declared yet. (6)

Incinerators are also an extremely hazardous technology and are rather a problem than a solution. Again they are extremely expensive and even in the best of circumstances emit some of the most poisonous substances (such as dioxins and furans) known to science. They also are known to emit polychlorinated biphenyls. Most of these chemicals are up for a ban under the aegis of United Nations Environment Programme (the POPs treaty) under negotiation, and India is a signatory.

Existing incinerators run by industries to incinerate process waste from bulk pesticide manufacturing units are run at 550oc. (7) At these temperatures dioxins and furans are known to be generated. No norms for this exist in India, nor is there the capability to monitor or regulate or test for them. Again, Industry will escape responsibility even while it is polluting. Hence, this should also not be considered an option.

We would like to bring to the notice the Honourable Committee the case of Heubach Colour Ltd. This company has a unit in Ankleshwar and manufactures phthalocyanine and other dyes and

pigments. This company can be seen dumping its copper phthalocyanine waste illegally in its own land without any precaution. (8) (Photographs enclosed). A Greenpeace analysis of this waste has shown that it contains high amounts of copper (a toxic metal) and phthalate esters as well as over nine persistent organic pollutants. All these chemicals are known to cause serious health effects.

The CPCB report claims that hazardous solid waste problem is mainly of the small-scale industries while large-scale industries are containing their problems. However, here is a medium to large-scale industry blatantly violating the Hazardous Waste (Management & Handling) Rules, 1989.

The honourable committee should also note that a lot of toxic products are in daily use today which ultimately find their way to municipal waste dumps or landfills. It is a daily practice to open-burn these dumps/landfills to make space for more waste. A significant constituent of municipal solid waste today is the PVC bag. Open burning of PVC bags generates dioxins and furans, which affect people all around the dump. In fact one of the recent studies in Asia states that a major source of dioxin is open burning of municipal waste. Also, household items like fluorescent tubes are a significant source of mercury, one of the extremely hazardous metals. Even glass waste has been contributing lead by leaching. Hence, though the waste itself is not hazardous, it presents a severe hazard to the community where it is dumped. Therefore, it should be treated as a hazardous waste.

We think that the only way out is a Clean Production plan for India. A basic not about Clean Production is attached herewith. While the state is implementing clean production plan, the industry is dragging its feet. The plan would not be successful without contributions and continuous monitoring by civil society groups and the common people. A transparent process and an enforced right to know are essential part.

We would be glad to provide any further information needed by the honourable committee.

1. Inventorisation of Hazardous Waste in Five Districts of Gujarat, Central Pollution Control Board, Oct 1996.

2. INDIA-Hazardous Waste Management Project, Sectoral Environmental Assessment Report, MoEF, N Delhi, Aug 1997.

3. Inventorisation of Hazardous Waste in Five Districts of Gujarat, Central Pollution Control Board, Oct 1996.

4. Rachel's Environment & Health Weekly has published a series on landfills documenting experiences and effects of landfills all over the west, specifically, the following issues, 1, 4, 13, 15, 22, 23, 26, 27, 29, 31, 36, 71, 85, 86, 90, 115, 116, 117, 119, 125, 127, 180, 209, 226, 231, 243, 267, 268, 316, 617

Issue no.617 is attached here. Other issues can be provided on request to Paryavaran Suraksha Samiti.

5. Personal interview with Dr. Harald Schoenberger, Environmental engineer, Regierungsprasidium, Freiburg, dt. 1 April 2000.

6. Ministry of Environment and Forests, Annual Report, 1996-97.

7. Inventorisation of Hazardous Waste in Five Districts of Gujarat, Central Pollution Control Board, Oct 1996, page 76-77.

8. See attached photos.



## Appendix- II

### **MOST URGENT - MOST URGENT**

?? 30-9-99 To, The Member Secretary  
Dr. G. B. Soni  
Gujarat Pollution Control Board  
Gandhinagar.

Sub : With reference to our letter dated 30-8-99 to your Baroda office regarding the Hema Chemical Industries, 4/13, BIDC, GORWA, VADODARA - 390 016.

Request for immediate action in the matter.

Dear Sir,

After number of verbal complain about the illegal disposal of solid waste - Chromium waste in the open land near by Gorwa Village, a written complain was given to your Vadodara office exactly before one month.

We are requesting you to immediately look into the matter and inform us about your action against the defaulting Hema Chemical industries who had and who is disposing off its solid waste - chromium ore waste into the open land near by Gorwa village since its origin and that has spoiled the water of the area and created health problem in the area. Due to this industry the ground water of surrounding area is contaminated and some of them were force to stop their well due to chromium contamination. Even the ground water of the company has chromium but bore well is now not in use and even not allowing your office to test that water. Things are going out of control, so please look into the matter and treat the matter as urgent and take firm action against the industry.

### **Small note about the Hema Chemical Industries.**

Hema Chemical Industries is situated in Gorwa industrial area of Vadodara, established in 1965 by Mr. Mahendrabhai Patel to manufacture Potassium and Sodium Bichromate, Basic Chromium Sulfate, and other Chromium based chemicals. Chromium is a metal used widely in alloy and metal plating; its various salts have wide application in industry. Bichromate form raw material for a number of chromium chemicals. Chromium chemicals are used as wood preservative, colored glass, glaze, tanneries, textile dyes, pigments for lithography, etc. The manufacturing process for Sodium and Potassium Bichromate consist of crushing chromate ore into small pieces. The ore is then mixed with Soda Ash or lime and roasted at 1100 to 1200 degrees Centigrade in reverberated furnace.

**After that metal is cooled down and bichromate is extracted. After that this solid waste is disposed off in the surrounding area. This waste do contain the high percentage of chromate.**

At Hema Chemicals, they have two separate Factories known as Hema Chemical Industries, unit no. 1, Hema Chemical Industries, unit no.2 [Both are having different licenses]. In unit no. 2, known as Bhatthe, Chromate ore is crushed and roasted while another unit known as Unit I, bichromate is manufactured. Both the Factories employ more than 120 workers. Hazards of chromium are well known. Bichromate is hexavalent chromium, which is a human carcinogen. It causes chemical chronic rhinitis, chronic chemical Pharyngitis and Nasal Septum perforation. It is also known to cause

lung cancer, deep and slow healing ulcers, on skin called “chrome ulcer”, irritation and ulcers in nose. Pigmentation of tooth, perforation in ear drums. Major hazard of the hexavalent chromium is to upper respiratory tract, including nose, pharynx, and lungs. It may cause pulmonary oedema, damage kidney, form dental carry, stomach pain, and skin sensitization. It causes allergic or sensitizing dermatitis. Chromic acid mist has history of causing toxic jaundice indicating damage to liver. There is a history of lung fibrosis also. Cement, oil, automobile, and diesel locomotive repairers face problem of skin as they all contain small amount of chromium.

The workers working at Hema chemicals have fallen prey to all these hazards. 43 workers are found to be suffering from Nasal Septum perforation and 23 suffer from contact and sensitizing dermatitis, as stated by Dr. S. K. Varma, Certifying Surgeon of Factory Inspector office of Vadodara region. This was found during primary clinical medical examination carried out by him. Systematic complete biological medical examination of all the workers is yet to be done. 2 workers have had to amputee their toes following secondary infection and gangrene. Both of them suffer from non-healing ulcers on foot. One of them also suffers from Hydronephritis due to calculus in Kidney. He also suffers from Calculus in Gallbladder. One of the workers suffers from Pharyngitis. There is a need for systematic medical survey. This company violates various provisions of Factories Act. Chromium level is not monitored. TLV for Chromium is 0.05 Mg./meter Square as per schedule II of the Factories Act, 1948. A technology employed by the management is highly unsafe. In fact, the Management is known for its callousness regarding safety. In one of the units owned by this management, at Nandesari, called Ushma Chemical, explosion in December 1996 took life of 4 workers.

The editorial of prominent English newspaper says lot about the graveness of the health and safety situation of the workers. It [Indian Express dated 15-7-98] says: “A recent report in this paper describes the utterly inhuman responses of an employer and the Gujarat government machinery to the continuous exposure of workers to hazardous chemicals. To the proprietor of Hema Chemicals, conditions in his unventilated factory outside Vadodara are no worse than what is produced by vehicular pollution on Indian roads. Judging by its performance, the Factory Inspectorate agrees. Emission levels within the factory have not been measured even though the Inspectorate’s own medical officer certified an incriminatingly high incidence of case of the factory’s 250 workers. The workers themselves report gangrene and lung and kidney ailments as well. **The normal response in such a situation would be to shut down the factory until the working environment was brought into conformity with legal standards. But who is going to do that? Government agencies are not made accountable to anyone.** Proprietors will remain indifferent as long as regulations are not enforced and unions are ineffective. So, as long as there are more poor, illiterate people outside the factory gate looking for job, those inside will be treated as expendable, as a subhuman species for whom no one need take responsibility.....”

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Lot has been printed in the press about the health situation of the workers of the company including the visual media like Star TV, ZeeTV, BBC etc. etc. **We hope that this letter will be enough to convey you the seriousness of the issue.**

Rohit Prajapati

[ROHIT PRAJAPATI]  
for PSS

CC :

To The Regional Officer  
Gujarat Pollution Control Board , Vadodara.

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**P.S.**

\* This research paper is written as part of a project entitled Towards a History of Environmentalism under the University Grants Commission Special Assistance Programme for the Department of History, J.U. Forthcoming 2006.

\* Kunal Chattopadhyay is professor at the Department of History, Jadavpur University.